

University of South Wales
Prifysgol De Cymru



Terms and Conditions of Course Enrolment
2018/19

Amendment Chronology			
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USW Terms and Conditions of Course Enrolment 2018/19

Confidentiality and data protection

Personal information you have provided and those obtained from other sources in connection with your studies will be held securely and used by the University during enrolment and after you leave the University for a variety of purposes including the administration of all academic records, student support services (including those relating to health and wellbeing), careers services and the operation of the University's Regulations and Procedures. In addition the information will be used for research and the compilation of statistics and Alumni administration. The University's full privacy notice can be found at Annex A (page 4)

To support your learning journey, the University would like to use the information you have submitted relating to your ethnicity as part of its Learning Analytics Programme. This information will help to enable the University to improve its teaching and support services to you and other students. Full details are available in our 'Learning Analytics Information Booklet' [<http://uso.southwales.ac.uk/media/files/documents/2017-09-13/LearnerAnalyticsStudentGuide-v1-1.pdf>].

Equality and Diversity Act 2010

We are committed to providing an inclusive learning environment. We do not discriminate unfairly, either directly or indirectly, against members of our community on the grounds of the Protected Characteristics as outlined in the Equality Act 2010.

International non-EU students studying in the UK

All students who come to study in our campuses in the United Kingdom and are from outside the EU are required to:

- hold a valid visa that allows them to study in the University or
- hold a Tier 4 visa sponsored by the University.

Students who are being sponsored under a Tier 4 student visa must also comply with the responsibilities of their student visa and cooperate with the University of South Wales in fulfilling its Tier 4 compliance obligations. Student information is disclosed to UK Visas and Immigration (Home Office): this could be for instance regarding an immigration application you have made or concerning your attendance and engagement.

Non UAE nationals studying at USW Dubai campus

All students who study in our Dubai campus should

- hold a valid visa that allows them to study at USW Dubai

Students who are studying at USW Dubai must also comply with the responsibilities of their student visa and cooperate with the University of South Wales in fulfilling its UAE Immigration compliance obligations. Student information is disclosed to the UAE Immigration Authorities: this could be for instance regarding a visa application, your enrolment with USW Dubai and your attendance and engagement

Student Declaration

- I agree to abide by and observe all regulations applicable to students of the University of South Wales as specified in Annex B (Page 18).
- I agree to abide by the student casework regulations and procedures, including Academic Appeals, Student Complaints and Student Conduct as specified in Annex C (page 111).
- I understand that if I have a student visa, my official financial sponsor may ask the University of South Wales to provide my course results and attendance to them.
- I understand that if I have a Tier 4 visa or other student visa that allows me to study at any of the University campuses, I must comply with the terms of the visa and Immigration Authority requirements and I am aware of my immigration responsibilities and the record-keeping and reporting duties of the University of South Wales as specified in Annex D (page 210).
- I understand that if necessary and appropriate following any disciplinary investigation, the University reserves the right to inform a relevant professional body.
- I acknowledge that tuition fees are due for each year or stage of my course. I agree that, should the Student Loans Company or my sponsor fail to pay my fees, then I will be liable for payment of the fees in full immediately and I am aware of the University's sanctions for non-payment.
- I agree to abide by and observe the University's Fees and Debt Management Policy which is specified at Annex E (page 214) and I understand that if I withdraw from my course, any reduction in fees will only be made in accordance with these regulations.
- For courses that require referral to the Disclosure and Barring Services (DBS), I understand that sufficient clearance is required for me to remain enrolled on that course.
- I declare that, to the best of my knowledge, the information I have given in relation to my enrolment is correct. If any of the information supplied is incomplete or incorrect the University reserves the right to take any appropriate action which may include withdrawal.
- I understand that by accepting the Terms and Conditions I am entering into a legally binding agreement with the University of South Wales.

Data Protection Policy

1. Introduction

The University takes the protection of all personal data seriously and is fully committed to the protection of the rights and freedoms of all individuals in relation to the processing of their personal data. Personal data will be processed in compliance with data protection laws.

This policy is supplemented by guidance documents which must also be adhered to as part of this policy. A glossary of terms is included as Appendix A (page 9).

2. Purpose

To undertake its core functions and other services it is necessary for the University to collect, store and use personal data of individuals. This policy details the standards the University will follow and provides clarity for staff and other individuals on the expectation of the institution when personal data is processed.

3. Scope

This policy applies to all employees, including temporary, casual, contract, volunteers and agency staff as well as any processors acting on behalf of the University.

This policy should be read and interpreted in conjunction with other related University of South Wales policies and published guidance.

4. Responsibilities

The University of South Wales is the 'data controller' and will take the appropriate measures to ensure data is processed compliantly and to protect data subjects' rights under the Regulations.

The University is legally required to have in place a Data Protection Officer (DPO) who is responsible for areas including; the management of: day-to-day data protection matters, training, developing good information handling practice across the University, monitoring compliance and advising the necessity of data protection impact assessments.

Deans and Departmental Directors are responsible for overseeing compliance with this policy and ensuring good data protection practice within their designated areas. A Data Coordinator will be designated within each faculty and department whose role will be to cascade information into management team meetings and identify new processing activities that involve personal data.

All members of staff are responsible for ensuring that they adhere to data protection laws and policies when processing personal data in the course of their employment. Staff are also responsible for ensuring that the personal data the University holds about them is accurate and up-to-date by informing the University of any changes or errors immediately.

Students must adhere to data protection laws and the Data Protection Policy when processing personal data for purposes relating to their studies.

5. Data Protection Principles and Individual Rights

When processing personal data, the University is committed to complying with data protection laws. Personal data will be processed in accordance with the 6 Principles of the General Data Protection Regulation (GDPR):

- a) Processed lawfully, fairly and in a transparent manner in relation to individuals;
- b) Collected for specified, explicit and legitimate purposes and not further processed in a manner that is incompatible with those purposes; further processing for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes shall not be considered to be incompatible with the initial purposes;
- c) Adequate, relevant and limited to what is necessary in relation to the purposes for which they are processed;
- d) Accurate and, where necessary, kept up to date; every reasonable step must be taken to ensure that personal data that are inaccurate, having regard to the purposes for which they are processed, are erased or rectified without delay;
- e) Kept in a form which permits identification of data subjects for no longer than is necessary for the purposes for which the personal data are processed; personal data may be stored for longer periods insofar as the personal data will be processed solely for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes subject to implementation of the appropriate technical and organisational measures required by the GDPR in order to safeguard the rights and freedoms of individuals;
- f) Processed in a manner that ensures appropriate security of the personal data, including protection against unauthorised or unlawful processing and against accidental loss, destruction or damage, using appropriate technical or organisational measures.

The University will ensure that personal data will be processed in line with the rights of the individual:

- The right to be informed – Individuals will be advised how their personal data is used.
- The right of access – Individuals will have a right, upon request, to obtain a copy of their data.
- The right to rectification – Where appropriate, individuals are entitled to have inaccurate data rectified.
- The right to erasure – Individuals are able to request that personal data is erased.
- The right to restrict processing – Individuals may suppress processing where appropriate.
- The right to data portability – Individuals may request for their information to be moved from one IT environment to another without hindrance to usability.
- The right to object – Individuals are able to object to processing in prescribed situations.
- Rights in relation to automated decision making and profiling – where decision making is made automatically individuals can object to their data being processed in this manner.

6. Processing personal data lawfully and fairly

The University collects personal data in the course of the application process, enrolment, recruitment, provision of services to service users together with other purposes relating to its functions.

To ensure that personal data is processed fairly, there is a requirement to ensure that individuals are made aware of how the University will use their data. To ensure compliance:

- Individuals will be provided with a fair processing notice/privacy notice when their personal data is collected.
- Where personal data is obtained from other sources, the University will provide the individual with information relating to the processing within one month of obtaining the data.

For personal information to be processed, there must be a lawful basis for the processing. When special category personal data is processed, additional conditions must be met.

7. Security of personal data

The University and its staff will ensure that it manages personal data, held in electronic and hard copy securely. Staff must comply with IT Security Policies, and Information Handling Policies and Guidance when handling personal data.

On induction, all staff members (including temporary, volunteers, contractors and those working as consultants) handling personal data are required to complete the University's Mandatory Data Protection and Information Security training. Training must be completed within 2 weeks of the member of staff's start date at the latest. Thereafter, all staff handling personal data are required to complete the University's mandatory refresher training at least every 2 years.

Failure to complete the mandatory training within the timeframes set would constitute a breach of this policy and may result in the member of staff being denied access to IT systems and be subject to disciplinary action.

The University will maintain a record of all individuals who have completed and passed the training in order that it can demonstrate compliance with its data protection obligations. Where staff fail to complete the training within the specified time a notification will be sent to the line manager.

Where staff are working with partners/other organisations which involves the processing of personal data there is a requirement on the University to ensure that respective responsibilities on both parties are included in a contract.

In the event that the University engages a third party as a 'data processor' for its personal data, a specific written contract with the third party providing assurance in respect of the management of the data must be in place.

A data security breach involves the loss of, or unauthorised access to, personal or confidential data including information in hard copy and electronic format and could include – theft or loss of data, accidental disclosure and malicious access to data or intellectual property. This includes both information in hard-copy and electronic information. Where a breach occurs staff must report the incident in line with the Data Breach Procedure within 12 hours of becoming aware of the breach.

When processing personal data staff will do so in accordance with the Information Classification Policy.

Where staff are considering using a new system to store, collect or process personal information staff must consult with IT and the supplier must complete a security assessment.

Offices or rooms containing personal data must be locked when empty or not in use and desks, cupboards and filing cabinets must be kept locked if they contain personal or confidential data.

When staff vacate rooms or close IT systems there is a need to ensure that steps are taken to protect personal data and to ensure that it is kept in a way that is accessible to staff and kept in line with the retention policy.

Paper documents containing personal data must be disposed of securely via the University's confidential waste service. Electronic data or media such as USB sticks, CDs must be wiped or destroyed securely to ensure that the information is no longer accessible. Equipment such as laptops, PCs, smartphones must be wiped and/or disposed of securely.

Monitors must be positioned in suitable locations to ensure that confidential information is not visible to passers-by or other unauthorised individuals e.g. through office windows or doors. Users must lock their PCs and other devices when they are left unattended to prevent unauthorised access to systems.

Paper records containing personal data must be kept securely to prevent unauthorised disclosure. When not required, the paper or files should be kept in a locked drawer or filing cabinet.

Personal data must not be disclosed to unauthorised third parties intentionally or through negligent actions. Personal data must not be disclosed to third parties unless it has been verified that they have authority to access that information. Care must be taken when transmitting personal data e.g. by email or fax to ensure it is addressed correctly, marked appropriately e.g. 'private and confidential' and is only sent to the intended recipient.

The University will undertake a Data Protection Impact Assessment when using new technology that involves the processing of personal data, or, where the processing is likely to result in a high risk to the rights and freedoms of individuals.

Staff must only process personal data belonging to the University when there are lawful grounds to do so and where they are authorised to process that data. Unauthorised processing of personal data would include (but not limited to) accessing personal data for private interest or personal gain. In addition to being a potential disciplinary offence, accessing personal information can be a criminal offence for which individuals could be prosecuted.

When staff leave the employment of the University a 'Leaver's Checklist' must be completed.

Staff will not disclose information to third parties such as parents, employers, sponsors, the police unless there is a legal basis or an exemption that allows them to provide the information.

Personal data must not be transferred to a country outside the EEA unless that country has adequate measures in place to ensure that the rights and freedoms of data subjects are protected when their personal data is processed.

8. Management of records

Personal data held about individuals must be sufficient for the purposes for which it is held. The minimum amount of personal data needed should be identified and collected; additional, excessive personal data must not be held.

The University will ensure that personal data is accurate and where necessary, kept up-to-date. The accuracy of personal data should be checked regularly and individuals should have a means of updating their information when required.

The University will only keep personal data for as long as is necessary in accordance with retention schedules maintained by the University, information identified for destruction must be erased or disposed of securely.

Personal data will only be processed for the specific purposes notified to the individual via the privacy/fair processing notice when the data was first collected or for any other purposes specifically permitted under data protection legislation. Personal data must not be collected for one purpose and then used for an entirely different, unrelated purpose. Where it is necessary to change the purpose for which the data is processed, the data subject must be informed of the new purpose before any processing occurs, unless an exemption from this requirement applies.

9. Governance and accountability

The University will appoint a Data Protection Officer (DPO) who will report to the Vice-Chancellor and a regular report will be presented to a formal meeting of the Information Security Board.

Staff or students wishing to make a complaint may do so through the 'Complaints Procedure'.

10. Consequences of non-compliance

It is a condition of employment in the case of staff/contractors/agency workers and enrolment in the case of students that all individuals will abide by the policies and rules of the University.

Any breach of this policy will be considered a disciplinary offence and may lead to disciplinary action. A serious breach of the Data Protection Regulation may also result in the University being held liable in law. In certain situations, individuals could be personally prosecuted for breaches of the data protection law.

Date	Version	Reason for change	Author

Appendix A

The General Data Protection Regulation governs the processing of personal data. All these terms are defined in the Regulations.

Personal data means any information relating to an identified or identifiable natural person ('data subject'). An identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as name, id number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person.

Special Category/Sensitive personal data is personal data relating to ethnic origin, political opinions, religion or beliefs, trade-union membership, and the processing of genetic data or data concerning health or sex life or criminal convictions or related security measures.

A **Data Subject** is the individual who is the subject of personal data.

Processing is means any operation or set of operations performed upon personal data or sets of personal data, whether or not by automated means, such as collection, recording, organisation, structuring, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, restriction, erasure or destruction

A **Data Controller** means the natural or legal person, public authority, agency or any other body which alone or jointly with others determines the purposes and means of the processing of personal data

A **Data Processor** means a natural or legal person, public authority, agency or any other body which processes personal data on behalf of the controller.

Student Privacy Notice

The University of South Wales is the data controller and the University's Data Protection Officer can be contacted through dataprotection@southwales.ac.uk. The University is committed to protecting the rights of students in line with the Data Protection Act 1998 and the General Data Protection Regulation (GDPR).

What information do we collect?

The University collects information about you at various points throughout your student journey. Personal data is collected at the application stage, at enrolment and throughout the period of study to form the student record. Type of personal data processed includes, though is not limited to, the following:

- Contact details and other information submitted during the application and enrolment processes.
- Details of courses, modules, timetables and room bookings, assessment marks and examinations.
- Financial and personal information collected for the purposes of administering fees and charges, student funding, scholarships and hardship funds.
- Photographs, and video recordings for the purpose of recording lectures, student assessment and examinations.
- Information about your engagement with the University such as attendance data and use of electronic services such as UniLearn (Blackboard) and UniLife.
- Contact details for next of kin to be used in an emergency/where there are concerns regarding your health and wellbeing(The University will assume that students have confirmed with the next of kin on the use of their data prior to providing the University with their data).
- Details of those with looked after status or those who have left the care system for the provision of support.
- Information related to the prevention and detection of crime and the safety and security of staff and students, including, but not limited to, CCTV recording and data relating to breaches of University regulations.
- Information gathered for the purposes of equal opportunities monitoring.
- Information relating to the provision of advice, support and welfare, such as data relating to the use of the services offered by the Student Services and the Advice Zones.
- Information about an individual's use of our information and communication systems.
- Attendance and engagement information.

- For international students: Copies of passports, visas, biometric data and any other documents required to ensure compliance with Home Office requirements as well as information collected in relation to attendance.
- For students on certain courses such as healthcare, teaching, social worker courses records relating to suitability checks including DBS.
- The University collects information on Welsh language skills for the purpose of Welsh medium provision

How is data used?

When students enrol the University will be required to collect, store, use and otherwise process data for any purposes connected with studies, health and safety and for other reasons deemed necessary for the performance of the contract with the University. The University will also use personal data for certain purposes after graduation.

The University will use data fairly and lawfully in accordance with its obligations under the Data Protection Act 2018 as well as under the General Data Protection Regulation. This means that we will process your data in a way which respects the Data Protection Principles and the individual rights. Any use of data must also be covered by the registration held by the Information Commissioner.

Although it is not possible to state every purpose for which personal information will be used, the following are examples of how it is likely to be used:

- In order to enrol the student on the course and to record academic achievement (for example – course choices, examinations and assessments)
- To assist in pastoral and welfare needs (e.g. the counselling service and services to students with disabilities).
- To carry out investigations in accordance with academic and misconduct regulations.
- To operate security, disciplinary, complaint and quality assurance processes.
- To administer the financial aspects of student registration (such as payment of fees and debt collection).
- To administer support for employability needs.
- To provide or offer facilities and services to students (e.g. library access, printing, computing, sports facilities, accommodation).
- To ensure health, safety and security on campus.
- To produce management statistics and to conduct research into the effectiveness of our programmes of study as well as produce statistics for statutory purposes.
- In order to provide overseas students with support and advice on a range of issues such as immigration, cultural issues and welfare.

- To monitor engagement of students on Tier 4 Visas to ensure compliance with the terms of their sponsorship.
- To manage our estate.
- To monitor the University's responsibilities under equal opportunity policies.
- To maximise an individual's opportunities to succeed through the use of learning analytics. The University records behaviour and interactions with the University's systems which are used as an indicator of engagement and progress. This information is then analysed and used to identify a projected outcome and where a student is at risk of withdrawing from their study.
Data provided at enrolment (such as educational attainment prior to study at USW, address, age), information on course progression and information on behaviour and interaction is kept for future analysis and research to aid our understanding of the student population and in learning analytics. Further information is available within the Learning Analytics Student Guide.
This processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller. The University would also like to use information around ethnicity of the student population which would further enrich its datasets and enable the University to improve analysis based on a more individual level in the future. The University will only process this information with the individual's consent.
- The University provides students with a 'smart' photographic identification card. The card can be used to access certain rooms, for security as a means to identify who is permitted on campus, to access the library and to allow access to print services.
- To produce statistics and management information to enable the University to understand its business and for strategic and management decision making.
- For electoral roll purposes. When students have agreed for their data to be shared with Local Authorities for automatic inclusion on the electoral register.
- Upon graduation the names of those graduating are published in the award brochure. Where students do not wish for their names to be included they may inform the Exams, Certification & Graduation Unit of this when they receive their invitation.
- To contact you about further learning opportunities at the University.
- To provide those with identified needs with access to support and University services.
- Personal data on certain courses may be provided to organisations providing access to specialist software/resources that will support and enable students to undertake their studies.

What is the purpose of the processing under data protection law?

In order to process personal data the University relies upon the following lawful basis:

- Necessary for the performance of a contract (e.g. to manage the student experience and welfare)
- Necessary for compliance with a legal obligation (e.g. to provide personal data to HESA)
- Necessary for the performance of tasks carried out in the public interest (e.g. teaching and research)

- Necessary for the pursuit of the legitimate interests of the University or an external organisation (e.g. to enable access to external services)

The University will also process some information that is considered more sensitive ('special category' personal data). Special category personal data is defined as racial or ethnic origin, political opinions, religious or philosophical beliefs, trade union membership, health - including mental health and disability information, or sex life and sexual orientation, genetic data and biometric data which is processed to uniquely identify a person. In the UK this also includes any personal information relating to criminal convictions and offences.

Special category personal information will only be processed in certain situations in accordance with the law.

- With the individual's explicit consent.
- Where the processing is necessary for reasons of substantial public interest.
- Where the data subject has made the information public.
- Where it is necessary to protect the individual's vital interests or those of another person and where they are physically or legally incapable of giving consent. This would be in an emergency situation where the health, wellbeing or welfare of the individual was at risk
- Where processing is necessary for the establishment, exercise or defence of legal claims

The University will use special category personal information in the following ways:

Information around race, national or ethnic origin, religious, philosophical or moral beliefs or sexual life or sexual orientation, to ensure meaningful equal opportunity monitoring and reporting (including where for monitoring purposes conducted by the Higher Education Statistics Agency HESA)

For certain courses of study, placements and work opportunities information about past criminal convictions and offences will be processed where this is relevant because the data subject is working with children or vulnerable adults, and/or because of fitness to practise in certain regulated professions.

Biometric data will be processed in relation to attendance will be processed to ensure compliance with legal obligations placed upon the University.

Information about an individual's physical/mental health or disability status to ensure the health and safety of students whilst registered at the University and to assess fitness to study, travel, take part in placements, provide appropriate reasonable adjustments and where requested, to make decisions relating to applications for mitigating circumstances

Where an individual chooses to provide the University with sensitive information for the purposes of

student support, the information will be used to provide the support requested

Note: Personal information will be collected by other parts of the University such as by the Sport Centre, Accommodation, Clinics, Student Support Services and privacy notices will be provided at the point of collection as required.

Who receives this data?

Where necessary personal information will be shared internally within the faculties and departments across the University. Personal data is protected by the University and information will not be disclosed to third parties without consent, or, is permitted by law. This section outlines the major organisations and the most common circumstances in which we disclose data about students. Where this involves international transfer of your data, data will only be transferred if it meets the conditions set down under current data protection legislation.

- **After graduation** the University will need to maintain some records in order that it can verify awards, provide transcripts of marks, to provide academic references and for career support.
- The University will share personal data with the **Students' Union** in order to allow students to participate in the election of its officers and to become a member of the Union.
- Following graduation, personal data is processed by the **Alumni Relations Development Team** within the University as all individuals graduating automatically become members of the University's Alumni Community. Full details on the use of personal data can find information on the use of data through the Alumni webpages [<https://www.southwales.ac.uk/alumni/>]
- The University is an Approved Education Provider for the purposes of the **Points-Based Immigration System**. The University will provide data about students on the Tier 4 Student Visa and other categories of visa to the Home Office and its departments in order to fulfil its duties as a Tier 4 Sponsor Licence holder.
- To sponsors and parents where consent has been provided.
- **HE/FE institutions & placement providers:** Where students are involved in study arrangements with other organisations, eg: exchanges, placements, joint/double programmes, we may disclose some data to the relevant institution, including those outside the European Economic Area (EEA).
- **The Student Loan Company:** Personal data will be shared to confirm enrolment, attendance and identity in order that students can access financial support.
- **Debt recovery / credit control:** Personal data may be shared with third parties, attempting to recover debt on behalf of the University, where internal debt recovery procedures have been unsuccessful.
- **Potential employers** or providers of education approached by the individual.
- **UK agencies** with duties relating to the prevention and detection of crime, collection of a tax (including Income or Council Tax) or duty or safeguarding national security

- The University has a statutory obligation to release information to the **Higher Education Statistics Agency (HESA)** for statistical analysis. Full details on the uses of student data by HESA can be found on their website <http://www.hesa.ac.uk/fpn>.
- The University is required to pass data about its students to **the Higher Education Funding Council for Wales (HEFCW)** for them to conduct the National Student Survey. This provides students with the opportunity to give their feedback on their experiences at the University. Information will also be provided to HEFCW in line with our statutory responsibilities.
- Personal data relating to students on specific programmes will be passed to **professional bodies** which accredit those programmes at the University in connection with registration such as Law Society, General Chiropractic Council, Care Council for Wales. If there has been an incident of academic or professional misconduct and/or where the Head of School or equivalent believes there is a concern related to fitness to practise which may result in a risk to the public, this will also be reported to the appropriate professional body.
- Personal data may be passed to professional bodies where necessary in relation to membership registration.
- Personal information may be shared with **work placement providers** including contact details, information around the individual's studies and other necessary information.
- Following graduation the University or **HESA** may contact individual students to ask them to complete one or more surveys into the outcomes of higher education and details of activities after graduation. These surveys may be undertaken by the University or by another specialist organisation contracted for that purpose. If a specialist organisation is used that organisation will receive the individual's contact details, but will only use these details to ask individuals to complete the survey, these details will then be deleted. Individuals may also be contacted as part of an audit to check that the University or any contracted organisation have undertaken these surveys properly (full details on the HESA collection notice are available [here](#))
- Coursework and assignments are submitted through **Turnitin® UK**, which supports academic staff in identifying any plagiarism, re-presentation and inappropriate citation. Where plagiarism is suspected, work and information may be shared internally and with other institutions as required.
- Data may be shared with **partner colleges** where the University has partnership arrangements in place. Information that would be shared for purposes relating to their studies and for administrative purposes.
- Personal information may be shared with organisations (including other education providers) with whom we work collaboratively and with other agencies (including the Welsh Government) where there is a requirement on the University to report on outcomes, progression or for equality monitoring purposes.
- Relevant information will be shared with third party providers of accommodation where arrangements are in place for the sharing of data.

- Any other disclosures that the University makes will be in accordance with data protection legislation and your interests will be considered.

How long will data be held?

Information held on file will be kept in line with our Records Retention Schedule [<http://uso.southwales.ac.uk/ig/rm/schedule/>]

Keeping information secure

Data Protection legislation requires the University to keep personal data secure. This means that confidentiality will be respected, and all appropriate measures will be taken to prevent unauthorised access and disclosure. Only members of staff who need access to relevant parts or all of an individual's data will be authorised to do so. Information held in electronic form will be subject to password and other security restrictions, while paper files will be stored in secure areas with controlled access.

The processing of some data may be undertaken on the University's behalf by an organisation contracted for that purpose. Such organisations will be bound by an obligation to process data in accordance with the Act/Regulations.

Normally personal data that we collect from you will be stored within the European Economic Area ("the EEA"). However, in certain instances personal data will be collected by processors within a country or territory outside the EEA. Where this occurs the University will ensure that the country is recognised by the European Commission as guaranteeing an adequate level of protection for the rights and freedoms of data subjects in relation to the processing of personal data; or, by companies registered with the EU-US Privacy Shield.

Individual rights

Individuals have the right to access personal information, to object to the processing of their personal data, to rectify, to erase, to restrict and to port personal information.

Any requests or objections should be made in writing to the Data Protection Officer – dataprotection@southwales.ac.uk

Where individuals are not satisfied with the University's response, or believe that the University is not processing personal data in accordance with the law then they may complain to the Data Protection Officer.

If the matter is not resolved and the individual remains dissatisfied then they have the right to apply

directly to the Information Commissioner for a decision. The Information Commissioner can be contacted at:

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

www.ico.org.uk

Regulations for Taught Courses

Title: Regulations for Taught Courses					
Version	Issue Date	Revision Description	Author	Approved By & Date	Next Review Date
1.0	Sept. 2015	First Issue	Mary Hulford		July 2016
1.1	July 2016	Review	Anthony Clements	Sept. 2016	Sept. 2017
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1.4	Sept. 2017	Sept. AB	Tara Smith	Sept 2017	July 2018
1.5	Sept 2018	June AB	Kari Jones	June 2018	July 2019

Due to ongoing integration, these regulations are subject to change in respect of structures, roles and responsibilities.

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A.1 The Framework for Academic Courses

A.1.1 The Nature of the Framework

A.1.1.1 Rationale

The University's framework for academic courses is designed to support:

- a full range of higher education courses compatible with the Credit Qualification Framework for Wales and the Framework for Higher Education Qualifications;
- the clear, consistent definition of courses at the standard appropriate to their designated title and higher education level;
- student choice and flexibility, including transferability between courses, part-time opportunities and multi-mode delivery;
- the ability to provide special courses to meet the needs of a wide variety of client groups;
- clear links and bridges between courses to ensure all students may find the courses best suited to their needs and aspirations.

A.1.1.2 The courses offered by the University

All taught courses offered and delivered by the University, either for itself or in collaboration with its partner institutions, are structured within a common, credit-based, modular framework. Thus, each course is made up of a defined number of units of standard size, length and value (modules). In their turn, these modules carry a defined number of credits at the level appropriate to their place within a course. To achieve an award, students must accumulate the required number of credits at the levels and in the subjects defined by each particular course specification.

A.1.1.3 The courses accredited by the University

In addition to its own provision, the University also accredits courses devised by its collaborative partners. These courses equally are courses of the University and are known as 'accredited' provision. They must be demonstrably set at the designated higher education level and be compatible with the University's credit-based system, but they need not follow the University's modular structure.

A.1.1.4 Credit compatibility

The University's credit definitions are compatible with those used by the majority of UK universities, by the Credit and Qualifications Framework for Wales and by the European Credit Transfer System (ECTS). Accumulated credits may therefore be transferred either between courses within the University or to other universities and institutions.

A.1.2 The Courses and Awards of the University

A.1.2.1 The range of University awards

The University recognises the following range of formal awards¹:

Full name	Abbreviation	Credits Required	Minimum at highest level						Gown type
			3	4	5	6	7	8	

¹ A new University award may be requested when required. The proposing faculty should provide a memorandum, to include (but not limited to) rationale, credit requirements, confirmation of mapping to relevant benchmark/credit framework and details of the required addition to the Secretary of QAC.

This request will then be reported to QAC and if approved will go forward for consideration by Academic Board for approval prior to addition to the regulations.

Higher National Certificate	HNC	120		120				1
Higher National Diploma (note exit award of 120 ungrouped credits that do not qualify for HNC will be CertHE)	HND	240		120	120			1
Professional Graduate Certificate in Education	CertEd (PgCE)	120	20	100				1
Professional Certificate in Education	PcET (ProfCE)	120		20	100			1
Foundation Certificate in Higher Education	FCertHE	120	120					1
Certificate of Higher Education	CertHE	120	20	100				1
Diploma of Higher Education	DipHE	240	20	120	100			1
Advanced Certificate of Higher Education	ACertHE							1
Foundation Degree in Arts (25% must be derived from L5 work based learning)	FdA	240	20	120	100			2
Foundation Degree in Science (25% must be derived from L5 work based learning)	FdSc	240	20	120	100			2
Bachelor of Arts (unclassified)	BA	300	20	120	120	40		2

Bachelor of Business Administration	BBA (Hons)	360	20	120	120	100		2
Bachelor of Engineering (unclassified)	BEng	300	20	120	120	40		2
Bachelor of Laws (unclassified)	LLB	300	20	120	120	40		
Bachelor of Music (unclassified)	BMus	300	20	120	120	40		2
Bachelor of Science (unclassified)	BSc	300	20	120	120	40		2

Bachelor of Arts (with honours)	BA (Hons)	360	20	120	120	100		2
Bachelor of Arts (with honours) with qualified teacher status (QTS)	BA (Hons) QTS	360	20	120	120	100		2
Bachelor of Science (with honours) with qualified teaching status (QTS)	BSc (Hons) QTS	360	20	120	120	100		2
Bachelor of Engineering (with honours)	BEng (Hons)	360	20	120	120	100		2
Bachelor of Laws (with honours)	LLB (Hons)	360	20	120	120	100		2
Bachelor of Midwifery (with honours)	BM (Hons)	360	20	120	120	100		2
Bachelor of Music (with honours)	BMus (Hons)	360	20	120	120	100		2
Bachelor of Nursing (with honours)	BN (Hons)	360	20	120	120	100		2
Bachelor of Science (with honours)	BSc (Hons)	360	20	120	120	100		2
Masters of Biology	MBiol	480	20	100	120	120	120	3
Master of Chiropractic	MChiro	480	20	100	120	120	120	3
Master of Computing	MComp	480	20	100	120	120	120	3
Master of Engineering	MEng	480	20	100	120	120	120	3
Master of Geography	MGeog	480	20	100	120	120	120	3
Master of Law	MLaw	480	20	100	120	120	120	3
Master of Nursing Studies	MNurs	480	20	100	120	120	120	3
Master of Mathematics	MMath	480	20	100	120	120	120	3
Master of Science	MSci	480	20	100	120	120	120	3

Postgraduate Certificate	PGCert	60				20	40	3
Postgraduate Diploma	PgDip	120				30	90	3
Postgraduate Certificate in Education	PGCE	120				80	40	3
Master of Arts	MA	180				30	150	4

Master of Business Administration	MBA	180				30	150		4
Executive Master of Business Administration	EMBA	180				30	150		4
Master of Laws	LLM	180				30	150		4
Master of Music	MMus	180				30	150		4
Master of Public Affairs	MPA	180				30	150		4
Master of Science	MSc	180				30	150		4
Doctor of Business Administration	DBA								5
Doctor of Letters	DLitt								5
Doctor of Psychology	DPsych	540					120	420	5
Doctor of Science	DSc								5
Doctor of Technology	DTech								5
Doctor of Laws	LLD								5
University Certificate of Credit		5	5						N/A
University Foundation Certificate		30	30						N/A
University Certificate		60	20	40					N/A
University Higher Certificate		60	20		40				N/A
University Advanced Certificate		60	20			40			N/A
University Certificate of Achievement in Learning and Teaching (only as exit award of PGCert Learning and Teaching in Higher Education)							20		N/A
Employment Experience Certificate (+60 P credits)	EEC	180	120						N/A
Employment Experience Diploma (+120 P credits)	EED	240	120						N/A

A.1.2.2 Free-standing, embedded and short awards

The awards are either free-standing, embedded within a hierarchy of awards or short awards.

Free-standing awards are self-contained, and while the credits gained on them might allow admission to or be counted as part of a higher or other award, they are not themselves an integral part of any other award. The following are free-standing awards:

HNC, HND, EEC, EED, ACertHE, Foundation degree

Professional Certificate in Education (PcET), Professional Graduate Certificate in Education (PcET)

Bachelor's degree with honours, MChiro, Graduate Degree, Master's degree MA[R], MSc[R], MEng, MPhil, PhD and all higher research awards.

Embedded awards are those which are integral to a higher award and whose completion allows progression to the next stage of the award hierarchy. The following are embedded awards:

FCertHE, CertHE, leading to Foundation degree

FCertHE, CertHE², DipHE³, Bachelor's degree leading to Bachelor's degree with honours

FCertHE, CertHE, DipHE, Bachelor's degree, Bachelor's degree with honours leading to

Integrated Masters degree

GradCert, GradDip, leading to Graduate Degree

PgCert, PgDip, leading to a taught Master's degree

Students may leave the course once they have completed any award within the award hierarchy, and receive the award relating to the level they have reached.

Short awards are predominantly for continuing professional development and bitesize purposes and are not exit awards of any other University awards. The following are short awards:

University Certificate of Credit⁴

University Foundation Certificate

University Certificate

University Higher Certificate

University Advanced Certificate

A.1.2.3 Sandwich courses

Sandwich courses are undergraduate courses, which include a substantial period of industrial or professional work experience in addition to their academic requirements.

A.1.3 The Credit Accumulation and Transfer System

A.1.3.1 Rationale

The purpose of the credit system is to:

- define the duration, extent and level of the University's courses and ensure comparability in demand across the different disciplinary areas;
- allow individual students the flexibility to select a course at a pace, in a mode and combination, and to a level appropriate to their interests, abilities and needs;
- provide a framework for the University to award credit for prior learning and experience, for example for employment-based training, independent study, short courses, open and distance learning, or courses provided by other institutions;
- facilitate collaboration with employers and professional bodies seeking accreditation of existing company or professional training courses;
- facilitate the design of learning courses, based on a combination of University provision and in-house training, leading to courses tailored to the needs of employers.

² See A.1.2.2

³ See A.1.2.2

⁴ The University Certificate of Credit will be issued as a Transcript of Performance. It does not require validation and does not constitute a formal award of the University.

A.1.3.2 Credit accumulation

All courses of the University are based upon a defined number of credit points. Students must accumulate the required number of credit points at the appropriate level in order to achieve a University award or complete an accredited course.

A.1.3.3 The credit point

A credit point is defined as what can be achieved in ten notional hours of student learning time. The learning time is the total learning effort required by the average student to achieve a defined learning outcome. It includes direct teaching, time devoted to independent study, work experience placement and assessment time. This definition is for all credits, irrespective of their level or position in any course.

A.1.3.4 Credit levels

Credit points are grouped in units, and each group is assigned a higher education level. The level describes the overall standard of achievement, as defined by the skills, knowledge and understanding, and degree of learner autonomy reached by students gaining the credits within the group. It is assigned by considering academic and skills challenge of the credit points and the previous learning or experience needed by the students studying for them.

For its courses, the University uses the definition of levels contained within the Credit and Qualification Framework for Wales (CQFW) and the Framework for Higher Education Qualifications (FHEQ)⁵.

The levels are as follows:

- Level 3: the standard of an access to higher education course. The level may also be reached by some A-level students and in some further education provision.
- Level 4: the standard of achievement expected for the award of a Certificate of Higher Education. This is normally comparable to the first stage of an undergraduate degree course. The level may also be reached by good A-level or advanced extension level students, and in some further education provision.
- Level 5: the standard of achievement expected for the award of a Diploma of Higher Education or a Foundation Degree. The qualification received will depend upon the extent and nature of the credits to be accumulated. Credits at this level may also form all or part of the first stage of an honours degree course.
- Level 6: the standard of achievement expected in the final stage of an honours degree course, or for qualifications requiring graduate entry, for example a Graduate Degree.
- Level 7: the standard of achievement expected of a Master's course. These include taught courses, research courses, combinations of taught and research elements, and extended undergraduate courses which demonstrate Master's level achievement.
- Level 8: the standard of achievement expected at the final assessment of a doctoral programme. These include awards of original research, publication and portfolio compilations showing substantial research, and awards in specific professional practice which may include taught elements.

Credit groups may also be designated as P, to indicate the credit is gained through supervised placement or professional practice.

A.1.3.5 The credit-weighting of University awards

After admission, students must normally successfully complete the designated number and level of credits in order to achieve the award.

⁵ Where level 3 provision is being proposed also refer to the Qualifications and Credit Framework

A.1.3.5.2 Graduate entry awards with embedded awards

- 60 credits with at least 40 at Level 6 = Graduate Certificate
- plus 60 credits with at least 80 at Level 6 = Graduate Diploma □ plus 60 credits at Level 6 = Graduate Degree

A.1.3.6 The pace of credit accumulation

The credit structure of the course is organised so that a full-time student on a vocational or undergraduate course normally completes 120 credits in one academic year, and a full-time student on a postgraduate course normally completes 180 credits in one academic year. The academic year is normally thirty weeks for vocational and undergraduate students and forty eight weeks for postgraduate students.

See A.2.2.8 for minimum and maximum registration periods.

A.1.3.7 Credit transfer

Credits points can be transferred between courses within the University and between the University and other UK higher education institutions. They can also be transferred to and from international higher education institutions wherever credit compatibility can be established. Students thus have the opportunity of studying at more than one University during the course of their studies.

This can operate in different ways. For example, students may transfer with achieved credits from one course to another within the University, or from one university to another, perhaps because of changing personal circumstances or changing academic interests and direction. Students may also enrol with the University and incorporate courses taken elsewhere as part of their University course, for example through an exchange arrangement.

However, the value of the credits gained within one course might not be fully transferable with the same number and level of credits within another course. For example, a student may have achieved 120 Level 4 (Certificate) credits on a combined humanities course. These credits are likely to be wholly transferable on to another combined humanities course, but only partially transferable on to a single honours course in History. In this case, students might be expected to take additional credits as required by the specific course to which they are transferring.

See also section A.2.3.10, Accreditation of Prior Learning.

A.1.3.8 Compatibility between credit systems

Credit levels in relation to qualification levels⁶

Credit Levels	Qualification Levels			
	FHEQ Levels	QCF Levels		
		NVQ	Vocational	General Qualification
8	Doctoral			
7	Masters	5	7	
6	Honours		6	
5	Diploma	4	5	
4	Certificate		4	

⁶ Source: *Office of Qualifications and Examinations Regulation*

3		3	3	GCSE AS and A Level
2		2	2	GCSE (Grades A*-C)
1		1	1	GCSE (Grades D-G)
Entry				Entry

European Credit Transfer System (ECTS)

ECTS credits represent the workload and defined learning outcomes ("what the individual knows understands and is able to do") of a given course or programme. 60 credits are the equivalent of a full year of study or work. In a standard academic year, 60 credits would be usually broken down into several smaller components.

A typical "first cycle" (or Bachelor's) Degree, would consist of 180 or 240 credits, whereas a typical "second cycle" (or Master's) Degree, would consist of 90 or 120 credits, with at least 60 credits at second cycle level.

Countries that are not signatories to the Bologna agreement do not have a unified credit system. Credit equivalencies should be checked through UK NARIC on an individual basis.

A.1.4 The Modular Structure

A.1.4.1 Modules and courses

The University's modular structure describes the way in which the credit points are grouped into units (modules) and how these units build into the different kinds of courses.

All courses offered by the University comply with this structure.

Under the University's structure, the basic grouping of credits is into standard-sized modules. These may be specific to one course, shared between a number of different courses, or free-standing, for instance as a personal development opportunity or as a short community activity. Each module is assigned a specific level appropriate to its position within the course and/or its level of challenge. Whilst the content of a module is constant the same module can be developed to be assessed at different levels providing that two module codes are assigned to differentiate the level and the assessments and learning outcomes reflect the level of study.

All non-research courses are composed of the appropriate number of modules to meet the credit requirements of that level of course. The modules are chosen to create a coherent learning experience of the appropriate subject range and academic standard.

All courses of the University must conform to the standard University regulations for taught courses. These regulations are detailed in section A2 below.

A.1.4.2 The module

A module is a self-contained and coherent package of learning, with a general credit rating, an assigned level, defined learning outcomes, and assessment strategies appropriate to its level and the outcomes. The University's standard module is a grouping of 20 credit points, carrying a total of two hundred notional hours students' learning time, defined as the total learning effort required by the average student to achieve the module learning outcomes.

Larger modules may be validated within specific courses, if appropriate to the subject and course, for instance, for project work. Larger modules must, however, be multiples of the standard module size, eg 40 or 60 credits. The maximum module size is 60 credits. Any proposed modules larger than 60 credits should be put forward as a derogation if there is a strong rationale and/or professional body requirements. Sandwich placement modules and modules specifically designed to cover APL are not subject to the 60 credit maximum.

The smallest unit of learning that may be validated is the 5 credit module.

A.1.4.3 Module assessment

The assessment for each module must be completed within its total learning time, as defined by the number of credits it carries. The mode of assessment will vary according to the nature of the learning outcomes and how the teaching team judges these can best be assessed. The assessment methods are defined through validation but may be amended through a formal approval process.

An assignment must not be assessed as part of a module if the assignment has already been assessed and credit awarded as part of another module.

A.1.4.4 The mode of study

Courses are validated in full time and part time modes; and in either mode that may be validated through distributed learning, delivered over concentrated periods of time, through weekend facilities, or as appropriate.

Courses and modules may be validated to be delivered in several different ways, provided that the same learning outcomes and assessment levels apply and can be met. However delivered, the students' total learning time must remain constant at ten notional hours per credit point.

A.1.4.5 The pace of study

The pace of study is determined by the mode of delivery of the particular course and/or elements of the course and by the student's choice of the pattern of attendance. Section A.2.2.8 outlines expectations for minimum and maximum periods of registration for a course.

Students commit the same amount of actual learning time to a module or a course at whatever pace they study.

A.1.4.6 The structure of the teaching year

The teaching year varies according to the nature, structure and level of the particular courses. For the majority of students, the academic year begins in late September and runs until June (for HNC/D and undergraduate students) or until late September (for postgraduate students), allowing those studying in full-time mode to complete 120 credits and 180 credits respectively within one year.

To maximise the flexibility and permeability of courses within a modular system, the University arranges its standard timetabling around a thirty week, three term teaching year. Full-time HNC/D and undergraduate students normally follow the equivalent of six standard modules in one academic year, each lasting for thirty weeks, thereby gaining the 120 credit points required for a full-time year's study. Each standard module is scheduled across the three terms in the academic year. This comprises a period of twenty four weeks for teaching, a one-week revision/further teaching period and a five week assessment period for assessment, marking and moderation.

Full-time postgraduate students normally follow a forty eight week year, any taught elements following the pattern of the undergraduate year, with the remaining time devoted to the dissertation or project element.

Part-time courses often follow the same pattern, although the students' pace of study is less, with fewer modules taken in any one year.

For some courses, however, the pattern may vary significantly. Such courses are normally self-contained, and/or delivered through distance means. The determining factors in the agreed pattern are the nature of the course and the needs of its client group. For example, professional courses, such as the BA Nursing, may follow a pattern which allows for the appropriate professional experience to be incorporated into their courses of study. Again, courses may begin at different times of the year, or may be concentrated in weekend, week or summer schools as appropriate. Provided that the total student learning time is consistent with the number of credits awarded, the University places no regulatory constraint on the pattern of delivery across the year.

A.1.4.7 Course designation and subject title

Courses carry a qualification designation according to their level and discipline content, as follows:

- Bachelor/Master of Arts: courses within the subject areas of art and design, humanities, social and media studies, health studies, business or management.

- Bachelor/Master of Sciences: courses within the subject areas of mathematics, science, social and health sciences, engineering, technology or their applications.
- Bachelor of Engineering: courses comprising an enhanced technological education with an emphasis on engineering applications.
- Integrated Masters: courses which follow an integrated course from undergraduate to Master's level study e.g. MEng, MChiro.
- Bachelor/Master of Laws: courses in the specialised study of law; courses in legal and related studies carry a BA or BSc as appropriate.
- Bachelor/Master of Music: courses in the specialised study of music.
- Certificate/Diploma in Management: post-experience, postgraduate courses carrying high competence-based requirements in management.
- Master of Business Administration: post-experience postgraduate courses in the principles and functions of management and the development of management skills.

In addition, some courses carry a subject title which gives a more specific indication of the discipline(s) studied. HNC, HND, Fd, BA, BSc, BEng, MEng, MA and MSc courses normally carry such a title. EEC, EED, LLB and LLM courses do not normally carry a subject title. The MBA may carry an additional title indicating a specific area specialism.

A.1.4.8 Major/minor, joint and combined subject courses

In addition to the single subject undergraduate courses, subject teams may devise stand-alone subject packages leading to major, minor and joint honours degrees. Subject to availability and timetabling constraints, students may choose a degree made up from any of the packages, either in a combination equally-weighted at levels 5 and 6

(joint honours or combined subject courses) or with greater emphasis on one subject at levels 5 and 6 (major/minor honours).

The packages are defined as follows:

- a major subject course comprises 80 credit points at each of levels 5 and 6;
- a minor subject course comprises 40 credit points at each of levels 5 and 6;
- a joint subject course comprises 60 credit points at each of levels 5 and 6;
- a combined subject course comprises three subjects, each comprising 40 credit points at each of levels 5 and 6.

The amount of choice at Level 4 will be governed by subject area and professional body requirements. In addition, students wishing to construct their own courses from the University module menu may do so, provided that an acceptable rationale and coherent course is agreed with the appropriate staff, and can be made available (Combined Studies).

A.1.4.9 The titles of major/minor, joint and other combined awards

Each subject package should have a succinct title, normally of no more than two words. The award title is formed by linking the subject package titles as follows:

- Major/minor awards are linked by 'with';
- Joint awards are linked by 'and';
- Students constructing their own course package receive a Combined Studies award.

The designation of an award as Bachelor of Arts or of Sciences is determined as follows:

- where the major element of a course is based in the Arts (ie art and design, humanities, social/media studies, health studies, business or management) a BA is awarded;

- where the major element is based in the Sciences (ie mathematics, science, social/health science, engineering, technology or their applications) a BSc is awarded;
- where both elements of a joint degree are based in the Arts, a BA is awarded;
- where both elements of a joint degree are based in the Sciences, a BSc is awarded;
- where the two parts come from both the Arts and the Sciences, the Science-based subject appears first and a BSc is awarded.

A.1.4.10 Major/minor and joint sandwich courses

Where available, major/minor and joint students may take a sandwich course through the completion of supervised work experience. Major/minor students would normally complete a placement relevant to the major part of the degree. In joint courses, students may choose a placement relevant to either part of the degree.

The faculty/College offering the relevant part of the degree is responsible for the placement.

A.1.4.11 Major/minor and joint course dissertations and projects

In major courses, a dissertation or project may be either a compulsory or optional element in the major package. In joint courses, a dissertation or project may only be an optional element, and students may only opt for the dissertation in one of the two subjects of the course. Normally, a minor part of a degree may not contain a dissertation.

A.1.4.12 Module choices

Any changes to a student's module choices must be made within four weeks of the date of commencement of the module, other than in exceptional circumstances.

A.1.5 The Design and Management of Modular Courses

A.1.5.1 The design of modular courses

In a modularised course there is a danger that the students' learning may become fragmented and compartmentalised. In designing a course, teams need to consider those issues which might affect the academic quality and standard of the course, and in particular, its coherence, integration, balance, teaching and learning methods, assessment and progression.

Coherence and progression can be improved through designing modules which link together in various ways. Pre-requisite, co-requisite and post-requisite modules ensure that the students have adequate prior knowledge and preparation, and/or that the process of understanding begun in one module can properly mature in subsequent modules. Synoptic modules (including project or dissertation modules) can be used as vehicles for integrating the separate thematic strands at strategic points through the course.

A.1.5.2 Teaching and learning methods

In modular structures, modules may be taken by a heterogeneous group of students from a range of subject disciplines and, sometimes, from more than one stage or level. Additionally, a module may be part of a compulsory core for some students, while for others it may be optional. A heterogeneous group of students may have the advantage of bringing a range of perceptions and methodologies to bear on a topic, but it may not be easy to meet the specialist needs of different students. In designing courses and planning teaching strategies, lecturers need to avoid making assumptions about the prior knowledge base of their students.

All students, irrespective of the course on which they are enrolled, are equal once they have been admitted onto a module, and their needs must be considered equally.

A.1.5.3 The course

Students study specific modules, validated as leading to their designated course.

Each course must specify which modules students may take, which are compulsory, which may be

studied as options and in which order they must be taken.

A.1.5.4 Flexibility within and between courses

All courses should make provision for supporting students who wish to transfer courses. However, decisions on transfers will be made by the Course Leader and will be subject to the consideration of the student's learning to date. Such transfers may be between different courses within the same subject area or to courses in other subject areas. This provision is to ensure that students follow the course which is most appropriate to their aptitudes, and academic development and direction.

To this end, courses should:

- make provision for intermediate awards so that students who are unable to complete the final award can leave with recognition for the work they have successfully completed;
- allow students to transfer between courses at any time, subject to their satisfying appropriate pre-requisites;
- allow students where possible to substitute modules up to 20 credits taken at any one level providing that the substitution does not adversely affect students from achieving all course learning outcomes.

Courses carrying professional body requirements which preclude such provision must define these restrictions at validation.

A.1.5.5 The management of courses

The course board is responsible for ensuring the course is well managed, its requirements are fulfilled and that the students are given appropriate advice and guidance. The board is managed by the academic faculty/College responsible for the subject area of the course, although for multi-disciplinary courses it may include members from other faculties.

The composition of the course board will vary according to the size of the course and the number of courses for which it is responsible. The exact composition is determined by the dean of faculty/principal of College, but all boards must include appropriate membership from the disciplines contributing to the course(s), from the faculty tutor team and from students enrolled on the course(s).

The function of the course board is to:

- Monitor the operation of courses, including any versions running concurrently with collaborative partners;
- Consider external examiners' reports and agree responses thereto, noting causes for concern; features of good practice; and emerging trends;
- Consider feedback from students and agree responses thereto, noting causes for concern; features of good practice; and emerging trends;
- Consider feedback from employers and agree responses thereto, noting causes for concern; features of good practice; and emerging trends;
- Agree and monitor the implementation of Course Action Plans;
- Refer to the Centre for Excellence in Learning and Teaching (CELT) good practice in learning and teaching for further dissemination;
- Report to FQAC/CQAC and make a substantial contribution to Faculty/College Annual Monitoring processes;
- Receive reports on interim modifications.

The progression and completion of students enrolled on the courses are the responsibility of the appropriate award and progression assessment board (see section A.2.6).

Course leaders are accountable to the dean of faculty/principal of College for:

- overseeing the development, organisation and operation of the course;
- ensuring that the course is appropriately constructed, managed and monitored; □ liaising with appropriate subject leaders on module provision; □ liaising with award external examiners/moderators.

A.1.5.6 The management of subjects and modules

Whilst the University focuses its framework for managing academic standards and quality on course and module level, the Assessment Boards allow a holistic view of the subject. A subject is a collection of cognate modules located in and organised by one faculty/College.

Subjects may be single subject, multi-disciplinary, or represent one or more specialisms within one discipline, according to the range of modules and academic responsibilities of the faculty/College to which they belong. They may be co-terminus with a single course, or provide modules for a wide range of different courses.

A subject assessment board comprises all staff offering and teaching on modules within that subject. The assessment of modules and the assurance of standards are the responsibility of the subject assessment board (see section A.2.6).

A.1.5.7 Responsibility for courses and students

All courses are located within the academic faculty responsible for the area(s) of study to which they lead.

For those major/minor or joint courses where the two subjects are the responsibility of different faculties, the location is determined as follows:

- major courses are located within the faculty responsible for the major subject;
- for joint courses where both subjects are either arts-based or science-based, the subjects are placed in alphabetical order, and the courses are located in the faculty responsible for the first listed subject;
- for joint courses which contain an arts-based and a science-based subject, the courses are located in the faculty responsible for the science-based subject.

Students are the responsibility of the faculty/College which organises the courses upon which they are enrolled.

A.1.5.8 Student representation and communication

Each faculty/College is responsible for ensuring adequate student representation on its course boards and other appropriate committees where students' interests are discussed. The arrangements may vary from faculty to faculty, according to the organisation of its courses, and may include a special staff/student liaison committee.

Board membership, and where appropriate committee membership, for students is a clear requirement enjoined on faculties and to be distinguished from informal focus groups, questionnaires and other forms of gaining feedback. Both are, however, equally subject to audit through the annual monitoring and course review processes.

Each faculty/College is also responsible for ensuring its students receive clear, comprehensive and timely information on the procedures, requirements and regulations of their courses, and on the sources of support and guidance provided for them.

A.1.5.9 Guidance and progress

With the complexity of student choice possible in modular courses, students need careful guidance through the pathways on offer, in terms of their educational and vocational aspirations. Faculties/College must be assured that the students' choices are appropriate, that their courses are balanced, coherent and meet the requirements for the course(s) or membership of the relevant professional bodies. They must further be assured that a regular check is kept on each student's progress to provide sufficient support and guidance throughout their studies.

Each faculty/College is therefore responsible for ensuring that systems are in place to provide advice on academic matters and to monitor students' academic progress on an individual level.

A.1.5.10 Welfare advice and counselling

Welfare advice is organised on campuses through the Advice Shops who, together with the tutors, are responsible for receiving students' welfare enquiries, acting as first port of call for students seeking welfare advice, and referring students to other sources of specialist advice, if appropriate. They receive training from the Student Support and Library Services department on welfare matters.

Advice Shops have a remit to advise students who are considering withdrawing or changing their course. The Advice Shop provides the link between academic staff, administrative staff, and tutors, and liaises between those staff and Student Support and Library Services.

The Advice Zones receive claims for personal extenuating circumstances in respect of academic progress, and advise students on how to submit such claims and on any supporting evidence required. They do not decide the claims; this is handled by Advice Zone Team Leaders and/or an extenuating circumstances panel.

A2: Regulations for Taught Courses

A.2.1 Principles

A.2.1.1 General principles

- [a] The taught courses of the University are consistent and comparable in standard with awards granted and conferred throughout higher education in the United Kingdom.
- [b] The courses portfolio of the University is consistent with its strategic vision and mission.
- [c] The range of courses offered by the University allows students to gain the highest level of award of which they are capable.
- [d] The University offers its courses on the basis of equality of opportunity.

A.2.1.2 Course design

- [a] Taught courses are defined in terms of level, learning outcomes and place within the CQFW and FHEQ⁷.
- [b] The curriculum, structure, teaching methods and forms of assessment of taught courses allow for the attainment of their stated learning outcomes.
- [c] All University courses must conform to the relevant QAA Benchmarks.
- [d] The courses are designed to ensure that students receive a balanced and coherent learning experience, which allows their knowledge and skills to develop progressively during their learning, and which encourages their ability to see relationships between the various elements and to examine their subject of study in a broader perspective.
- [e] Each course is designed to stimulate in students an enquiring, analytical and creative approach and to encourage independent judgement and critical self-awareness. It aims to develop their intellectual and imaginative powers; their understanding and judgement; their problem-solving, communication and other transferable skills.

A.2.2 Courses

A.2.2.1 Definition of Student's Programme of Study

A student's 'programme of study' is the approved curriculum followed by an individual student; it may be identical with a course, or be one of a number of standard routes available within a large course, or it may be unique to the student.

A.2.2.2 Conformity with University regulations

All programmes of study must conform to the standard University regulations as set out in this section, unless amendment is needed to satisfy the requirements of a professional or statutory body. Requests for such amendments are approved by the relevant university committees and must be supported by appropriate evidence. Approved course specific regulations are held on the University website at <http://asqs.southwales.ac.uk/documents/download/4/>

⁷ 'Credit Qualification Framework for Wales' and 'Framework for Higher Education Qualifications'

A.2.2.3 The course specification

All approved courses are governed by a formal course specification, available to students, which includes:

- its title and any award(s) to which it leads;
- its planned duration and mode of study;
- its overall aims and learning outcomes;
- its curriculum and structure;
- regulations on the admission, progression and assessment of students.

A.2.2.4 Changes to course specifications

An individual course specification cannot be changed without formal approval through the relevant university committees. Any post-enrolment changes in connection with the progression and assessment regulations must be subject to formal consultation with the students affected, and receive the written consent of the appropriate external examiner(s), before being approved.

A.2.2.5 Course specifications for agreed independent routes

The course specification for students following an agreed independent route (see A.1.4.8) may be less detailed in relation to curriculum and structure, but must follow the same general requirements as those for named courses.

A.2.2.6 The title of a course

- [a] The title should be clear, accurate and consistent with the course content. It must conform to the parameters of the CQFW and FHEQ⁸ and accurately describe the level of knowledge and skills to be expected from a person holding such a qualification to professional bodies, students and employers.
- [b] Regulations governing the designation of courses are set out in Section A.1.4.7.

A.2.2.7 Enrolment on courses

A.2.2.7.1 Validation

Any course which leads to a University award must be validated according to the University procedures before any students are enrolled upon it.

A.2.2.7.2 Credit parameters

Enrolled students normally study no less than 20 credits and no more than 120 credits in any one academic year for HNC/D and undergraduate courses. This may be extended to 140 credits for students taking repeated or substituted modules, or transferring to another course.

Postgraduate students normally study no less than 20 credits and no more than 180 credits in any one academic year.

A.2.2.8 The duration of courses

The registration periods for the main awards below apply where all credits are studied at the University. Where a student varies their mode of study these periods will be proportional.

Award	CQFW level of award	Minimum period of registration	Maximum period of registration
Undergraduate Courses			

⁸ 'Credit Qualifications Framework for Wales' and 'Framework for Higher Education Qualifications'

Certificate of Higher Education	Level 4	1 year full-time or part-time equivalent	3 years full-time
		3 years part-time	6 years part-time
Diploma of Higher Education	Level 5	2 years full-time or part-time equivalent	4 years full-time
		4 years part-time	8 years part-time
Foundation Degree	Level 5	2 years full-time	4 years full-time
		Normally 3 years part-time (exemptions require the approval of the University)	10 years part-time
Honours Degree	Level 6	years full-time (for 3 year courses)	years full-time (for 3 year courses)
		years full-time (for 4 year courses)	years full-time (for 4 year courses)
		4 years part-time	10 years part-time
Accelerated Honours Degree	Level 6	2 years full-time	5 years full-time
Graduate Certificate and Diploma			
Graduate Certificate	Level 6	year full-time	Normally as per minimum period.
		years part-time	
Graduate Diploma	Level 6	year full-time	Normally as per minimum period.
		years part-time	
Integrated Master's			
Integrated Master's	Level 7	4 years full-time	6 years full-time
		8 years part-time	10 years part-time
Master's			
Postgraduate Certificate	Level 7	1 year part-time	Normally as per minimum period.
Postgraduate Diploma	Level 7	year full-time	Not more than 2 years full-time
		years part-time	Not more than 3 years part-time

Master's Degree (excluding MRes)	Level 7	<i>For one year courses</i> Not less than 12 months fulltime Not less than 24 months part-time	<i>For one year courses</i> Not more than 2 years full-time Not more than 5 years part-time
MRes	Level 7	<i>For one year courses</i> Not less than 12 months fulltime Not less than 24 months part-time	<i>For one year courses</i> Not more than 2 years full-time Not more than 5 years part-time
PGCE			
Professional Graduate Certificate in Education (PGCE) PcE	Level 6	year full-time years part-time	Normally as per the minimum period. Any reexamination must take place within two years of the date of the initial failure.
Postgraduate Certificate in Education Primary	Level 7	1 year full-time	Normally as per the minimum period. Any reexamination must take place within two years of the date of the initial failure.
Postgraduate Certificate in Education Secondary	Level 7	1 year full-time	Normally as per the minimum period. Any reexamination must take place within two years of the date of the initial failure.
Certificate, Graduate Certificate and Advanced Certificate			
Professional Certificate in Education (PcET)	Level 5	year full-time years part-time	Normally as per the minimum period.
Professional Graduate Certificate in Education (PcET)	Level 5	year full-time years part-time	Normally as per the minimum period.
Advanced Certificate of Higher Education	Level 6	year full-time years part-time	Normally as per the minimum period.
Edexcel and WJEC Courses			
Foundation Diploma in Art and Design	Level 3	1 year full-time	years full-time years part-time
Higher National Certificate	Level 5	2 years part-time	Not more than 5 years from the start of the courses
Higher National Diploma	Level 5	2 years full-time	Not more than 5 years from the start of the courses

Access and Foundation Course			
Access to HE (all pathways)	Level 2 Level 3	1 year full-time or part-time equivalent	Normally 3 years full time and up to 5 in exceptional circumstances
Foundation Course (all pathways)	Level 3	1 year full-time	3 years
International Foundation Year			
International Foundation Year Course	Level 3	1 year full-time	1.5 years full-time

- [a] These expectations do not take into account admissions with prior certified learning or prior experiential learning.
- [b] Sandwich degrees normally include at least a minimum of thirty weeks (one thousand two hundred hours) work experience that is deemed relevant and appropriate to a specific course.
- [c] The Employment Experience Certificate and the Employment Experience Diploma (see A.2.9.4) may be taken within or in addition to the normal duration of the course to which they relate.

A.2.3 Admissions

The following information should be read in conjunction with the University's Admissions Policy, the University and UCAS web pages and the relevant University Prospectus.

A.2.3.1 Admission Criteria

The Enquiries & Admissions Unit co-ordinates admission to most University undergraduate and postgraduate courses taught at its campuses in Pontypridd, Newport and Cardiff. Each faculty/College is responsible for setting its admission criteria in line with the minimum University requirements and in conjunction with the Enquiries & Admissions Unit.

A.2.3.2 Admissions Policy and Practice

The University Quality Assurance Committee is responsible for monitoring admissions policy and practice. The Admissions Policy is applied in accordance with and alongside other University policies and complies with relevant legislation and with reference to the QAA UK Quality Code, Chapter B2: Admissions.

A.2.3.3 Admission of students

Students are admitted subject to

- adhering to the Admissions Policy
- fulfilling the entry requirements of the course
- a reasonable expectation that the applicant will be able to achieve the learning outcomes of the course and achieve the award as demonstrated through the application process.

A.2.3.4 Entry Requirements

The University sets a minimum entry requirement for its courses as outlined below. Specific entry requirements are found in the University and UCAS web pages and the relevant University Prospectus.

A.2.3.4.1 Undergraduate courses

Admission to these courses normally requires a minimum of two A level passes or equivalent and five

GCSE passes at grade C or above to include Mathematics and English Language.

A.2.3.4.2 HNC/HND/Foundation Degrees

Admission to these courses normally requires a minimum of one A level pass or equivalent and three GCSEs at grade C or above to include Mathematics and English Language although other qualifications, e.g. BTEC awards, may be considered.

A.2.3.4.3 Postgraduate taught courses

Admission to postgraduate taught courses normally requires one of the following

- an honours degree
- a postgraduate diploma
- a recognised professional qualification.

Alternative qualifications or relevant experience may be acceptable.

Entry requirements for professional courses vary.

A.2.3.5 English Language Minimum Requirements

Applicants must be able to demonstrate ability to study through the medium of English, for example GCSE grade C or above in English Language. Normally the University requires international and EU undergraduate applicants whose first language is not English to have obtained a minimum score of 6.0 in the IELTS (Cambridge Advanced) examination or equivalent. This minimum score increases to 6.5 for integrated masters and postgraduate applicants. International/Non-EU applicants may also be required to adhere to English language requirements as stipulated by the UK Visas and Immigration (UKVI) as a condition to obtaining the required study visa. Some courses require a higher level of ability as indicated in the specific course requirements. GCSE Welsh Language is not accepted in lieu of GCSE English Language unless the course is taught fully through the medium of Welsh.

A.2.3.6 Equal Opportunities

The University is committed to equal opportunities in its admissions and this is underpinned by the University's Single Equality Scheme and compliance with other relevant legislation.

A.2.3.7 Admission of members of staff

Members of staff of the University of South Wales Group (the University of South Wales; the Royal Welsh College of Music and Drama; Merthyr Tydfil College of Further Education) or its partner institutions may not normally be admitted to any module or course with which they are involved in assessment or which are assessed by any board of which they are a member.

A.2.3.8 Disclosure of information

Applicants are required to disclose all information requested by the University. If any of the information provided is incomplete or incorrect the University reserves the right to take any appropriate action which may include withdrawal.

A.2.3.9 Complaints

If an applicant wishes to lodge a complaint about the way in which their application has been handled or the process followed, the Enquiries & Admissions Unit will provide details on the complaints procedure.

A.2.3.10 Recognition of Prior Learning (RPL) also known as Accreditation of Prior Learning (APL) APCL / APEL

- [a] The University's provision for the Recognition of Prior Learning (RPL) seeks to ensure that students are admitted to the highest level of award for which they are qualified and for which they wish to apply and

that they receive credit for their previous and demonstrable learning achievements. These principles apply equally to pre-entry, postentry or credit transfer applications.

- [b] An applicant can use both forms of RPL (certificated and experiential) to claim credit as part completion of an award.
- [c] All applications for the transfer of credit using the RPL procedure must be made in accordance with the regulatory procedures for RPL for Exemption.
- [c] All applications for the award of academic credit for experiential learning using the RPL procedure must be made in accordance with the regulatory procedures for RPL for Accreditation.
- [d] The RPL procedures are applicable when used:
 - (i) To allow an applicant entry onto a course where they do not meet the formal entry requirements;
 - (ii) To award credit at the point of entry;
 - (iii) For transfer between courses/programmes of study;
 - (iv) Post-entry to a course/programme of study.
- [e] The maximum amount of credit which can be transferred/awarded through RPL is outlined in Section 2.3.10.4

A.2.3.10.1 RPL for Admission

- [a] The University may admit students on the basis of their prior experiential learning, provided that it is identifiable, relevant to the programme of study for which they are applying and provides sufficient evidence of their ability.
- [b] The applicant is responsible for identifying their formal application to study at the University as a 'RPL for Admission' application.

A.2.3.10.2 RPL for Exemption formally known as Accreditation of Prior Certified Learning (APCL)

- [a] Students are not expected to re-take modules for which they have gained equivalent credit elsewhere (certificated learning), provided that the credit is accepted as appropriate for the course to which they are transferring. Students may be given full or partial recognition of their prior learning.
- [b] The applicant is responsible for identifying their formal application to study at the University as a 'RPL for Exemption' application.
- [c] Students may apply to transfer from courses of study within the University or from courses of other institutions on the basis of the relevant credit they have gained on those other courses.
- [d] The proposed credits against which prior certificated learning is to be set must be formally recorded on an RPL exemption form which details the specific module exemptions under consideration and/or whether there is any exemption from entire levels. Credit may not be given for partial modules. This form must be signed by the relevant course leader. Where a student is given exemption for a module on the basis of certificated learning, this should be recorded as 'exempt' against the appropriate module and clearly indicated on the student's record and any transcript(s) of performance.

A.2.3.10.3 RPL for Accreditation formally known as Accreditation of Prior Experiential Learning (APEL)

- [a] Students are not expected to take modules for which they have relevant prior experiential learning. RPL for Accreditation is a way of recognising, assessing and awarding students with credit for their knowledge, skills and experience; provided they can demonstrate that their existing knowledge and skills meet most of the course /module learning outcomes.
- [b] The applicant is responsible for identifying their formal application to study at the University as a 'RPL for Accreditation' application.

- [c] The applicant is responsible for completing the RPL for Accreditation form, for supplying supporting evidence and submitting the completed application to the relevant Course Leader. This evidence must be relevant, sufficient, authentic, and current and demonstrate the appropriate learning skills for the level of learning. Students may not use the same evidence to double count experiential learning, whether awarded by the University of South Wales or another institution, and the student must sign the RPL for Accreditation form to this effect.
- [d] Course Leaders and Module Leaders are responsible for assisting applicants in preparing their RPL for Accreditation application and for assessing those claims. These two functions, however, must be clearly separated and handled independently.
- [e] When assessing RPL for Accreditation the applicant’s prior learning should be mapped to the learning outcomes of either individual modules within the course or the level/interim stage learning outcomes as stated in the course specification.
- [f] RPL for Accreditation applications are subject to the University’s normal assessment regulations and all credit awarded is provisional, until ratified by the subject assessment board..
- [g] The proposed credits awarded for prior experiential learning must be formally recorded on an RPL for Accreditation form which details the specific module or credit exemptions under consideration, which marks, if any, will contribute to the grading or classification of the award and/or whether there is any exemption from entire levels. Credit may not be given for partial modules. The form must be signed by the Course Leader, the RPL Assessors and the student.
- [h] Where a student is successfully awarded credit for experiential learning, the RPL for Accreditation form should be sent to the Student Administration Manager to allow the mark(s) to be recorded on the appropriate module(s) of the student’s record.

A.2.3.10.4 RPL credit limits

- [a] The University has agreed maximum limits of credit which can be applied for under the RPL regulations which are outlined in the table below.
- [b] Transferred credit is credit recognised under RPL for Exemption and is credit awarded and accredited by an institution or body other than the University of South Wales. This transferred credit is classified as prior certificated learning irrespective of whether the credit was obtained from taught modules or from accredited prior experiential learning approved by that institution or body. Transferred credit can only be used for awards listed in the table below. Marks are not allocated for transferred credit.
- [c] Experiential credit is credit awarded under RPL for Accreditation (see column 2) by the University of South Wales and is classed as prior experiential learning. Marks may be allocated for experiential learning.
- [d] University of South Wales taught credit (see column 3 in the table below) is credit achieved from taught University of South Wales modules which includes distance learning and work based learning modules.
- [e] Grading of University of South Wales awards is based on marks achieved in University of South Wales credit (taught or experiential learning) only and subject to any additional restrictions in the table below.
- [f] In some instances, Professional, Statutory or Regulatory Boards (PSRBs) may have additional requirements which must be met.

Award	Transferred credit /Experiential credit (maximum)	University of South Wales taught credit (minimum)	Total credits required for award	Additional Restrictions
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CertHE	60	60 at level 4	120	CertHE is not graded when given as an exit award ⁹
DipHE	120	120 with a minimum of 100 at level 5	240	DipHE is not graded when given as an exit award ¹⁰
Bachelors degree	240	60 at level 6	300	Use as an exit award for bachelors degree with honours only, not graded
Bachelors degree with honours	240	120 with a minimum of 100 at level 6	360	Students with at least 60 level 5 and 120 level 6 University of South Wales credits obtained on the honours degree will be classified according to the standard regulations otherwise classification is based only on the 120 University of South Wales credits ¹¹
BMus (RWCMD only)	300	180 at level 6	480	Students with at least 90 level 5 and 180 level 6 University of South Wales credits obtained on the honours degree will be classified according to the standard BMus regulations otherwise classification is based only on the 180 University of South Wales credits
HNC	60	60 at level 4	120	
HND	120	120 with a minimum of 100 at level 5	240	
Foundation Degree	120	120 with a minimum of 100 at level 5	240	
PcET	60	60 level 5	120	
Integrated masters	240	240 with a minimum of 100 at level 6 and 120 at level 7	480	
PgCert	20	40 at level 7	60	
PgDip	60	60 at level 7	120	
Masters	120	60 at level 7	180	
Taught doctoral awards	180	360	540	

A.2.3.11 Associate programme

The Associate Student programme exists to encourage and allow members of the community to enrol to study modules in order to gain a first experience of higher education and also for existing students (both full and part time) to undertake modules in addition to those mandated by the requirements of their courses.

Associate students may take up to and including 40 credits at either undergraduate or postgraduate level

⁹ See A.2.9.9, Classification of Other Awards

¹⁰ See A.2.9.9, Classification of Other Awards

¹¹ See A.2.9.5, The Classification of Honours Degrees

in any academic year.

Associate students may:

- be enrolled on a University course, and any credits gained as an Associate student may subsequently be counted towards an award as accredited prior learning if appropriate and if they are consistent with the course and/or professional body regulations;
- enrol on modules or courses leading or contributing to a professional qualification.

Associate students may not:

- use the award as a means of re-taking credits referred as part of another University course.

A.2.4 Attendance and Engagement

A.2.4.1 University/College attendance and engagement - Expectations

The University's/College's expectations regarding the level of attendance and engagement for students enrolled on its courses are designed to ensure that all students are able to fulfil the learning outcomes of their courses and make the most of the learning opportunities made available to them.

The University's expectation is that:

- students should attend, and actively engage¹² in, all timetabled learning events, including lectures, seminars, laboratories and other nominated classes;
- students should attend any meetings or other learning activities arranged in relation to their course
- Engagement includes attendance, use of VLE where appropriate, contribution in classroom situations, submission of assessment and responding to University communications in a timely manner.

The University retains the right to withdraw students who it deems are not attending/engaging with their studies as appropriate (see A.2.4.5).

Students must adhere to University attendance and engagement expectations.

However, there may be exceptional and/or unforeseen circumstances that may require a student to be absent from studies (please refer to Section A.2.4.7 Temporary Absence). Advice can also be sought via the Advice Zone or Advice Zone online.

A.2.4.2 Students at partner institutions

Students studying at the University's collaborative partners are expected to comply with A.2.4.1 and with any general attendance requirements of those collaborative institutions.

A.2.4.3 Attendance monitoring procedures

The faculty/College/campus is responsible for devising appropriate procedures for monitoring attendance, ensuring that procedures are in place specifically for monitoring international non-EU students studying on a Tier 4 visa in relation to Home Office/UKVI reporting responsibilities. The University will report non-attendance/engagement to grant awarding authorities or sponsors, where appropriate. In relation to international non-EU students studying on a Tier 4 visa it will provide reports to the Home Office/UKVI.

A.2.4.4 Module and course attendance requirements

Where courses/modules specify attendance requirements, these must be set out in the course specification and/or module descriptors and any documentation provided to the students who must be informed that these requirements must be met.

¹² Examples of active engagement are contributing to group project work, performing in group recitals

A.2.4.5 Action in cases of non-attendance

Any student who fails to fulfil their attendance and/or engagement obligations will be notified in writing and informed of the possible consequences, which may in certain circumstances lead to withdrawal of the student from the course, subject to an appeals procedure. In the case of international non-EU students studying on a Tier 4 visa, upon withdrawal Tier 4 sponsorship will cease. The student must leave the UK. See also Section A.2.6.8.

If you are notified of the University's intention to withdraw you from your course, you have the right to appeal within 10 working days from the date that the withdrawal notification is sent.

Students' Right of Appeal

1. Students have the right of appeal against their Withdrawal for lack of engagement
2. Appeals shall be made to the Associate Registrar (Student Administration) or nominee
3. The grounds under which appeals may be made are:
 - That you were unable to engage in the University's procedures at the time for good reason.
 - That the procedures were not conducted fairly and/or in accordance with the published regulations.

Evidence must be provided by the student that supports their ground(s) for appeal.

4. Notice of appeal must be made in writing to the Associate Registrar (Student Administration) and must be received not later than 10 working days after the formal notification of withdrawal dated on this letter.
5. The decision of the Associate Registrar (Student Administration) will be final and will be notified to the student within a period of 5 working days following receipt of the appeal. The decision will be communicated by e-mail and/or first class post to the last known address of the student. Such despatch shall be deemed to be sufficient and complete discharge of the duty to inform the student.

Office of the Independent Adjudicator

Following the issue of a Completion of Procedures letter, a student may lodge a complaint with the Office of the Independent Adjudicator (OIA). Details of the OIA and the relevant information in relation to the Scheme can be accessed at www.oiahe.org.uk. Further information and advice can be obtained from the Student Casework Unit, Academic Registry.

A.2.4.6 Disabled Students

If a disabled student is unable to meet any specific attendance/engagement requirements for a module, the module leader may, in consultation with the Disability and Dyslexia Service, vary these as appropriate, while ensuring the student remains able to meet the learning outcomes of the module. Approval of the Subject External Examiner must be obtained. Where this impacts upon course attendance requirements the course leader must also be informed and approve any variation. Approval of the Award External Examiner must be obtained.

A.2.4.7 Temporary Absence

It is not the expectation that students on undergraduate or postgraduate taught courses should request absence from their studies. However, there may be exceptional and/or unforeseen circumstances that may require a student to be absent from studies. The student should report any absence of less than 10 working days to the course leader and inform their Campus Advice Centre.

Any student who considers that an absence spanning more than 10 working days is unavoidable, must submit a request in writing to the Director of Student Administration (please refer to the 'Student

Absence' pages on UniLife)¹³. Students are also required to adhere to any monitoring and absence procedures in operation within their faculty/college/campus.

The Director of Student Administration (or nominee) will only authorise an absence above 10 working days in exceptional circumstances, taking into account, (in consultation with the faculty/campus) the reason given for the absence, student engagement and attendance to date as well as any previous requests for authorised leave and the potential impact on the student's studies and ability to continue to complete the course within the designated length of the course. Student Administration Services will inform the Faculty/Campus/UKVI Lead Officer of any authorised absence of an overseas student.

Where the absence would impact on the course completion date, interruptions of studies will be discussed with the student. In the case of international non-EU students studying on Tier 4 visas, the University reserves the right to require a student to suspend studies in the event that the student's absence will result in non-compliance with the Tier 4 visa regulations. In the event of an interruption of studies, Tier 4 sponsorship will cease and the student must leave the UK. They would need to request a new Confirmation of Acceptance for Studies (CAS) statement from the Faculty in order to re-apply for an appropriate visa prior to returning to studies. See also A.2.6.10.

In circumstances that they are outside the control of the student and which have prevented, or will prevent, him/her from performing in assessment at the level expected or required of him/her), the student should also refer to Section A.2.6.7 Regulations on Extenuating Circumstances, and, seek advice from the relevant Campus Advice Centre.

Students may not request authorised absence for more than 20 working days in one academic year (not including scheduled vacation periods). In circumstances in which an absence of more than 20 working days is unavoidable the University reserves the right to require a student to suspend or withdraw from studies. In the case of international non-EU students studying on Tier 4 visas, such an event will lead to withdrawal of Tier 4 sponsorship. The student must leave the UK and re-apply for an appropriate visa prior to returning to studies.

A.2.5 Assessment Policy

A.2.5.1 General principles

The University recognises its responsibility to ensure the equitable treatment of all its students in assessment and to protect the standards of its courses across the range of its provision. To this end, it maintains a comprehensive assessment regime directed towards the fair and just assessment of students' performance against defined, published and externally endorsed criteria. This regime is underpinned by the principles set out in A.2.5.1.1 to A.2.5.1.3 below.

A.2.5.1.1 Formative assessment

The purpose of formative assessment is to help the students' learning through practice in the various skills, competencies, knowledge and understanding required by the learning outcomes of their course.

A.2.5.1.2 Summative assessment

The purpose of summative assessment is to enable students to demonstrate that they have fulfilled the learning outcomes of their courses and that they have achieved the standard required for any awards they seek. Assessment outcomes must therefore both reflect the achievement of the individual students and relate that achievement to a consistent national standard of awards.

A.2.5.1.3 Provision of assessment information to students

Students must receive clear and comprehensive information on the range of their assessments, the criteria by which they are to be assessed, the interpretation of their grades, the nature of the examiners' judgements and scope of discretion, and their rights of appeal.

¹³ In the case of the Royal Welsh College of Music and Drama, the request should be submitted to the Head of Academic Services.

A.2.5.2 The assessment regime

- [a] Tutors are encouraged to include formative assessment exercises within their teaching courses, to support the students' learning and self-awareness prior to formal, summative assessment.
- [b] All formally assessed work is subject to clear assessment protocols. All validated forms of assessment must be treated and marked with the same level of academic rigour, and are subject to standard minimum marking and moderating requirements, including the role of external examiners (see A.2.7.4).
- [c] All courses are conducted under common University regulations.
- [d] Students must be assessed in accordance with the validated assessment methods.
- [e] Students cannot submit an assignment to be assessed as part of a module if the assignment has already been assessed and credit awarded as part of another module.
- [f] Examinations and, where possible, coursework are anonymously assessed.
- [g] All subjects must specify the assessment criteria applicable to the modules within their remit, defining the academic qualities and practical abilities students need to demonstrate to achieve a particular mark on the University scale, and taking due regard to the relevant national subject benchmarks.

This is distinct from the assessment strategy which specifies the weighting between examination, coursework or other elements of the module assessment.
- [h] All courses must specify the requirements and outcomes for each level of study, and ensure that these accord with the generic level descriptors included in University regulations.
- [i] The conduct of subject assessment boards and award and progression assessment boards is carried out under standard University protocols, with clearly defined remits and ranges of discretion. The consideration of personal extenuating circumstances is likewise subject to standard protocols and common guidelines. See section A.2.6.7.
- [j] External examiners are responsible for the oversight of all assessments which count towards a particular award. Their role is to ensure that justice is done to the individual student and that the standard of the University's courses is maintained.

The extent to which any external examiner becomes involved in detailed scrutiny of individual assessments is a matter for the examiner's judgement and the level of demonstrable confidence reposed in the subject team.

A.2.5.3 Students' responsibilities for their assessments

- [a] Students are responsible for informing themselves of the assessment regulations as published, for submitting work for assessment as required and on time, and for attending examinations and other formal assessment events.

If students fail without good cause to do this, they will be allowed a further five working days to submit the work¹⁴ but this work will be awarded a maximum mark of 40%. If students fail without good cause to submit work within five days of the submission date, they will be deemed to have failed the assessments concerned and receive 0% (however see A.2.6.7).
- [b] Students are responsible for informing the extenuating circumstances panel, in-line with the timescales set out in the Extenuating Circumstances Regulations of any personal circumstances which may have affected their performance and which they wish the examiners to take into account.
- [c] Students are responsible for fulfilling their assessments honestly and in accordance with the regulations.

¹⁴ The regulation applies to coursework, including projects, but does not apply to examinations, in class tests, presentations, clinical practice appraisals and performances. The regulation does not apply to referred work or to work submitted as a first attempt during a resit period. The regulation does not apply to work where an extension has already been granted for extenuating circumstances.

In all cases, students should be advised when the work is set whether the five working days late submission policy applies to the work or not. This is particularly important in the case of group work.

- [d] If students are found to have committed any academic offence, for example cheating or plagiarism, in an attempt to gain unfair advantage for themselves, they will be subject to penalty under the Academic Misconduct Regulations.

A.2.5.4 Assessment of disabled/dyslexic students

University policy is to provide the widest possible access to those who wish to benefit from its courses and to remove barriers which already exist to disabled students.

If a disabled/dyslexic student is unable to be assessed by the approved methods, a subject assessment board may vary these as appropriate, bearing in mind the learning outcomes of the module and the need to assess the student on equal terms with other students.

Assessment formats and possible adjustments should be discussed by disability advisors and appropriate staff within faculties/College, to ensure that the methods employed are practical and consistently applied. Subject external examiners should be provided with information on the reasonable adjustments made for disabled/dyslexic students. If the reasonable adjustment to the assessment is minor (for example, extra time) then subject external examiners need simply to be informed of the adjustment. Where the reasonable adjustment is a substantial modification to the method of assessment (for example, replacing a written exam with an oral exam or an essay), then subject external examiners should confirm that the learning outcomes and academic standards are still being met prior to the assessment being undertaken. Subject external examiners should confirm at the subject assessment board(s) that the University's policies have been observed.

A.2.5.5 The language of assessment

As a matter of principle, a course is assessed in the language in which it has been developed and validated, through which it is taught, and in which the approved internal and external examiners are competent. The University can then be assured that the delivery accords with the course aims and curriculum and the assessment matches its learning outcomes.

Students wanting to submit assessments in Welsh are subject to the regulations described in A.2.5.6 below.

A.2.5.5.1 Language and international students

The University recognises its responsibilities to its international students in ensuring that they are treated with equity and not disadvantaged in assessment through the use of their second language. Internal examiners must consider the intended audience when phrasing assessment tasks and questions, and ensure that these are as clear and unambiguous as possible.

A.2.5.5.2 Proficiency in the language of assessment

Students are, nevertheless, expected to be sufficiently proficient in the language through which a module is delivered to meet its requirements. If, exceptionally, international students are admitted without the normal English language entry requirements (see A.2.3.5), they must achieve that standard before they complete their course.

A.2.5.5.3 Use of translation dictionaries

Students may not take translation dictionaries into examinations conducted in the language through which the module has been delivered. Dictionaries may exceptionally be permitted where their use is integral to the assessment schedule of a module, as agreed through the validation process. An example might be students studying a foreign language course. All such exceptions apply to the agreed assessment for the module, and not to any individual student registered on it.

A.2.5.6 Assessment through the medium of Welsh

(see also Procedures for Assessments Submitted in Welsh which must also be adhered to)

- [a] The University recognises its responsibilities under the Welsh Language Act (1993) and Welsh Language Measure (2011) to ensure equal status to both Welsh and English, and not to discriminate against those students whose level of fluency is greater in Welsh

than in English. Students on modules delivered in English are therefore permitted to submit assessments, both coursework assessments and examinations, in Welsh providing the procedures set out below can be put in place. (NB In the case of some assessments, eg group assessments, presentations or practicals, it may not be possible to make the necessary arrangements.)

- [b] Students must notify the University at the start of a module or, at the latest, within four weeks of the start of a module, through completion of the relevant form, of their wish to submit assessments through the medium of Welsh so that appropriate arrangements can be put in place.

[c] **Internal examiners**

Where the normal internal examiner is not Welsh-speaking, the faculty should consider whether there is an alternative member of staff within the University with suitable competencies to undertake the marking. These competencies encompass both those of the discipline concerned and high level linguistic skills in both Welsh and English to ensure comparability. The member of staff marking the Welsh assignments should liaise closely with the normal internal examiner to ensure consistency of marking. Where there is no suitably qualified member of staff available, the faculty should seek to appoint an associate examiner (ie someone from outside the institution who could play the same role as an 'internal examiner'). The associate examiner should have a discussion in advance with the internal examiner to ensure they become familiar with the assessment requirements of the course and the marking criteria for the assessments to be undertaken in Welsh. The associate examiner should be provided with a number of English medium assessments which have been marked against the criteria to ensure consistent marking of the Welsh medium assignments.

The associate examiner should discuss the marking of the Welsh assessments with the normal internal examiner prior to the mark being agreed.

Where neither of the above alternatives are possible, the internal examiner should make arrangements for the Welsh assessment to be translated into English for marking by the internal examiner. All such translations must be arranged through the Welsh Language Officer who will seek an appropriate translator familiar with the subject matter. The translator will be instructed not to correct grammatical errors in undertaking the translation and to reflect in the translation any lack of clarity in the original Welsh version. The work sent to the translator will be anonymous, ie there will be no indication of the name of the student who has submitted the work. The student will be given an opportunity to verify the translation.

Where the assessment is in the form of a written examination, the examination paper must be sent to the Welsh Language Officer for the translation to be prepared at least one month in advance of the examination.

[d] **External examiners**

The external examiner should be informed of any written assessments which have been submitted in Welsh and either marked by an alternative internal marker or an associate examiner or have been translated.

Where 10% or more of a module cohort elect to submit written assessments in Welsh where the module is taught in English, some of the assessments submitted in Welsh should be included in any sample of the assessed work which is provided to the external examiner. Where necessary, the sample of assessments submitted in Welsh may be translated into English for this purpose.

The relevant subject assessment board should be informed where any students have submitted assessments through the medium of Welsh and the module leader will confirm that the agreed University procedures have been followed.

These regulations and the related procedures conform to the QAA guidelines for HEIs in Wales developed

to supplement the QAA Quality Code, B6: Assessment of Students and Accreditation of Prior Learning¹⁵.

A.2.5.7 Examination centres different from the study institution

- [a] Students normally take their examinations at the institution where they have studied. They may be permitted, exceptionally, to take examinations at an alternative examination centre, provided the University is confident that appropriate conditions exist in that centre. No student has the right to take examinations at an alternative examination centre, and each case is considered individually, according to the conditions in [b], [c] and [d] below.
- [b] Students must apply to take their examinations at an alternative examination centre and provide reasons with acceptable evidence for their request.
- [c] Examinations may only be held at an existing collaborative partner institution of the University where appropriate conditions for examinations have been established or at a British Council office approved as an examination centre by Student Administration Services
- [d] Student Administration Services, in consultation with faculties where appropriate, must confirm that the format of the examination is suitable for assessment at the approved examination centre.

A.2.5.8 Disclosure and computer retention of grades

- [a] The faculty/College is responsible for publishing the results for all students enrolled on its courses. Subject assessment boards should ensure that they supply the faculty/College responsible for the course with full information, ie the grades and the recommendation code, in a timely fashion.

Likewise, faculties should ensure that partner institutions are informed of the grades achieved by students studying on their courses at those institutions.
- [b] Module grades will be retained electronically and students will have access to their own grades achieved in all stages of their course.
- [c] Progression and completion results posted on a noticeboard must be anonymous. Individual grades should not be posted on a noticeboard. Faculties/College may choose to inform students by alternative means if appropriate.

A.2.6 Assessment Management

A.2.6.1 General arrangements

A.2.6.1.1 Subject assessment boards and award and progression assessment boards The University operates a tiered system of assessment boards. Students' individual performances are judged and graded at subject level by subject assessment boards.

The subject assessment boards then pass the students' grades to the relevant award and progression assessment board. Award and progression assessment boards are responsible for deciding students' progression, completion and, if appropriate, classification on the basis of the grades supplied by the subject assessment boards.

A.2.6.1.2 External Examiners' roles

The University operates a system of Course External Examiners. These are allocated a module and course workload. Details of their role can be found in the External Examiner Handbook.

In their first year of tenure they will be invited to the Subject and Progression/Award Boards. In subsequent years, they will be expected to wherever possible attend the Progression/Award Board. They contribute to the work of Subject Boards remotely after their first year via the academic staff in attendance.

They are appointed to maintain oversight of the academic standards, quality and coherence of the

¹⁵ Guidelines for higher education institutions in Wales for effective practice in examining and assessing in a language other than the language of tuition (QAA 2003)

modules/courses to which they are appointed. Examiners must endorse the outcomes of the board on its completion.

A.2.6.1.3 Examiners' academic judgement

Both internal and external examiners are responsible for upholding the standards of the University awards and ensuring all students are treated with equity under the regulations. Their academic judgment is final.

A.2.6.1.4 Consent of the Course External Examiner

No recommendation for the conferment of an award of the University can be made without the consent of a Course External Examiner. On any matter which an External Examiner(s) has declared to be a matter of principle, the decision of the External Examiner(s) must either be accepted as final by a board of examiners or referred to the Academic Board, as must any unresolved disagreement between External Examiners.

A.2.6.2 Subject assessment boards

A.2.6.2.1 Role

Subject assessment boards are established to agree the overall module grades of individual students for all modules belonging to that subject. Subject assessment boards are accountable to Academic Board for the fulfilment of their terms of reference.

A.2.6.2.2 Membership

The membership of a subject assessment board is as follows:

- dean of faculty/principal of College or nominee (Chairperson);
- all staff offering and teaching on modules within the subject, including, where applicable, staff from collaborative partner institutions;
- External Examiner(s) appointed to the subject (mandatory only if in the first year of their tenure);
- nominee of the head of administration or equivalent (Secretary).

A.2.6.2.3 Functions

All the functions of the board must be carried out in accordance with the University regulations outlined in this document, or, where applicable, in accordance with approved professional requirements.

Specifically, a subject assessment board's functions are:

- to decide candidates' grades for modules, to relay these to appropriate award and progression assessment board(s) and to ensure that the grades and recommendations are recorded accurately on University systems.
- to record the decisions and proceedings of all meetings of the board including those cases of extenuating circumstances eligible to be considered by the board (see A.2.6.2.4 below);
- to receive reports of any disability and/or dyslexia (including language matters) relating to any candidate.

A.2.6.2.4 Subject assessment board decisions and extenuating circumstances A subject assessment board's function is to determine the students' performance on their modules and assign grades to this on the basis of academic judgement alone. It is not empowered to modify grades for extenuating circumstances, except:

- where there is evidence of a factor which has affected either the entire cohort of students on a particular module or a group of students from the cohort;
- where an extenuating circumstances panel has judged there is a valid reason for late/non submission.

These are the only instances where a panel will report to a subject assessment board; it will not otherwise do so (see section A.2.6.7).

A.2.6.3 Award and progression assessment boards

A.2.6.3.1 Role

Award and progression assessment boards are established for every course leading to an academic award of the University, in order to determine the students' progression and completion of their courses. An award and progression assessment board may be responsible for one course, or a number of courses. Boards are accountable to the Academic Board for the fulfilment of its terms of reference.

A.2.6.3.2 Power to confer an award

An award and progression assessment board is the only body to have authority to recommend to the University the conferment of an award. No other body may do this, or amend the decision of a properly constituted award and progression assessment board, other than the Academic Appeals Committee or Academic Board.

A.2.6.3.3 Membership

The membership of an award and progression assessment board is as follows:

- dean of faculty/principal of College or nominee (Chairperson);
- course leaders contributing to the awards;
- External Examiner(s) for the award(s);
- faculty collaborative manager (where the courses are delivered in collaboration with partners);
- up to three other academic members of staff nominated by the dean of faculty/principal of College;
- nominee of the head of administration or equivalent (Secretary).

Subject leaders and representatives from the faculty's collaborative partners contributing to the courses are eligible to attend the award and progression assessment board to advise on decisions taken at subject assessment boards.

A.2.6.3.4 Functions

All the functions of an award and progression assessment board must be carried out in accordance with the University regulations outlined in this handbook, or, where applicable, in accordance with approved professional requirements.

Specifically, an award and progression assessment board's functions are:

- to receive module decisions from the relevant subject assessment boards; □ to receive the decisions of a faculty's/College/campus's extenuating circumstances panel;
- to award credit for successfully completed modules;
- to determine each student's progression, award and classification;
- to decide on referrals and any other course of action, taking account of information and advice supplied by the relevant subject assessment boards and the extenuating circumstances panel;
- to confirm candidates for interim awards at the point in the programme when they are eligible for the award (eg, CertHE at the completion of Level 4);
- to record the decisions and proceedings of all meetings of the board.

A.2.6.3.5 Award and progression assessment boards and extenuating circumstances

The function of an award and progression assessment board is to ensure that decisions about progression, classification, compensation and reassessment are made properly, on the basis of the grades it receives from the subject assessment board(s). An award and progression assessment board must also therefore decide on cases where any extenuating circumstances have been confirmed as valid by the extenuating circumstances panel. The scope of an award and progression assessment board's actions in such cases are detailed in section A.2.6.7. An award and progression assessment board cannot, however, alter a grade that has been agreed by a subject assessment board, other than to allow compensation in accordance with the University regulations.

A.2.6.4 Student membership of boards of examiners

In normal circumstances, students will not be members of boards of examiners or attend examiners' meetings other than as candidates for assessment. If, however, a person who is otherwise qualified to be an examiner for an award (eg as a member of staff or as an approved external examiner) is also registered as a student on another course either in the University or elsewhere, that will not in itself disqualify that person from carrying out normal examining commitments.

A.2.6.5 Responsibilities for chairing assessment boards

- [a] Deans of faculty/principal of College are formally responsible for chairing all assessment boards located in their faculties/College. This responsibility may be delegated to an appropriate nominee. However, the award and progression assessment board should normally be chaired by the dean of faculty/principal of College, or if delegated, by a member of staff at deputy dean or head of school level.
- [b] All nominated chairpersons should be among the senior staff of the faculty/College. They should have sufficient familiarity with the University regulations and processes and have a degree of independence from the awards being considered.
- [c] All chairpersons of subject assessment boards and award and progression assessment boards must attend training sessions which will be offered by the University at regular intervals to ensure familiarity and full knowledge of current regulations and practice. Only staff who have attended these sessions may be nominated to chair boards.

There will be an additional session for all chairpersons, held before summer assessment boards each year, to brief them on recent changes to University regulations.

A.2.6.6 Chairperson's action

- [a] Chairpersons of assessment boards should take chairperson's action when information becomes available which was not at the time of the board meeting and where it would not be appropriate or practicable to convene a meeting of the board.
- [b] Chairpersons should attempt to consult an external examiner before taking chairperson's action. It is good practice to obtain the agreement of the external examiner for any chair's action; however this can sometimes be impractical.
Chairpersons and external examiners may agree topics which s/he would not normally act upon without the agreement of the external.
- [c] Chairpersons should consult as many appropriate members of the board as are available, especially key officers, eg subject leaders and academic counsellors, before taking chairperson's action.
- [d] Chairperson's action should always be documented fully, including the process taken. The outcome of any action should be reported immediately to all affected students, staff, faculties/departments and to the Student Administration Services and should be reported to the next meeting of the board.
- [e] Chairpersons should appoint appropriate staff to act on their behalf in their absence.

A.2.6.7 Regulations on Extenuating Circumstances

These regulations should be read in conjunction with the [University's Extenuating Circumstances Regulations](#) (which must be complied with).

A.2.6.8 Withdrawal from studies

- [a] A student who wishes to withdraw from the University should complete the 'Student Request to Suspend Studies or Withdraw from a Course' form. The academic implications of the proposed withdrawal should be discussed with the course leader and his/her signature obtained on the form. The student should be referred to their Campus Advice Zone for support and advice concerning

their decision, and to complete the withdrawal process

- [b] Partner institutions are responsible for informing Student Administration Services, via completion of the University of South Wales form.
- [c] The effective date of withdrawal should not be before the date on which the form is handed in to the faculty/College office.
- [d] If it is suspected that a student has withdrawn without notice, the Faculty Advice Zone should be informed. The student should then be contacted by the Advice Zone and an attempt made to agree the effective date of withdrawal and obtain a signature on the appropriate withdrawal form.
- [e] Students who withdraw from the University should be processed through assessment boards.
- [f] In the case of international non-EU students studying on a Tier 4 visa, Tier 4 sponsorship will cease. The student must leave the UK.

A.2.6.9 Transfer of course/institution

- [a] A student who wishes to transfer to another course within the University or to a course at another institution should complete the appropriate University form. The academic implications of the proposed transfer should be discussed, the effective date of transfer agreed with the course leader and his/her signature obtained on the form. Where a student is transferring between faculties within the University, the appropriate form should be signed by both course leaders. The student should be referred to Student Services to discuss the financial implications of the transfer and the availability of other support services.
- [b] Partner institutions are responsible for informing Student Administration Services, via completion of the appropriate University of South Wales form.

A.2.6.10 Interruption of studies

See Section 11 of the [University's Extenuating Circumstances Regulations](#) (which must be complied with).

A.2.7 Marking and Grading

A.2.7.1 Tutors' responsibilities in assessment

- [a] The University arrangements for grading students' work and agreeing their progression places principal responsibility on the individual tutor/ team of tutors for each module for ensuring the fairness and appropriateness of the assessment tasks and the assessment outcomes. In fulfilling their responsibilities, tutors must ensure that:
 - assessment tasks are set in clear and unambiguous terms;
 - the criteria against which each task is to be assessed are agreed in advance and made known to the students;
 - academic judgements of performance are made in the light of the agreed criteria, and are clear and unequivocal.
- [b] Tutors should establish deadlines for all pieces of assessment that contribute to a course in advance, and make these known to all students at the start of each module. Work¹⁶ submitted within five working days of the deadline will be given a maximum mark of 40% unless there are valid extenuating circumstances.

¹⁶ The regulation applies to coursework, including projects, but does not apply to examinations, in class tests, presentations, clinical practice appraisals and performances. The regulation does not apply to referred work or to work submitted as a first attempt during a resit period. The regulation does not apply to work where an extension has already been granted for extenuating circumstances.

In all cases, students should be advised when the work is set whether the five working days late submission policy applies to the work or not. This is particularly important in the case of group work.

Work submitted more than five days after the deadline will be given a mark of 0% unless there are valid extenuating circumstances. (However, see A.2.6.7).

Tutors should likewise clearly distinguish between assessments which contribute to the overall module grade, and those, if any, which are formative only.

- [c] Tutors must ensure that their practices conform to the QAA Quality Code, B6: Assessment of Students and Accreditation of Prior Learning, and the marking protocols described in A.2.7.4 below.

A.2.7.2 Grading performance and awarding credit

- [a] Students must meet the overall module learning outcomes with no significant weaknesses to achieve a pass grade. A significant weakness is defined as less than 30% and the module will be assigned an F2 grade. Any specific learning outcome which must be passed in order for the module to be passed must be identified in the module definition.
- [b] All modules are graded in accordance with the University 100 mark scale.
- [c] Students can only be awarded credit on the successful completion of a full module. Credit may not be awarded for part of a module.

A.2.7.3 The mark scales

- [a] The University uses three scales for reporting and recording students' performance in assessments: the undergraduate, postgraduate and Edexcel scales.
- [b] The undergraduate marking scale aligns the grades with recognised degree classifications and Edexcel grades as in the table below.

Code	Grade (%)	Description	Honours degree equivalent	Edexcel equivalent
	70-100	Pass	First	Distinction
	60-69.9	Pass	Upper second	Merit
	50-59.9	Pass	Lower second	Pass
	40-49.9	Pass	Third	Pass
F1	<40>30	Fail: a narrow failure (compensatable)	Fail	Fail
F2	<30	Fail: a clear failure (not compensatable except for level 4 students)	Fail	Fail

For further guidance on Compensation in cases of partial failure see A.2.8.5

- [c] The postgraduate scale is used for all taught, Master's level courses.

Code	Grade (%)	Description	Outcome
	70-100	Pass with distinction	Pass
	60-69.9	Pass with merit	Pass
	40-59.9	Pass	Pass
F1	<40>30	Fail: a narrow failure (compensatable)	Fail
F2	<30	Fail: a clear failure (not compensatable)	Fail

For further guidance on Compensation in cases of partial failure see A.2.8.5

- [d] The Edexcel scale describes the conversion between the University undergraduate scale and Edexcel grades.

University Grade	HND/C Grade	Criteria	Outcome
70-100	D	Distinction	Pass
60-69.9	M	Merit	Pass
40-59.9	P	Pass	Pass
<40>30	F1	A narrow failure	
<30	F2	A clear failure	

For further guidance on Compensation in cases of partial failure see A.2.8.5

A.2.7.4 Marking protocols

- [a] Examining teams are expected to adhere to defined marking and moderating protocols. These protocols represent the minimum level of practice required to maintain the academic standards of the University's awards.
- [b] The University uses the following definitions in describing its expected minimum level of practice:
- Single marking: an assessment is marked by one person only.
 - Blind double marking: an assessment is marked by two people, and the grades/comments of the first marker are not available to the second marker.
 - Second marking (seen double marking): an assessment is marked by two people, but the grades/comments of the first marker are available to the second marker.
 - Sampling: the moderator (external or internal) looks at examples of ranges of grades. This should only happen when scrutinising the work of a whole cohort is impracticable.
 - Internal moderation: module grades are scrutinised by a colleague within the same faculty/institution. This may be through a sampling process, through scrutiny of a whole cohort, or through second or double marking.
 - External moderation: an external examiner scrutinises the marking of an internal examiner or team of internal examiners, usually by sampling.
- [c] Where appropriate, the marker and internal moderator should not write on scripts, but reference comments on a separate sheet of paper for the benefit of the external examiner. This prevents the marker influencing persons subsequently reading the script and the marker and/or internal moderator obscuring the text of the original script with comments.
- [d] Internal moderation of all marking should take place in order to ensure consistency across the subject. This may take the form of sampling a small amount of work or may extend to more formal, extensive moderation where appropriate.

The module leader is responsible for the marks recorded in all elements of assessment and for ensuring that the subject assessment board receives the correct grades for the module. Where a module is shared amongst staff, the module leader is responsible for collating all marks for each element of assessment. Where the teaching and/or marking is shared with other staff, they should discuss beforehand the way in which the assessment criteria are applied to the learning outcomes of the module.

- [e] Where a module is offered at a partner institution as part of a franchised or jointly developed course it should be treated in the same manner as an internal course.
- [f] Faculties/College are expected to have developed a mechanism for ensuring equity across projects undertaken within any given subject.

All projects, where appropriate, should be double marked. Where there is a dispute between two internal markers this should be resolved in consultation with the subject leader, who should also include the project in the sample sent to the external examiner. In cases of disputes on matters of principle, or

where no agreement can be reached internally, the matter should be referred to the external examiner.

- [g] Samples of elements of assessment such as presentation reports, practical assessments and theatrical productions should also be made available, where possible, for external scrutiny. This may be achieved, for example, by using video recordings, video-conferencing facilities or inviting the external examiner to visit a sample of assessments.
- [h] Examination questions and other assessment tasks should be made available for external scrutiny before the students undertake the assessment.

All assessed work should be made available for external scrutiny by way of external moderation of marks. In the case of sampling, the range of grades sent and the size and make-up of the sample should be agreed in advance between the subject leader and the external examiner. It would usually consist of a cross-section of the full range of grades awarded, with a focus on marginal cases. Coursework elements should be included with related examination scripts.

- [i] When dealing with assessments where marking and recording of grades is wholly or totally accomplished by a computerised system, members of subject assessment boards must ensure that careful consideration is given to each module's results on an individual basis.

A.2.7.5 Anonymous and non-anonymous assessment

- [a] All examinations are to be marked anonymously, with students identified by enrolment number.
- [b] Coursework assessments which can be marked anonymously (for example, essays) must be so marked where they contribute towards a final award. In these cases, students supply their enrolment number only and the grades are processed by an independent person. Once initial feedback has been given, it is the student's responsibility to approach the lecturer for further advice or support. Some forms of coursework cannot be anonymously assessed because the nature or content necessarily identifies the individual student.
- [c] Examiners must ensure demonstrable equity amongst students marked nonanonymously by adhering to the following protocols:
 - as far as possible, ensuring that "live" activities are viewed by more than one assessor;
 - where possible, individualising a specified element within any group work assessment so that each group member's contribution to the final outcome is assessed;
 - reassuring students about the confidentiality of comments within learning logs or journals;
 - keeping a written record of their deliberations for presentations, projects, performances, and other "live" activities, in accordance with previously defined assessment criteria;
 - informing students about work that is to be visually or aurally recorded for the purposes of double, second or external assessment;
 - keeping all records relating to non-anonymisable assessments secure until the time limit for any appeal has passed.

A.2.8 Progression and Reassessment

A.2.8.1 Undergraduate and Integrated Masters Progression

- [a] Students must normally accumulate 120 credits in order to progress from one undergraduate level to the next.
- [b] All students are allowed to continue at the same level of their course providing they pass at least 50% of the credits taken in their academic session¹⁷.
- [c] Each integrated masters course will define the particular level of achievement required for progression in the specific course.

¹⁷ For this purpose, an academic session is defined as from the date of the students' enrolment on the stage of the course until the first sitting board for that stage.

- [d] If a student fails to pass 120 credits at the relevant level of study, regulations [e] to [g] may apply. The student will be governed by current regulations and not those in force when they first attempted the module or year of study.
- [e] Subject to A.2.8.2 below, the award and progression assessment board may allow students to progress to the next level of the course and repeat the failed modules (up to a maximum of 20 credits) in addition to a full-time programme of study. Note that for students progressing from level 3 to level 4 with 100 credits, failed modules do not need to be repeated.
- [f] The award and progression assessment board may allow students to remain at the same level (repeat year) and
- repeat the failed modules and take additional modules. Any higher level modules may only be taken if any pre-requisite modules have been completed satisfactorily; □ repeat the failed modules only
- [g] With the agreement of the award and progression assessment board, students may substitute another module in place of one failed, provided that the requirements of their courses are maintained. Substitution is restricted as follows:
- 20 credits per level of an undergraduate course (HNC/HND/FD/Honours degree); □ 20 credits per level of an integrated masters course
- The award and progression assessment board confirms appropriate substitute modules.
- [h] Students may only take the number of credits required to achieve the award. Students may not take additional credits in order to improve a classification.
- [i] If the award and progression assessment board is satisfied that the student has failed in such a way as to suggest there is no possibility of successful completion of the course, it may discontinue the student's studies on that course. Students may not be re-admitted to the same or similar course.

A.2.8.2 Postgraduate Progression

- [a] Progression and award points will be at PgCert stage, PgDip Stage and Masters stage. Block delivery masters courses may use the PgCert stage as a progression point for full time students in addition to the PgDip progression point. The progression of part time masters students may also be considered at PgCert stage. Full time masters courses
- with linear module delivery will use only the PgDip and masters progression and award points.
- [b] All students are allowed to continue at the same level¹⁸ of their course providing they pass at least 50% of the credits taken at the relevant stage.
- [c] If a student has to repeat a stage, the student will be governed by current regulations and not those in force when they first attempted the module or stage of study.
- [d] The award and progression assessment board may allow students to:
- repeat the failed modules and take additional modules.
 - repeat the failed modules only
- [e] With the agreement of the award and progression assessment board, students may substitute another module in place of one failed, provided that the requirements of their courses are maintained. Substitution is restricted as follows:
- 20 credits per postgraduate course
- The award and progression assessment board confirms appropriate substitute modules.
- [f] Students may only take the number of credits required to achieve the award. Students may not take additional credits in order to improve an award grade.

¹⁸ Note that postgraduate courses may contain some level 6 credits, level in this context would include the level 6 and 7 credits comprising the course.

- [g] If the award and progression assessment board is satisfied that the student has failed in such a way as to suggest there is no possibility of successful completion of the course, it may discontinue the student's studies on that course. Students may not be re-admitted to the same or similar course.

A.2.8.3 Retrieval of failure

A.2.8.3.1 Resits

- [a] A resit is defined as an opportunity to pass a module without further teaching input. Only failed elements of assessment may be retaken, marks for passed elements of assessment are carried forward. If a student does not resit a failed element, a mark of 0% will be given for that element.
- [b] Students take the resit at the earliest available opportunity. Most resits are held during the resit period. However, where a subject assessment board determines that this is not possible, for example because the assessment requires studio facilities or involves group work, they are held in the following academic session.
- [c] Resits are only allowable in cases of failure. Examiners cannot require students to resit any passed modules and students cannot choose to resit a passed module in order to improve a grade.
- [d] The regulations for passing a resit module will be the same as at the first attempt and there will be no capping of marks for resit elements.
- [e] The overall module mark for any resit module will be capped at 40%.
- [f] Where students have failed to submit any assessment for a module (module mark of 0%), they are not allowed a resit except where the module has only one element of assessment in which case the Subject Assessment Board may exercise discretion.
- [g] Undergraduate students who have passed at least 50% of the credits taken in any academic year are allowed to resit the failed modules subject to [f] above.

Postgraduate students who have passed at least 50% of the credits taken in any stage being considered at a progression point are allowed to resit the failed modules subject to [f] above. However at PgCert stage, students who have passed 20 credits are allowed to resit the remaining 40 credits subject to [f] above.

- [h] Where undergraduate students have failed more than 50% of the credits taken in any one academic year they lose the right to resit. The award and progression assessment board may permit resits at their discretion¹⁹.

Where postgraduate students have failed more than 50% of the credits taken in any stage being considered at a progression point they lose the right to resit. The award and progression assessment board may permit resits at their discretion²⁰. However at PgCert stage students who have failed more than 40 credits lose the right to resit.

- [i] Students studying just one module in an academic year have the right to a resit in that module subject to [f] above.
- [j] Where there are approved extenuating circumstances, students have the right to be assessed as if for the first time, even if they have passed the element of assessment and/or the module. Where a student elects to exercise this right, any previous marks awarded are forfeited, and the new first attempt marks stand, even if a previously passed assessment is now failed.
- [k] Where students fail or fail to attempt a resit, the award and progression assessment board may permit them to repeat the failed module(s). Students, however, do not have the right to repeat any failed module. During the repeat of the module, the student is governed by current regulations and not those in force when the student first attempted the module.

¹⁹ For example if a module is not available the following year

²⁰ For example if a module is not available the following year ²¹ However, the overall module mark will be capped at 40%.

- [l] Students, (notwithstanding extenuating circumstances) should have a maximum of 4 attempts at a module. Those being their first attempt, a resit followed by repeating the module (and the associated resit).

A.2.8.4 Repeat modules

- [a] Students who have failed a resit may be permitted to repeat a module.
- [b] Repeat modules are treated as if being taken for the first time²¹. Thus:
- students repeating a module are expected to take all elements of assessments for that module, and may not carry elements of assessment passed at the first attempt;
 - students failing a repeated module are subject to the resit regulations, including the right of resit.
- If repeating a module, the student is governed by current regulations and not those in force when the student first attempted the module.
- [c] If the module is not available, the award and progression assessment board may offer another module (substitution) providing the learning outcomes of the course are still met. Students do not have the right to repeat the same module.
- [d] A module may be repeated once only.
- [e] Students cannot be asked to repeat a module for which they have gained credit if they fail to progress to the next level or stage of the course.
- [f] Students cannot repeat a module for which they have already gained credit in order to improve a grade.

A.2.8.5 Compensation in cases of partial failure

- [a] Award and progression assessment boards may at their discretion allow a student's overall performance to compensate for partial failure in accordance with the compensation regulations set out below.
- [b] Core modules, i.e., those which were approved at validation as being essential for students to pass in order to achieve the award, are not eligible for compensation. Students should retrieve any failure at the earliest opportunity.
- [c] Compensation is normally limited as follows:
- 20 credits per level of an undergraduate course (HNC/HND/FD/Honours degree); □ 20 credits per level of an integrated masters course
 - 20 credits during a postgraduate course (there is no compensation for a Master's degree dissertation).
- [d] Compensation rules for undergraduate students
- To compensate 20 F1 credits, a full-time student must normally have passed the remaining 100 credits at that level (see A.2.8.5 [c]).
- At levels 3 and 4 only, to compensate 20 F2 credits graded 20% or more (in this case a significant weakness is below 20% if applicable), a full-time student must have passed the remaining 100 credits at that level and have achieved an average mark of 50% or more in these 100 credits. (see A.2.8.5 [c]).
- To compensate 20 F1 credits, a part-time student must have passed 40 credits within a level; no further compensation will be allowed within that level (see A.2.8.4 [c]).
- At levels 3 and 4 only, to compensate 20 F2 credits graded 20% or more (in this case a significant weakness is below 20% if applicable), a part-time student must have passed 40 credits at that level and have achieved an average mark of 50% or more in these 40 credits. No further compensation will be allowed within that level (see A.2.8.4 [c]).
- [e] Compensation rules for postgraduate students
- Full time
- Masters and PgDip
- To compensate 20 F1 credits, a full-time student must normally have passed 100 credits on the postgraduate course and at least 40 of these 100 credits must be at 50% or above (see A.2.8.4 [c]).

PgCert

To compensate 20 F1 credits, a full-time student must normally have passed 40 credits on the postgraduate course at 50% or above (see A.2.8.4 [c]).

Part time

To compensate 20 F1 credits, a part-time student must normally have passed at least 40 credits on the postgraduate course at 50% or above; no further compensation will be allowed within that level (see A.2.8.4 [c]).

Note that postgraduate courses may contain some level 6 credits, level in this context would include the level 6 and 7 credits comprising the course.

- [f] Where a student's failure in a module(s) is compensated by an award and progression assessment board, the module grade will be recorded as PC (Pass by Compensation) but the module mark will not be changed.
- [g] In considering compensating a failure, the award and progression assessment board must remember that the student has the right to resit failed modules (see A.2.8.3.1) and that in certain circumstances a compensated module will adversely affect the overall award outcome. Students must therefore be offered the choice of accepting compensation or exercising their right to resit, and be made aware of any consequences following each alternative.

A.2.9 The Conferment of Awards

A.2.9.1 The conferment of awards

- [a] The University confers only those awards approved by Academic Board and named in its Framework for Academic Awards (see A.1.2.1).
- [b] Each approved course is described through the University's credit framework in terms of the extent and the level of the credits required for its completion (see A.1.3).
- Students must normally accumulate the required number of credit points through following a validated course in order to achieve a University award.
- [c] Students' completion of their awards is determined by the award and progression assessment board, which then makes recommendations for conferment to the University's Academic Board. In agreeing the appropriate award for each individual candidate, the award and progression assessment board must take into account the relevant completion and classification regulations (if any), the distribution of grades, the student's academic development during the course, and any recommendations made by the extenuating circumstances panels.
- [d] See A.2.9.11 for Aegrotat and Posthumous Awards.

A.2.9.2 Eligibility for awards

A.2.9.2.1 General condition of eligibility

All academic awards, other than honorary awards, are made only to students who:

- are properly enrolled on the courses;
- have followed the validated course comprising that course;
- have been assessed according to the University regulations.

A.2.9.3 Edexcel awards

- [a] HND and HNC awards can only be conferred on candidates with no more than 40 or 20 credits respectively graded at PC over the total of their course.

A.2.9.4 Work experience-based awards

- [a] The University approves foundation degrees, the Employment Experience Diploma and Employment Experience Certificate as awards based primarily or significantly upon work experience for their conferment. These are in addition to those awards which contain either work-experience or key skills as

essential elements, for example sandwich, HNC and HND awards.

A.2.9.4.1 Foundation degrees

[a] Foundation degrees must specify at the validation or review stage:

- the ways in which the work-based learning is appropriate to the particular needs of the relevant employment sector or type of employer, and how the course helps to provide the knowledge and transferable skills needed for employment;
- the appropriate balance between the intellectual and practical skills of the course;
- the learning outcomes related to the intellectual and practical skills of the course. The practical learning outcomes should be explicitly relevant to both employers' and, where appropriate, professional needs;
- the nature of the assessment of the learning outcomes;
- clear routes of possible progression from foundation degrees towards honours degrees.

[b] Work-based learning agreements between academic faculties/College and the sector/employers should be specified at the outset of the placement and should include any training for employers that may be required. Such arrangements should be reviewed regularly as part of the on-going monitoring and review of the course.

[c] A foundation degree is awarded to students who achieve 240 credits of which at least 100 must be at Level 5 (Intermediate) or above and the remaining credits at level 4 or above. Of the 240 credits, 25% must be derived from level 5 work based learning²¹.

A.2.9.4.2 Employment Experience Certificate

[a] The Employment Experience Certificate is credit-rated as 60 P credits, and is awarded to students who complete a minimum of fifteen weeks (six hundred hours) experience that is deemed relevant and appropriate to a specific course. Students must also have acquired 120 or more credits, of which at least 100 are at Level 4 or above, with no more than 20 at Level 3.

A.2.9.4.3 Employment Experience Diploma

[a] The Employment Experience Diploma is credit-rated as 120 P credits and is awarded to students who complete a minimum of thirty weeks (one thousand two hundred hours) work experience that is deemed relevant and appropriate to a specific course. Students must also have acquired 120 or more credits of which at least 100 are at Level 4 or above, with no more than 20 at Level 3.

A.2.9.4.4 Credit for work-based learning

[a] Work experience credits can only be awarded to students who have achieved:

- all of the competencies associated with a work placement, as defined beforehand by academic staff;
- a satisfactory reference from the employer;
- a satisfactory reference from the approved placement supervisor;
- satisfactory completion of a range of prescribed activities/exercises designed to make explicit and enhance the learning achieved during the placement.

A.2.9.5 The classification of honours degrees

[a] Students who have already completed some or all level 5 modules prior to 2011/12 can request to have their classification calculated under both previous regulations and will be given the higher of the two. Students who have completed some level 6 modules prior to 2011/12 will have their classification calculated under both regulations and be given the higher of the two.

[b] Students on undergraduate degree courses are given an honours classification at the end of the period in which they attain the minimum credit required for an honours degree, i.e., 360 credits of which at least

²¹ See Guidelines for the Development of Foundation Degrees

100 must be at Level 6 or above, 120 at Level 5 or above, 120 at Level 4 or above and no more than 20 at Level 3.

- [c] The Level 5 grades are usually determined at the end of the period in which students attain the minimum credit for completion of the Diploma in Higher Education, i.e., 240 credits of which at least 100 must be at Level 5 (Intermediate) or above, 120 at Level 4 (Certificate) or above and no more than 20 at Level 3 (Access).
- [d] The classification is calculated as follows:

Method 1

Calculate the average of the marks from the 180 credits obtained from the best 60 credits at level 5 and the 120 credits at level 6.

Method 2

Calculate the average of the marks from the 120 level 6 credits.

The student receives the better of the two averages above and is awarded a classification based on the table below.

Mean %	Classification
69.5 - 100%	First Class Honours Degree
59.5 - <69.5%	Upper Second Class Honours Degree
49.5 - <59.5%	Lower Second Class Honours Degree
39.5 - <49.5%	Third Class Honours Degree

- [e] Students who have passed 360 credits with 100 at level 6 will have a classification calculated as follows:
The average of all level 5 modules (whether 100, 120 or 140 credits) will be calculated and this mark will count as 20 credits at level 6. The classification will then be calculated as in [d] above.
- [f] Students who have passed 360 credits with 140 at level 6 will have a classification calculated as follows:
The average over all 140 level 6 credits will be calculated and this average will be weighted as 120 credits. The classification will then be calculated as in [c] above.
- [g] Students entering the University at the final degree stage or those entering the final degree stage by 'topping up' from HNDs or Foundation degrees awarded by the University of South Wales will be classified using Method 2 only²².

A.2.9.6 Classification of HNC, HND and Foundation Degrees

A.2.9.6.1 HNC

The average of all credits comprising the award will be calculated. A distinction will be awarded if the average is 69.5% or more. Otherwise a merit will be awarded if the average is 59.5% or more. Otherwise a pass will be awarded if the average is 39.5% or more.

A.2.9.6.2 HND

The average of all level 5 credits comprising the award will be calculated. A distinction will be awarded if the average is 69.5% or more. Otherwise a merit will be awarded if the average is 59.5% or more. Otherwise a pass will be awarded if the average is 39.5% or more.

A.2.9.6.3 Foundation Degrees

The average of all level 5 credits comprising the award will be calculated. A distinction will be awarded if the average is 69.5% or more. Otherwise a merit will be awarded if the average is 59.5% or more.

²² Where the 'top up' student is required to study a minimum of 60 level 5 and 120 level 6 credits as part of the degree, the student will be classified as in [d]

Otherwise a pass will be awarded if the average is 39.5% or more.

A.2.9.7 Classification of Integrated Masters awards

Method 1

Calculate the average of the marks from the 180 credits obtained from the best 60 credits at level 6 and the 120 credits at level 7

Method 2

Calculate the average of the marks from the 120 level 7 credits

The student will be awarded the better of the two averages above and is awarded a classification as follows:

If the average is 69.5% or more, then a Distinction will be awarded.

If the average is 59.5% or more but less than 69.5% then a Merit will be awarded.

If the average is 39.5% or more and less than 59.5% then a Pass will be awarded.

A.2.9.8 Classification of Postgraduate awards

- [a] Students who enrolled on a postgraduate course prior to September 2012 will have their classification based on the better of the methods in the previous regulations.
- [b] The University offers a range of different postgraduate courses encompassing graduate entry courses at Level 6 (Honours) (conversion courses) and Master's courses (primarily at postgraduate level). To receive a Master's award, students' programmes of study must include 180 credits of which at least 150 must be at Level 7 (Masters) and no more than 30 at Level 6 (Honours).
- [c] **Masters**

The average of all credits comprising the award will be calculated. A distinction will be awarded if the average is 69.5% or more. Otherwise a merit will be awarded if the average is 59.5% or more.

Otherwise a pass will be awarded if the average is 39.5% or more. **PgDip**

The average of all credits comprising the award will be calculated. A distinction will be awarded if the average is 69.5% or more. Otherwise a merit will be awarded if the average is 59.5% or more.

Otherwise a pass will be awarded if the average is 39.5% or more. **PgCert**

The average of all credits comprising the award will be calculated. A distinction will be awarded if the average is 69.5% or more. Otherwise a merit will be awarded if the average is 59.5% or more. Otherwise a pass will be awarded if the average is 39.5% or more.

A.2.9.9 Classification of other awards

CertHE, DipHE and non honours degrees are not classified when used as exit awards.

Where a CertHE/DipHE has been validated as a free standing award, for example where no higher level award exists in that area, CertHE and DipHE will be graded as follows:

CertHE

The average of all credits comprising the award will be calculated. A distinction will be awarded if the average is 69.5% or more. Otherwise a merit will be awarded if the average is 59.5% or more. Otherwise a pass will be awarded if the average is 39.5% or more.

DipHE

The average of all credits comprising the award will be calculated. A distinction will be awarded if the average is 69.5% or more. Otherwise a merit will be awarded if the average is 59.5% or more. Otherwise a pass will be awarded if the average is 39.5% or more.

PcET

PcET is a free standing award and is classified as follows:

The average of all credits comprising the award will be calculated. A distinction will be awarded if the average is 69.5% or more. Otherwise a merit will be awarded if the average is 59.5% or more. Otherwise a pass will be awarded if the average is 39.5% or more.

A.2.9.10 The certification of awards

[a] Students receive a certificate of their award, once conferred, which records:

- the name of the University;
- the full name of the student;
- the full title of the award, including the course;
- the date of conferment;
- any other relevant endorsement, e.g. honours classification, sandwich mode.

[b] Students receive a transcript of the module(s) successfully completed on a course. The transcript records:

- the full name of the student;
- the dates of his/her enrolment;
- the place of study;
- the module title(s), credit value(s) and level(s);
- the % grade achieved for each module and the date(s) of completion.

A.2.9.11 Aegrotat and Posthumous Awards

A.2.9.11.1 Aegrotat awards

Aegrotat awards may be awarded to students who have been prevented by illness from completing final examined/assessed elements of a taught course of study. The Progression and Award Board should be satisfied that the student's prior performance shows beyond a reasonable doubt that he/she would have passed but for the illness/event that occurred and that the student is unlikely to be able to return to complete his/her study at a later date.

Aegrotat awards will only be made with the express approval of the student. Where he/she is unwilling to accept this award the Progression and Award Board shall permit him/her to complete the assessments in question by an approved subsequent date.

An aegrotat degree, diploma or certificate shall be unclassified and, in all other respects, un-graded. An aegrotat award does not necessarily entitle the holder to registration with a professional body, or exemption for the requirements of any professional qualification, which might otherwise be associated with the course of study concerned.

Progression and Award Boards may not recommend the award of aegrotat research degrees and aegrotat taught Master's degrees may only be awarded where the work done for the dissertation can be examined. This requirement does not prevent the issuing to the student of any relevant certificate or diploma award that might be made in respect of study already completed.

A.2.9.11.2 Posthumous awards

Posthumous awards may be made in cases where there has been a death of a student. The following is intended to apply in these circumstances; if a student has died, having qualified for the award and satisfying the usual requirements prior to death, the award made will not be distinguished in any other way from that given to any other graduate usually.

The Progression and Award Board will need to satisfy itself that the appropriate requirements have been met in respect of the awards, as follows:

Initial Degree Courses

A Progression and Award Board may recommend that a posthumous award may be given where the student achieved no fewer than one third of the credits required at the appropriate levels.

For full-time honours degrees and taught postgraduate awards, the Board must consider a report supplied by a senior member of Faculty confirming that their performance was likely to result in the award requested

Postgraduate Research Degrees

An Examination Board may recommend that a posthumous degree be awarded:

- After the thesis has been examined or submitted for examination but before the viva (where required) could be held, if the Board considers the work presented and provided that it is satisfied that the work is the student's own (by means of the receipt of a report from the supervisor).
- Before the thesis has been submitted, provided the Board is able to consider available evidence of the research work completed by student. Normally such evidence shall be supplied by the student's supervisor, who shall submit a report for consideration by the examiners. In addition:
 - Enough of the research project must have been completed to allow a proper assessment to be made of the scope of the thesis
 - The standards of the research work completed must be that normally required for the award of the degree in question, and must demonstrate the student's grasp of the subject
 - The written material available (such as draft chapters, published work, presentations to conferences/seminars) must demonstrate the student's ability to write a thesis of the required standard.

Should a case fail to satisfy the requirements of the regulations it is open to the Examination Board (in consultation with the external examiner) to refer it to the Research Committee for consideration for special approval of it on its merits.

The making of the award

In cases in which families or friends wish to attend a ceremony, in consultation with family and friends the following could be arranged:

- The holding of a special ceremony in memory of the student in the faculty concerned, at which a presentation of the certificate could be made to the appropriate persons □ The inclusion of the student's name in the formal degree congregation, together with the extension of an invitation to family and friends to attend.

In cases in which family and friends do not wish to take part in a ceremony a personal letter of condolence should be prepared for dispatch at the same time as the certificate is dispatched to the family.

UNIVERSITY OF SOUTH WALES PRIFYSGOL DE CYMRU

RESEARCH DEGREE REGULATIONS

Regulations for the University's awards of Doctor of Philosophy, Professional Doctorates, Master of Philosophy, Masters by Research and the Research Diploma

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1. Programmes

- 1.1 The University of South Wales may award the following:
- Research Diploma (RDip)
 - Masters by Research (MA or MSc by Research)
 - Master of Philosophy (MPhil)
 - Doctor of Philosophy (PhD)
 - Professional Doctorates:
 - Doctor of Business Administration (DBA)
 - Doctor of Psychology (Counselling Psychology) (DPsych)
- 1.2 Programmes of research may be proposed in any field of study subject to the requirement that the proposed programme is capable of leading to scholarly research and to its presentation for assessment by appropriate examiners. The submission for examination is usually in the form of a written thesis, except in the case of the MPhil or PhD which **may** take alternative forms (refer to paragraph 1.3 and 1.4).
- 1.3 A doctoral degree (**Doctor of Philosophy (PhD)** or **Professional Doctorate**) shall be awarded to a candidate who has demonstrated the creation and interpretation of new knowledge, through original research or other advanced scholarship, of a quality to satisfy peer review, extend the forefront of the discipline, and merit publication. The candidate shall demonstrate a detailed understanding of appropriate research methods and their application to the chosen field, and present and defend a thesis of an appropriate literary standard (or alternative form of submission where appropriate), by oral examination to the satisfaction of examiners.
- A **Professional Doctorate** candidate shall follow an approved programme requiring in addition the completion of taught elements at advanced level, and their research shall have relevance and application to a defined area of professional practice. The taught element will be equivalent to 240 credits.
- 1.4 A research degree at Masters level including both **Master of Philosophy (MPhil)** and **Masters by Research** shall be awarded to a candidate who has critically investigated and evaluated an approved topic and demonstrated originality in the application of knowledge. The candidate shall demonstrate a detailed understanding of appropriate research methods and their application to the chosen field, and present and defend a thesis of an appropriate literary standard (or alternative form of submission where appropriate), by oral examination to the satisfaction of examiners.
- For the **Masters by Research** award, the scope and depth of the investigation will be less than that required for the **MPhil** and consequently, both the registration period and the submitted text length will be shorter to reflect this.

- 15 A **Research Diploma (R Dip)** may be awarded to a candidate who has critically investigated and evaluated an approved topic. The candidate shall demonstrate an understanding of appropriate research methods, and their application to the chosen field and will have presented and defended a thesis of an appropriate literary standard (or alternative form of submission as appropriate), by oral examination to the satisfaction of examiners. The R Dip may only be awarded at the discretion of the Research Programmes Sub Committee (RPSC) to those candidates examined for a research degree at Masters or Doctoral level who have not demonstrated the criteria required for the research degree to be conferred.
- 16 Research degree candidates shall follow an approved programme leading to one of the following forms of submission for examination:
- (a) **Thesis**
This is the traditional form of submission for a research degree.
 - (b) **Portfolio** (MPhil and PhD candidates only)
The portfolio should relate to a maximum of three projects accompanied by a critical overview. The projects may be work related and derived from empirical or conceptual investigation and the overview will demonstrate the relationship between them. Together, the projects and critical overview should fulfil the requirements for a research degree at the relevant level (refer to sections 1.3 and 1.4)
 - (c) **Publication** (PhD candidates only)
The approved body of published work should demonstrate significant authorship by the candidate and be accompanied by a critical overview. Registration for submission by this route is appropriate for candidates who have already completed, or reached an advanced stage of submission of the published work.

This route is restricted to past and present members of staff, alumni and applicants who have very strong links with the University. Together, the publications and critical overview should fulfil the requirements for a research degree at doctoral level (refer to section 1.3).
- 17 The University encourages co-operation with industrial, commercial, professional or research establishments for the purposes of research leading to research degree awards. Such co-operation is intended: to encourage outward looking and relevant research, to extend the candidate's own experience and perspectives of the work, to provide a wider range of experience and expertise to assist in the development of the project, to be mutually beneficial, and (where appropriate) to enable the candidate to become a member of a research community.

Co-operation may be formalised with one or more bodies external to the University. For the purpose of the research degree regulations these shall be referred to as Collaborating Establishments. Formal collaboration shall normally involve the candidate's use of facilities and other resources, including supervision and advice, which are provided jointly by the University and the Collaborating Establishment.

In such cases a formal agreement with the Collaborating Establishment confirming the arrangements should be submitted with the application, except where collaboration is an integral part of the project (as for instance with Research Council CASE awards). The name(s) of the Collaborating Establishment(s) shall appear on the candidate's thesis and degree certificate.

2. Quality Assurance

The Research Programmes Sub Committee (RPSC) will discharge, on behalf of the Research Committee and Quality Assurance Committee the responsibilities for the quality and standards of its research degrees.

2.1 Research Programmes Sub Committee (RPSC)

The terms of reference for the Research Programmes Sub Committee are as follows:

- To consider issues or concerns raised by research students
- To consider examination arrangements, including the approval of examiners.
- To receive approval of and consider ethical issues.
- To periodically review examiners' reports.
- To consider the recommendations of examiners for the conferment of research awards.
- To audit the process of annual monitoring of research degree students and FRPCs.
- To consider ethical issues.
- To identify and disseminate good practice in the delivery of research degrees.
- To make recommendations to the Research Committee, Quality Assurance Committee and Faculty Executive as appropriate.
- To undertake such matters as required by the Research Committee and Quality Assurance Committee.

2.2 Faculty Research Programmes Committee (FRPC)

Faculties operate under the same quality assurance structure and in accordance with the University's approved quality assurance procedures, as agreed by Academic Board and published in the University's research handbooks. All faculties undertake the quality assurance of research degrees through a Faculty Research Programmes Committee (FRPC) which reports to the Research Programmes Sub Committee (RPSC). The FRPC considers applications, notes registrations, ensures ethical issues have been considered (unless the faculty has an ethics committee) and undertakes transfer, extension/suspension and changes thereto of research students. The Faculty Ethics Champion is a member of FRPC and advises the committee on ethical issues.

The terms of reference of FRPCs are as follows:

- To consider issues or concerns raised by research students
- To consider the approval of research degree applications submitted to the faculty
- To note the registrations of students for research degrees in the faculty and to transfer students from MPhil to PhD.
- To monitor the progress of research students in the faculty.

- To ensure that appropriate ethical approval is secured for each research degree unless the faculty has an ethics committee.
- To undertake any other task delegated to it by the Research Programmes Sub Committee.
- To report to the Research Programmes Sub Committee and Faculty Executive as appropriate.

The Faculty Research Programmes Committee (FRPC) will be responsible and accountable for the delegated powers for the faculty and will be expected to ensure that all quality assurance activities are carried out with the required level of independence.

Both the RPSC and FRPCs will be required to conform to the University's Research Degree Regulations and to follow the practices and procedures set out in the Regulations and Codes of Practice.

2.3 Review of a decision of the RPSC/FRPC/Progress Board

- (a) A candidate who requests a review of a decision of the RPSC/FRPC/Progress Board (e.g., not to register, approve examination arrangements, extend registration, permit re-enrolment etc) should submit their request in writing to the Chair of the RPSC/FRPC/Progress Board.
- (b) The Chair will pass the details of the request to an appropriate adviser outside of the Committee (and possibly the University) who has not previously been involved with the candidate or project but who will be familiar with the research degree procedures. The adviser will be asked to provide a written report. On receipt of the report RPSC/FRPC/Progress Board will review the case.
- (c) Where a candidate is not satisfied with the outcome of the review carried out in (b) above, she/he should submit details of their review request in writing to the University Secretary who would follow the same procedure as in (b) above but with a different and independent adviser.
- (d) Where a candidate is not satisfied with the outcome of the review in (c) above, and following the issue of a Completion of Procedures letter, they may lodge a complaint with the Office of the Independent Adjudicator (OIA). Details of the OIA and the relevant information in relation to the Scheme can be accessed at www.oiahe.org.uk.

3. Application and qualifications

- 3.1 A person may apply to register for any of the research awards listed below by completing the appropriate form and submitting a research proposal:
- (a) Masters by Research
 - i. by thesis
 - (b) Master of Philosophy
 - i. by thesis
 - ii. by portfolio
 - (c) Master of Philosophy with possibility of transfer to Doctor of Philosophy:
 - i. by thesis
 - ii. by portfolio
 - (d) Doctor of Philosophy:
 - i. by thesis
 - ii. by portfolio
 - iii. by publication
 - (e) Professional Doctorate
 - i. Doctor of Business Administration (DBA)
 - ii. Doctor of Psychology (Counselling Psychology) (DPsych)
- 3.2 In approving an application for enrolment and registration, the Faculty's Research Programmes Committee shall satisfy itself that:
- a the candidate is suitably qualified and/or experienced; including a sufficient level of English language competence (a **minimum** IELTS score of 6.5) with at least 6.5 in reading and writing
 - b the proposed research fits within the research focus of the faculty and/ or University
 - c there is a potential for contribution to knowledge where appropriate
 - d the faculty is able to provide suitable research supervision
 - e the University is able to provide appropriate facilities for the conduct of research in the area of the research programme
 - f the form of submission is appropriate to the candidate
 - g the applicant has been made aware of the University's Ethical Guidelines and faculty's governance framework
 - h the proposal is the candidates own work*
- 3.3 An applicant for registration for the degree of Masters by Research shall normally hold one of the following:
- (a) first or upper second class honours degree in a relevant subject

- (b) appropriate, relevant qualification or relevant experience which is regarded by the Faculty Research Programmes Committee as equivalent.
- 3.4 An applicant for registration for the degree of MPhil or MPhil with possibility of transfer to PhD shall normally hold one of the following:
- (a) first or upper second class honours degree in a relevant subject
 - (b) appropriate, relevant qualification or relevant experience which is regarded by the Faculty Research Programmes Committee as equivalent.
- 3.5 An applicant for registration for Doctorates in Business Administration (DBA), shall normally hold one of the following as well as access to one or more organisations for the purpose of conducting research:
- (a) a Masters degree in Business Administration or the Social Sciences
 - (b) significant management experience
- 3.6 An applicant holding qualifications other than those in paragraphs 3.3 to 3.5 shall be considered on her/his merits and in relation to the nature and scope of the programme of work proposed.

In considering an applicant in this category, the Faculty Research Programmes Committee (FRPC) shall look for evidence of the candidate's ability and background knowledge in relation to the proposed research. Professional experience, publications, written reports or other appropriate evidence of accomplishment shall be taken into consideration.

The Faculty Research Programmes Committee (FRPC) may require an applicant to pass an externally assessed qualifying examination at final year honours degree level before registration is approved. An applicant wishing to be considered under this regulation shall include in the application for registration the names of two suitable persons whom the University may consult concerning the candidate's academic attainment and suitability for research.

- 3.7 Direct registration for the degree of PhD may be permitted for an applicant holding a relevant Masters degree with a significant research component or equivalent, provided that the Masters degree is in a discipline which is appropriate to the proposed research and that the Masters degree included training in research and the execution of a research project.

The Faculty Research Programmes Committee may also register for PhD direct a candidate who, although lacking a Masters degree, has a good honours degree (or equivalent) in an appropriate discipline and has had appropriate research or professional experience at postgraduate level which has resulted in published work, written reports or other appropriate evidence of accomplishment.

A candidate with a Masters degree wishing to register directly for the award of PhD will be required to provide the following information with the application to register:

- (a) An outline of the title and content of the candidate's Masters degree with special reference to the training in research received. Where possible a copy of the Masters degree abstract shall be provided.
- (b) The name and address of an independent academic referee who may be contacted to comment on the candidate's performance on the Masters degree.

A candidate without a Masters degree wishing to register directly for PhD by any route will also be required to provide the information in 3.5 above.

Applications for PhD by Publication are **restricted** to past and present members of staff, alumni and applicants who have very strong links with the University.

- 3.8 An applicant whose work forms part of a larger group project may register for a research degree or diploma. In such cases each individually registered project shall in itself be distinguishable for the purposes of assessment and be appropriate for the award being sought. The application shall indicate clearly each individual contribution and its relationship to the group project.
- 3.9 Where a research degree project is part of a piece of funded research, the Faculty Research Programmes Committee (FRPC) shall establish to its satisfaction that the terms on which the research is funded do not detract from the fulfilment of the objectives and requirements of the candidate's research award.
- 3.10 The Faculty Research Programmes Committee (FRPC) may approve an application from a person proposing to complete their research award by distance learning either within or outside the UK, provided that:
 - (a) there is satisfactory evidence as to the facilities available for the research both in the University and at the candidate's location; and
 - (b) the arrangements proposed for supervision enable frequent and substantial contact between the candidate and the supervisor(s) including email, telephone and face-to-face contact.
- 3.11 Registration will commence from the date of enrolment. In the case of candidates transferring from another institution, the registration date will be backdated, to take into account the time already spent on the project.
- 3.12 Where a candidate has previously undertaken research as a registered candidate for a research degree, the Faculty Research Programmes Committee (FRPC) may approve a shorter than usual registration period which takes into account all or part of the time already spent by the candidate on such research.

- 3.13 Where a candidate is registered for a research degree at another University, they may apply to transfer their registration. In such cases, the majority of the work submitted in the thesis must be in relation to research supervised following formal transfer to the University.

In considering applications to transfer from another University, FRPCs will require:

- i. A letter of agreement from the previous University
- ii. A progress report from the supervisor
- iii. The title of the research and copy of the original approved research proposal
- iv. Dates of the original enrolment

4. Initial registration

- 4.1 A candidate shall follow a programme of related studies where this is necessary for the attainment of competence in research methods, knowledge related to the subject of the thesis or generic skills training. This programme shall be intended to provide the candidate with one or more of the following:
- (a) the skills and knowledge necessary for the pursuit of the proposed research;
 - (b) a body of knowledge normally associated with a degree in the field of study of the proposed research; and
 - (c) breadth of knowledge in the related subjects.

- 4.2 A candidate may undertake a programme of research in which the candidate's own creative work forms, as a point of origin or reference, a significant part of the intellectual enquiry. Such creative work may be in any field (for instance, fine art, design, engineering and technology, architecture, creative writing, musical composition, film, dance and performance), but shall have been undertaken as part of the registered research programme. In such cases, the presentation and submission may be partly in other than written form.

The creative work shall be clearly presented in relation to the argument of a written thesis and set in its relevant theoretical, historical, critical or design context. The thesis itself shall conform to the usual scholarly requirements and be of an appropriate length (see section 14).

The final submission shall be accompanied by some permanent record (for instance, video, photographic record, musical score, or diagrammatic representation) of the creative work, where practicable, bound with the thesis.

The application for registration shall set out the form of the candidate's intended submission and of the proposed methods of assessment.

- 4.3 A candidate may undertake a programme of research in which the principal focus is the preparation of a scholarly edition of a text or texts, musical or choreographic work, or other original artefacts.

The final submission shall include a copy of the edited text(s) or collection of artefact(s), appropriate textual and explanatory annotations, and a substantial introduction and critical commentary which set the text in the relevant historical, theoretical or critical context. The thesis itself shall conform to the usual scholarly requirements and be of an appropriate length (see section 14).

- 4.4 Except where permission has been given for the submission and the oral examination to be in another language, the Research Programmes Sub

Committee shall satisfy itself that the candidate has sufficient command of the English or Welsh language to complete satisfactorily the programme of work and to prepare and defend a submission in English or Welsh. Permission to present a submission in another language shall normally be sought at the time of application for registration. Permission to present a submission in a language other than English or Welsh shall normally only be given if the subject matter of the submission involves language and related studies.

The Research Programmes Sub Committee may permit a candidate to present a submission in Welsh provided that it is satisfied that adequate supervision in Welsh can be arranged and that examiners who are capable of examining the submission in Welsh are likely to be available.

- 4.5 A candidate intending to register for a research programme is required to enrol as a student of the University and pay the appropriate fees.
- 4.6 A candidate may register on a full-time or a part-time basis. A **full-time candidate** shall normally devote on average at least **35 hours per week** to the research; a **part-time candidate** on average at least **12 hours per week**.
- 4.7 The Faculty Research Programmes Committee (FRPC) may permit a candidate to register for another course of study concurrently with the research programme registration, provided that either the research degree registration or the other course of study is by part-time study and that, in the opinion of the FRPC, the dual registration will not detract from the research. No submission for a research degree can include work that has been previously submitted for another award.
- 4.8 Where a candidate, the University, or the collaborating establishment wishes the submission, or some part of it, to remain confidential for a period of time after completion of the work, application for approval shall normally be made to the Research Programmes Sub Committee at the time of registration. In cases where the need for confidentiality emerges at a subsequent stage, a special application for the submission to remain confidential after submission shall be made immediately to the Research Programmes Sub Committee the period approved shall normally not exceed two years from the date of the oral examination.

5. The registration period

5.1 The minimum and maximum periods of registration are as follows:

	Minimum	Maximum
Masters by Research		
full-time	12 months	18 months
part-time	24 months	36 months
MPhil by thesis		
full-time	18 months	36 months
part-time	30 months	48 months
MPhil by portfolio		
part-time	12 months*	36 months
MPhil/PhD by thesis		
full-time	33 months	60 months
part-time	45 months	72 months
PhD by thesis [direct]		
full-time	24 months	60 months
part-time	36 months	72 months
PhD by publication		
part-time	12 months	24 months
PhD by portfolio		
part-time	12 months*	60 months
Professional Doctorate		
full-time (DPsych)	33 months	60 months
part-time (DPsych, DBA)	45 months	72 months

*This minimum period may be appropriate where a candidate has already completed a significant part of the work prior to registration.

- 5.2 A full-time candidate shall normally reach the standard for MPhil within two years of registration and for PhD within three years.
- 5.3 Where there is evidence that the research is proceeding exceptionally well, the Faculty Research Programmes Committee may approve a shorter minimum period of registration. An application for such shortening should be submitted at the same time as the application for approval of examination arrangements.
- 5.4 Where a candidate changes from full-time to part-time study or vice versa, the minimum and maximum registration periods shall be calculated pro rata. Notification of such a change will be approved by the Faculty Research Programmes Committee.
- 5.5 A candidate seeking a change to a registered research programme shall apply in writing to the Graduate Research Office for consideration by the relevant Faculty Research Programmes Committee.

- 5.6 The progress of research students towards successful completion within approved time periods will be reviewed regularly.

The Director of Studies is expected to manage the supervisory process such that at least one supervisor(s) is in contact with their research student as appropriate and at least **once per month**. A formal **record of each meeting** will be made and provided to (all) the supervisor(s) and student.

In addition, once per year each student and the Director of Studies or nominated supervisor, acting on behalf of the team, should complete a separate statement of progress.

In their statement of progress, the Director of Studies or nominated supervisor will grade each student's progress:

- A Excellent progress with no problems and completion anticipated on time
- B Satisfactory progress, some issues exist, but completion anticipated on time
- C Some progress being made, but there is a serious question as to whether the thesis will be completed satisfactorily on time
- D Progress unsatisfactory

In the event of a student's progress being graded C or D, the Director of Studies or nominated supervisor should include details of any factors that may have impeded progress during the year.

- 5.7 A **Progress Board** will be convened to review each student's progress, using the annual statement of progress and other relevant material such as supervision and / or transfer reports.

Candidates are invited to submit a candidate progress report form to highlight to the Progress Board any issues that may have impeded their progress.

The **Progress Board** will make one of the following recommendations:

1. Recommend a further period of enrolment
2. Remedial work be completed within a specified timeframe
3. Termination of enrolment

Candidates will be informed and consulted on any changes to their registration and may appeal against the decision of the Progress Board (refer to section 2.3).

- 5.8 The Progress Board will be monitor completion of the taught element of Professional Doctorate Programmes.

- 5.9 Where a candidate is prevented, by ill health or other cause, from making progress with their research, the registration may be suspended by the FRPC, normally for a single period of up to 12 months.
- 5.10 Where plagiarism is suspected in a candidate's work prior to thesis submission, the University's Academic Misconduct Regulations <http://uso.southwales.ac.uk/StudentCasework/AI/> will apply.
- 5.11 A candidate shall submit their thesis, or other material, to the Graduate Research Centre before the expiry of the maximum period of registration.
- 5.12 The Faculty Research Programmes Committee (FRPC) may extend an MPhil or PhD candidate's period of registration, normally for not more than 12 months. A candidate seeking such an extension shall apply on the appropriate form (see Annex 1) which is submitted to the Graduate Research Office and considered by the FRPC.
- 5.13 Where a candidate has discontinued their research, the withdrawal of registration shall be notified in writing to the Graduate Research Office.
- 5.14 A candidate shall pay such tuition fees as determined by the University.

6. Supervision

- 6.1 A research candidate will have one main supervisor (Director of Studies) who will be part of a supervisory team consisting of at least two and not more than three supervisors.
- 6.2 All supervisors must be research active and have relevant expertise. The supervision team will usually have a combined experience of supervising at least two candidates to successful completion at the level of the proposed programme and a significant research and publications record in the field.
- 6.3 One supervisor will be the Director of Studies (first supervisor) and a nominated supervisor will have responsibility to supervise the candidate on a regular and frequent basis. The responsibilities of the nominated supervisor will be to ensure, within the procedures of the University and relevant Faculty that:
- a) the candidate undertakes the Postgraduate Certificate Research (PGCR) or an appropriate programme of related studies
 - b) any necessary facilities are indicated to his/her Dean of Faculty and on agreement for these resources, provided by the appropriate department
 - c) the candidate receives any necessary guidance in following her/his research programme
 - d) all duties associated with enrolment/registration, monitoring and examination processes are dealt with
 - e) the candidate has a defined programme of development and adheres to it
- 6.4 The Director of Studies will be a member of staff at the University and the candidate will normally be registered in the same faculty as their Director of Studies. The Director of Studies is responsible to the Dean of Faculty in the first instance for the duties outlined in 6.3 above. Other members of the supervisory team may be based in other institutions in exceptional circumstances.
- 6.5 A supervisor may supervise no more than 8 FTE research students (up to a maximum headcount of 10). This includes no more than 6 FTE as Director of Studies. The maximum permitted may be increased in exceptional circumstances but only following approval of the supervisor's line manager and Faculty Research Programmes Committee (FRPC).
- 6.6 In addition to the supervisors, an adviser may be proposed to contribute some specialised knowledge or a link with an external organisation.
- 6.7 A candidate for a research award shall be ineligible to act as Director of Studies for another research award candidate but may act as a supervisor or adviser providing the candidate is registered at another institution.

- 6.8 A proposal for a change in supervision arrangements shall be made on the appropriate form (see Annex 1) to the Graduate Research Office for consideration at the relevant FRPC.
- 6.9 All new supervisors **must** undertake a training course for research supervisors and all other supervisors are encouraged to attend. An inexperienced supervisor may be added to the supervision team and will be mentored by other members of the team.
- 6.10 The Director of Studies is expected to manage the supervisory process such that at least one supervisor(s) is in contact with their research student as appropriate and at least **once per month**. A formal record of each meeting will be made and will include objectives and targets for the next meeting. The record of each meeting will be provided to the supervisor(s) and student.
- 6.11 The records of the meetings will be submitted to the Progress Board if required.

7. Transfer of registration from MPhil to PhD

7.1 A candidate registered initially for MPhil with possibility of transfer to PhD who wishes to transfer to PhD should apply to the Faculty Research Programmes Committee (FRPC) within 9-15 months of registering for full- time study and within 18-24 months of registering for part-time study.

7.2 In support of the application, a candidate applying to transfer to PhD shall prepare for the Faculty Research Programmes Committee (FRPC) a full progress report on the work undertaken.

The progress report should normally be 3,000 to 6,000 words in length and include:

- a) A review and discussion of the work already undertaken
- b) A statement of the intended further work (including details of the original contribution to knowledge likely to emerge)
- c) A research schedule

7.3 Before approving transfer from MPhil to PhD the Faculty Research Programmes Committee (FRPC) must be satisfied that the candidate has made sufficient progress and that the proposed programme provides a suitable basis for work at PhD standard which the candidate is capable of pursuing to completion. In order to arrive at its decision the candidate or the supervision team will provide the Faculty Research Programmes Committee (FRPC) with the names and addresses of three independent specialists one of whom may be asked to comment on the application and the transfer report.

7.4 The independent specialist must have experience of supervising to successful completion at PhD level.

7.5 The independent specialist cannot be appointed as internal or external examiner for the candidate.

7.6 An oral assessment (*viva voce*) will be used by the Faculty Research Programmes Committee (FRPC) as part of the assessment of the case for transfer to PhD. The oral assessment (*viva voce*) whenever possible will be conducted by the independent specialist (internal or external) who will be considering the transfer report and observed by the Director of Studies or supervisor. The outcome of the oral assessment (*viva voce*) will be included with the transfer report to be considered by the Faculty Research Programmes Committee (FRPC).

- 7.7 The transfer process will have one of the following outcomes:
- (a) Proceed to PhD
 - (b) Proceed to PhD with certain conditions which must be addressed within an agreed timeframe
 - (c) Not to proceed to PhD but to make amendments to the report and resubmit for further assessment within an agreed timeframe
 - (d) Not to proceed to PhD and to submit for MPhil
 - (e) The candidate is requested to withdraw
- 7.8 A candidate should receive written feedback on their transfer application if they have not been permitted to proceed to PhD or are required to resubmit. Only one resubmission will be permitted.
- 7.9 A candidate registered for the degree of MPhil only may apply to transfer the registration to PhD. In such cases the candidate's full transfer report shall be submitted to the Faculty Research Programmes Committee (FRPC) along with the application for transfer and the names and addresses of three independent specialists.
- 7.10 A candidate who is registered direct for the degree of PhD by thesis or portfolio and who is unable to complete the approved programme of work may, at any time prior to the submission of the thesis for examination, apply to the Faculty Research Programmes Committee (FRPC) for the registration to change to that for MPhil. A candidate who registered for MPhil and has transferred registration to PhD may revert to that of MPhil under the same circumstances.

8. Examinations - general

In this section the term 'Thesis' refers either to the thesis or to an alternative form of submission.

- 8.1 The examination for the research degree has two stages: firstly the submission and preliminary assessment of the thesis and secondly its defence by oral or approved alternative (see paragraph 8.3) examination.
- 8.2 A candidate whose programme of work includes formally assessed course work in a programme of work leading to the degree of PhD, MPhil or Master by Research or Professional Doctorate shall not be permitted to proceed to a further stage of the examination for the degree until the course work examiners are satisfied with the candidate's performance. The result of the assessment shall be communicated to the examiners of the thesis.
- 8.3 A candidate shall normally be examined orally on the programme of work and on the field of study in which the programme lies. Where for reasons of sickness, disability or comparable valid cause the Research Programmes Sub Committee is satisfied that a candidate would be under serious disadvantage if required to undergo an oral examination, an alternative form of examination may be approved. Such approval shall not be given on the grounds that the candidate's knowledge of the language in which the thesis is presented is inadequate.
- 8.4 The oral examination shall normally be held at the University. In exceptional circumstances the Research Programmes Sub Committee may approve an oral examination being conducted elsewhere or through electronic means. Approval for this should be sought by the Director of Studies at the time of appointment of examiners and at least eight weeks ahead of the viva.

Each case will be considered on its individual merits although the following should be addressed by the Director of Studies:

- (a) Provision of written confirmation from all participants (including the candidate) that they have no objection to the oral examination being held, at an agreed time, by electronic means.
- (b) Provision of written confirmation from the candidate that he / she waives any right to appeal against the examination outcome solely on the grounds of the use of the electronic medium or consequences arising from its use.
- (c) Assurance that a senior member of academic staff will be present at the same location as the candidate during the oral examination and who is able to identify the candidate. Where the candidate is a member of staff

at another higher education institution, a senior member of staff at their host institution may be present instead.

- (d) Assurance that all participants will attend the examination via an approved video-conferencing facility and that the necessary technical support will be available at both sites.

- 8.5 Persons other than the candidate or examiners, e.g. supervisors, advisors, Chair or members of the Research Programmes Sub Committee, may, with the consent of the candidate, attend the oral examination to observe and will withdraw prior to the deliberations of the examiners on the outcome of the examination.
- 8.6 The Research Programmes Sub Committee shall make a decision on the reports and recommendation(s) of the examiners in respect of the candidate. The power to confer the degree shall rest with the Academic Board of the University.
- 8.7 The award of Research Diploma and the degrees of Master by Research, MPhil PhD or Professional Doctorate may be awarded posthumously on the basis of a thesis completed by a candidate who is ready for submission for examination. In such cases the Research Programmes Sub Committee shall seek evidence that the candidate would have been likely to have been successful had the oral examination taken place.
- 8.8 Where evidence of cheating or plagiarism in the preparation of the thesis or other irregularities in the conduct of the examination come to light subsequent to the recommendation of the examiners, the Research Programmes Sub Committee shall consider the matter, if necessary in consultation with the examiners, and take appropriate action.
- 8.9 The Research Programmes Sub Committee shall ensure that all examinations are conducted and the recommendations of the examiners are presented wholly in accordance with the University's regulations. In any instance where the Research Programmes Sub Committee is made aware of a failure to comply with all the procedures of the examination process, it may declare the examination null and void and appoint new examiners.

9. Examination procedures

In this section the term 'Thesis' refers either to the thesis or to an alternative form of submission

- 9.1 The Director of Studies shall submit on the appropriate form (see Annex 1) the arrangements for the candidate's examination to the Research Programmes Sub Committee (including the name of a proposed Chair for the oral examination)*. The examination may not take place until the arrangements have been approved. In special circumstances the Research Programmes Sub Committee may act directly to appoint examiners and arrange the examination of a candidate.
- 9.2 The Director of Studies shall make known to the candidate the procedure to be followed for the submission of the thesis (including the number of copies to be submitted for examination) and any conditions to be satisfied before the candidate may be considered eligible for examination.
- 9.3 The Director of Studies is required to notify the candidate, all supervisors, examiners, and the Secretary of the Research Programmes Sub Committee of the date, time and place of the oral examination. This should be done not less than seven days in advance of the examination.
- 9.4 The Secretary of the Research Programmes Sub Committee shall send a copy of the thesis to each examiner, together with the examiner's preliminary report form (see Annex 1) and the University's Code of Practice for Research Degree Examiners and shall ensure that the examiners are properly briefed as to their duties.
- 9.5 The Secretary of the Research Programmes Sub Committee shall ensure that all the examiners have completed and returned the preliminary reports before the oral examination takes place.

* This should be done approximately four months prior to the expected date of the examination.

10. The candidate's responsibilities in the examination process

In this section the term 'thesis' refers to the thesis or alternative form of submission

- 10.1 The candidate shall ensure that the thesis is submitted to the Secretary of the Research Programmes Sub Committee before the expiry of the registration period.
- 10.2 The submission of the thesis for examination shall be at the sole discretion of the candidate. While a candidate would be unwise to submit the thesis for examination against the advice of the supervisors, it is her/his right to do so. Equally, candidates should not assume that a supervisor's agreement to the submission of a thesis guarantees the award.
- 10.3 The candidate shall satisfy any conditions of eligibility for examination required by the Research Programmes Sub Committee.
- 10.4 The candidate shall take no part in the arrangement of the examination and shall have no formal contact with the external examiner(s) between the appointment of the examiners and the oral examination.
- 10.5 The candidate shall confirm, through the submission of a declaration form (see Annex 1), that the thesis has not been submitted for a comparable academic award. The candidate shall not be precluded from incorporating in the thesis, covering a wider field, work which has already been submitted for a degree or comparable award, provided that it is indicated, on the declaration form and also in the thesis, which work has been so incorporated.
- 10.6 The candidate shall ensure that the thesis format is in accordance with the requirements of the University's regulations (see section 14). Except in the case of PhD by publication, the thesis may be submitted for examination either in a permanently bound form or in a temporarily bound form which is sufficiently secure to ensure that pages cannot be added or removed. The candidate shall also submit one electronic copy of the thesis on CD-ROM. *The thesis shall be presented in a permanent binding of the approved type (see paragraph 14.11 for details) before the degree may be awarded. A thesis submitted in a temporarily bound form shall be in its final form in all respects save the binding. In such cases the candidate shall confirm that the contents of the permanently bound thesis are identical with the version submitted for examination, except where amendments have been made to meet the requirements of the examiners.

* For instance, perfect-binding which is a method of binding single pages by gluing them together on the spine of the document.

11. Examiners

11.1 A candidate shall be examined by at least two and normally not more than three examiners (except where paragraphs 12.7, 13.2, or 13.8 apply), comprising at least one internal and one external examiner. In cases where it proves impossible to appoint a suitable internal examiner and a special case has been made for an examiner who has specialist knowledge, two external examiners may be appointed.

11.2 An external examiner shall be independent both of the University and of the Collaborating Establishment and shall not have acted previously as the candidate's supervisor or adviser.

An external examiner shall normally not be either a supervisor of another candidate at the University, a close collaborator of one of the supervisors or an external examiner on a taught course at the University.

An external examiner must be able, and be seen to be able, to make an independent assessment of the candidate's work.

Former members of staff, or research students, of the University shall normally not be approved as external examiners until **five years** after the termination of their employment with, or until **five years** after they have been awarded their research degree by, the University.

The Research Programmes Sub Committee does not normally appoint as an examiner a specialist who has previously commented at the registration or transfer stage unless a specific case is made.

The Research Programmes Sub Committee shall ensure that the same external examiner is not approved so frequently that her/his familiarity with the department might prejudice objective judgement: normally the same external examiner shall not be approved more than twice within a five year period.

Reciprocal examining with a supervisor from another institution is not permitted.

11.3 An internal examiner shall be defined as an examiner who is:

- (a) A member of staff of the University who is independent of the project
- (b) A member of staff of the candidate's Collaborating Establishment
- (c) An Emeritus Professor of, or appropriate Visiting Scholar to, the University

Supervisors should avoid repeatedly nominating the same person as an internal examiner. The proposed internal examiner may be acquainted with the supervision team and / or candidate and this does not preclude their appointment as an examiner. However, there should be no personal link between the examiner and the candidate or supervision team, nor should there be any significant research contact, which might inhibit a completely objective examination of the candidate's work.

- 11.4 Where two external examiners are proposed, only one internal examiner may be proposed.
- 11.5 Where the candidate is either: (1) a member of academic staff, or (2) a member of professional staff in the faculty where they are registered for their postgraduate research degree, two external examiners will be required.

The following exceptions to this regulation apply:

- 1) Candidates including research students, research assistants and research fellows who have engaged in only hourly paid lecturing work alongside their postgraduate research degree.
- 2) Candidates employed as professional staff outside the faculty in which they are registered for their postgraduate research degree.

In certain cases it may become necessary to reconstitute an Examining Board if a candidates' employment status with the University changes between the date of appointment of examiners and the date of the examination.

- 11.6 There may be other circumstances (in addition to those outlined in 11.5) where it may be good practice to appoint a second external examiner in order to establish the objectivity of the examining panel.
- 11.7 Normally, the examination team will have substantial examining experience at the level of the award being considered (i.e. a combined examining experience of 3 or more research programmes at the level of the examination).
- 11.8 No candidate studying for a research award shall act as an examiner.
- 11.9 The University shall determine and pay the fees and expenses of external examiners.

12. First examination

In this section the term 'Thesis' refers to either to the thesis or to an alternative form of submission.

For research degrees it is one of the duties of the examination team to determine that the work presented is the candidate's own. Should there be any suspicions of unfair practice, then the examiners may request that the thesis is submitted through plagiarism detection software. Alternatively, they may seek to explore these issues during the viva voce examination.

Should a case of unfair practice be demonstrated, examiners will refer to the University's Academic Misconduct penalties tariff for research degrees

<http://uso.southwales.ac.uk/StudentCasework/AI/>

The submission will be deemed not to have met the standards for the awarding of the degree and examiners will consider the range of available outcomes according to the extent and seriousness of the infringement.

12.1 Each examiner shall read and examine the thesis and submit, on the appropriate form, an independent preliminary report to the Secretary of the Research Programmes Sub Committee before any oral or alternative form of examination is held. In completing the preliminary report, each examiner shall consider whether the thesis provisionally satisfies the requirements of the award (see section 1) and where possible make an appropriate provisional recommendation subject to the outcome of any oral examination.

12.1.1 The University will appoint an independent person to chair the oral examination to ensure the assessment process is rigorous, fair, reliable and consistent. The Chair must be independent of the student's programme of study and should normally be a **senior academic** who has substantial experience of examining research degrees at or above the level of the examination to be chaired, i.e. MPhil for MPhil and PhD for PhD oral examinations.

The Chair must have a clear understanding of the university's regulations and procedures.

The examiners will have the responsibility of making any academic decisions about the candidate.

12.2 Where the examiners are of the opinion that the thesis is so unsatisfactory that no useful purpose would be served by conducting an oral examination, they may recommend that the Research Programmes Sub Committee dispense with the oral examination and return the thesis for further work. In such cases the examiners shall provide the Research Programmes Sub Committee with written

guidance for the candidate concerning the deficiencies of the thesis. The examiners shall not recommend that a candidate fail outright (see sub-paragraph 12.5d) without holding an oral examination or other alternative examination (see paragraph 8.3). In the case of a PhD by publication the examiners may recommend that further or alternative publications are necessary before the oral examination takes place. A return for further work will only be permitted where a candidate has sufficient time left within their registration period to complete this work. If a candidate has less than one year remaining a return will not be permitted and the examination process should continue to viva.

- 12.3 Following the oral examination the examiners shall, where they are in agreement, submit; on the appropriate form (see Annex 1), a joint report and recommendation relating to the award to the Secretary of the Research Programmes Sub Committee. The preliminary reports and joint recommendation of the examiners shall together provide sufficiently detailed comments on the scope and quality of the work to enable the Research Programmes Sub Committee to satisfy itself that the recommendation chosen in paragraph 12.5 is correct.

Where the examiners are not in agreement, separate reports and recommendations shall be submitted to the Research Programmes Sub Committee within 10 days of the oral examination. The recommendations shall be made on the appropriate form.

- 12.4 The examiners may request a further examination in addition to the oral examination. In such cases the approval of the Research Programmes Sub Committee shall be sought without delay. Where such an examination is arranged following an oral examination, it shall normally be held within two calendar months of the oral examination unless the Research Programmes Sub Committee permits otherwise. Any such examination shall be deemed to be part of the candidate's first examination.
- 12.5 Following the completion of the examination the following recommendations* are available to examiners:

A. The candidate fulfils the criteria for the award for which they are registered:

Examiners may recommend the candidate is awarded their degree.

- i. With no corrections or amendments required
- ii. Subject to **minor / major amendments** as indicated by the examiners

B. The candidate does not currently fulfil the criteria for the award for which they are registered:

The submission displays significant deficiencies of content and / or presentation in areas specified by the examiners.

- i. The candidate is permitted to revise and resubmit for the award and be re-examined on one further occasion;
- ii. The candidate is offered a lower award or offered a lower award subject to **minor / major amendments** as indicated by the examiners;
- iii. The candidate is permitted to revise and resubmit for a lower award and be re-examined on one further occasion.

C. Degree not awarded.

The candidate is not awarded the degree and is not permitted to be re-examined.

- 126 Where the examiners recommend an outcome of 'award subject to **minor amendments**' (12.5Aii or 12.5Bii), this will normally involve re-presenting or restructuring existing text only and will not normally involve new work. Minor amendments are expected to be completed within a **maximum period of three months** and will be approved by the internal and / or external examiner(s).
- 127 Where the examiners recommend an outcome of 'award subject to **major amendments**' (12.5Aii or 12.5Bii), whilst the candidate will have met the criteria for the award, some new work may be required in order for the thesis or alternative form of submission to reflect the quality of the research undertaken. This may include limited additional new research and analysis / re-writing of sections of text. Major amendments are expected to be completed within a **maximum period of six months** and will be approved by the internal and / or external examiner(s).
- 128 Where the candidate does not currently fulfil the criteria for the award but with substantial new work and re-writing of material the examiners agree that the candidate has the potential to do so, the examiners may allow the candidate the opportunity to resubmit and be re-examined. Re-examination may be for the same (12.5Bi) or lower (12.5Bii) award and shall be conducted by all examiners. Resubmission of the thesis will be within a **period of one year** from the date of the first examination.

* Examiners may indicate informally their recommendation on the result of the examination to the candidate but they shall make it clear that the decision rests with the Research Programmes Sub Committee.

- 12.9 Where the examiners are satisfied that the candidate has in general fulfilled the criteria for the award, but consider that the candidate's thesis requires some amendments and corrections not so substantial as to call for the submission of a revised thesis, and recommend that the award be conferred subject to the candidate amending the thesis to the satisfaction of the internal and/or the external examiner(s), they shall indicate to the candidate in writing what amendments and corrections are required.
- 12.10 Where the examiners' final recommendations are not unanimous, the Research Programmes Sub Committee may:
- (a) accept a majority recommendation (provided that the majority recommendation includes at least one external examiner);
 - (b) accept the recommendation of the external examiner; or
 - (c) require the appointment of an additional external examiner.
- 12.11 Where an additional external examiner is appointed under sub-paragraph 12.10c, she/he shall prepare an independent preliminary report on the basis of the thesis and, if considered necessary, may conduct a further oral examination. That examiner should not be informed of the recommendations of the other examiners. On receipt of the report from the additional examiner the Research Programmes Sub Committee shall complete the examination as set out in paragraph 8.6.
- 12.12 Where the Research Programmes Sub Committee decides that the award be not conferred, the examiners shall prepare an agreed statement of the deficiencies of the thesis and the reason for their recommendation, which shall be forwarded to the candidate by the Secretary to Research Programmes Sub Committee.

13. Re-examination

In this section the term 'Thesis' refers to either to the thesis or to an alternative form of submission.

- 13.1 One re-examination may be permitted by the Research Programmes Sub Committee, subject to the following requirements:
- (a) A candidate who does not fulfil the criteria for the award at the first examination, including where appropriate the oral or approved alternative examination (see paragraph 8.3) may, on the recommendation of the examiners and with the approval of the Research Programmes Sub Committee, be permitted to revise the thesis and be re-examined. This may be for the same or lower award;
 - (b) Examiners shall provide the candidate, through the Research Programmes Sub Committee, with written guidance on the deficiencies of the first submission; and
 - (c) A candidate for a research programme shall submit their thesis for re-examination within one year of the first examination; the Research Programmes Sub Committee may, where there are good reasons, approve an extension of this period.
- 13.2 The Research Programmes Sub Committee may require that an additional external examiner be appointed for the re-examination.
- 13.3 Re-examination will be with an oral examination unless the first oral examination is deemed satisfactory and the examiners agree that the resubmitted thesis meets the criteria of the award for which it is submitted.
- 13.4 In the event of a recommendation where on the first examination the candidate's thesis was satisfactory but their performance in the oral examination (or in relation to other requirements for the award) was unsatisfactory, the candidate shall be re-examined in the oral examination, subject to the time limits prescribed in 13.1c, without being requested to revise and resubmit the thesis.
- 13.5 In the event of a recommendation where on the first examination the candidate's thesis was satisfactory but their performance in relation to other requirements for the award was unsatisfactory, the examiners may propose instead a different form of re-examination to test the candidate's abilities; such may take place only with the approval of the Research Programmes Sub Committee.
- 13.6 Each examiner shall read and examine the thesis and submit, on the appropriate form, an independent preliminary report to the Secretary of the Research Programmes Sub Committee before any oral or alternative form of examination

is held. In completing the preliminary report, each examiner shall consider whether the thesis provisionally satisfies the requirements of the award (see section 1) and where possible make an appropriate provisional recommendation subject to the outcome of any oral examination.

- 13.7 Following the completion of the re-examination, the examiners shall, where they are in agreement, submit, on the appropriate form, a joint report and recommendation relating to the award of the degree to the Secretary to the Research Programmes Sub Committee. The preliminary reports and joint recommendation of the examiners shall together provide sufficiently detailed comments on the scope and quality of the work to enable the Research Programmes Sub Committee to satisfy itself that the recommendation chosen in paragraph 13.8 is correct.

Where the examiners are not in agreement, separate reports and recommendations shall be submitted within 10 days of the re-examination.

- 13.8 Following completion of the re-examination, the following recommendations* are available to examiners:

A. The candidate fulfils the criteria for the award for which they are registered:

Examiners may recommend the candidate is awarded their degree.

- i. With no corrections or amendments required
- ii. Subject to **minor / major amendments** as indicated by the examiners.

B. The candidate does not currently fulfil the criteria for the award for which they are registered:

The submission displays significant deficiencies of content and / or presentation in areas specified by the examiners.

The candidate is offered a lower award or offered a lower award subject to **minor / major amendments** as indicated by the examiners.

C. Degree not awarded.

The candidate is not awarded the degree and is not permitted to be re-examined.

* Examiners may indicate informally their recommendation to the candidate but they shall make it clear that the decision rests with the Research Programmes Sub Committee.

- 13.9 Where the examiners recommend an outcome of 'award subject to **minor amendments**' (13.8Aii or 13.8B), this will normally involve re-presenting or restructuring existing text only and will not normally involve new work. Minor amendments are expected to be completed within a **maximum period of three months** and will be approved by the internal and / or external examiner(s).
- 13.10 Where the examiners recommend an outcome of 'award subject to **major amendments**' (13.8Aii or 13.8B), whilst the candidate will have met the criteria for the award, some new work may be required in order for the thesis or alternative form of submission to reflect the quality of the research undertaken. This may include limited additional research and analysis / re-writing of sections of text. Major amendments are expected to be completed within a **maximum period of six months** and will be approved by the internal and / or external examiner(s).
- 13.11 Where the examiners are satisfied that the candidate has in general reached the standard required for the award, but consider that the candidate's thesis requires some amendments and corrections not so substantial as to call for the submission of a revised thesis, and recommend that the award be conferred subject to the candidate amending the thesis to the satisfaction of the internal and/or the external examiner(s) (see sub-paragraph 13.8Aii), they shall indicate to the candidate in writing what amendments and corrections are required.
- 13.12 Where the examiners' recommendations are not unanimous, the Research Programmes Sub Committee may:
- a) accept a majority recommendation (provided that the majority recommendation includes at least one external examiner);
 - b) accept the recommendation of the external examiner; or
 - c) require the appointment of an additional external examiner.
- 13.13 Where an additional external examiner is appointed under sub-paragraph 13.12c, she / he shall prepare an independent preliminary report on the basis of the thesis and, if considered necessary, may conduct a further oral examination. That examiner should not be informed of the recommendations of the other examiners. On receipt of the report from the additional examiner the Research Programmes Sub Committee shall complete the re-examination as set out in paragraph 8.6.
- 13.14 A further examination in addition to the oral examination may be requested by the examiners. In such cases the approval of the Research Programmes Sub Committee shall be sought without delay. Where such an examination is arranged following an oral examination, it shall normally be held within two

calendar months of the oral examination unless the Research Programmes Sub Committee permits otherwise.

- 13.15 Where the Research Programmes Sub Committee decides that the award cannot be made, the examiners shall prepare an agreed statement of the deficiencies of the thesis and the reason for their recommendation, which shall be forwarded to the candidate by the Secretary to the Research Programmes Sub Committee.

14. The submission

- 14.1 Except with the specific permission of the Research Programmes Sub Committee the submission shall be presented in English or Welsh. Where a submission is presented in Welsh, a summary in English of 1,000 words shall be included in the submission.
- 14.2 There shall be an abstract of approximately 300 words **bound** into the submission which shall provide a synopsis of the submission stating the nature and scope of the work undertaken and of the contribution made to the knowledge of the subject treated.
- 14.3 The submission shall include a statement of the candidate's research objectives and shall acknowledge published or other sources of material consulted (including an appropriate bibliography) and any assistance received.
- 14.4 Where a candidate's research programme is part of a collaborative group project, the submission shall indicate clearly the candidate's individual contribution and the extent of the collaboration.
- 14.5 The candidate shall be free to publish material in advance of the submission but reference shall be made in the submission to any such work. Copies of published material should either be bound in with the submission or placed in an adequately secured pocket at the end.
- 14.6 The test of the thesis submitted for Masters by Research, MPhil, PhD and Professional Doctorate should normally not exceed the following length (excluding bibliography and any appendices):

Award	Maximum Submitted Text Length (Word Count)
	All subjects*
PhD / Professional Doctorate	100,000
MPhil	60,000
Masters by Research	40,000

*Text length should be appropriate to the subject methodology and criteria of award

Where the submission is accompanied by material in other than written form or the research involves creative writing or the preparation of a scholarly edition, the written thesis should normally be no more than:

PhD	40,000 words
MPhil	20,000 words
Masters by Research	15,000 words

Submissions for the Award of MPhil or PhD by Portfolio and PhD by Publication:

Materials submitted for the award of MPhil or PhD by portfolio or PhD by publication shall be in a form approved by the Research Programmes Sub Committee at the time of the original registration. Normally these should demonstrate equivalence with the guidelines on word-length above.

The critical overview submitted along with materials for the PhD by portfolio and PhD by publication should not normally exceed 15,000 words. The critical overview submitted along with materials for the MPhil by portfolio should not normally exceed 10,000 words.

- 14.7 Following the award of the degree the candidate will supply one hardbound and one electronic copy of the thesis to the Secretary of the Research Programmes Sub Committee.

The Secretary of the Research Programmes Sub Committee shall:

- (a) Lodge one hardbound copy of the submission with the National Library of Wales;
- (b) Lodge one electronic copy of the submission with the University Library

The electronic copy of the submission must be identical to the final version of the printed copy and submitted as a single file.

The electronic copy of the submission will be made available online via the University's Research Repository.

- 14.8 Where the Research Programmes Sub Committee has agreed that the confidential nature of the candidate's work is such as to preclude the submission being made freely available in the library of the University, the National Library of Wales and Collaborating Establishment (if any), the submission shall, immediately on completion of the programme of work, be retained by the University on restricted access and, for a time not exceeding the approved period (see paragraph 14.9), shall only be made available to those who were directly involved in the project.

The Research Programmes Sub Committee shall normally only approve an application for confidentiality in order to enable a patent application to be lodged or to protect commercially or politically sensitive material. A submission shall not be restricted in this way in order to protect research leads. While the normal maximum period of confidentiality is **two years**, in exceptional circumstances the Research Programmes Sub Committee may approve a longer period. Where a shorter period would be adequate the Research Programmes Sub Committee shall not automatically grant confidentiality for two years.

- 14.9 The copies of the submission presented for examination shall remain the

property of the University but the copyright in the submission shall be vested in the candidate.

14.10 The following requirements shall be adhered to in the format of the thesis element of the submission and a candidate may follow either.

- (a) theses shall normally be in A4 format. The Research Programmes Sub Committee may give permission for a submission to be presented in another format where it is satisfied that the contents of the submission can be better expressed in that format. A candidate using a format larger than A4 should note that the production of microfiche copies and full-size enlargements may not be feasible;
- b) copies of the thesis shall be presented in a permanent and legible form either in typescript or print; where copies are produced by photocopying processes, these shall be of a permanent nature; where word processor and printing devices are used, the printer shall be capable of producing text of a satisfactory quality; the size of character used in the main text, including displayed matter and notes, shall not be less than 2.0mm for capitals and 1.5mm for x-height (that is, the height of lower-case x).
- c) the thesis shall be printed on the recto side of the page only; the paper shall be white and within the range 70 g/m² to 100 g/m²;
- d) the margin at the left-hand binding edge of the page shall not be less than 40mm; other margins shall not be less than 15mm;
- e) double or one-and-a-half spacing shall be used in the typescript except for indented quotations or footnotes where single spacing may be used;
- f) pages shall be numbered consecutively through the main text including photographs and/or diagrams included as whole pages;
- g) the title page shall give the following information:
 - i the full title of the submission;
 - ii the full name of the author;
 - iii that the award is conferred by the University of South Wales/Prifysgol De Cymru;
 - iv the award for which the submission is presented in partial fulfilment of its requirements;
 - v the Collaborating Establishment(s), if any; and

vi the month and year of submission.

14.11 The University library copy shall be bound as follows:

- a) the binding shall be of a fixed type so that leaves cannot be removed or replaced; the front and rear boards shall have sufficient rigidity to support the weight of the work when standing upright; and
- b) in at least 24pt type the outside front board shall bear the title of the submission, the name and initials of the candidate, the qualification, and the year of submission; the same information (excluding the title of the submission) shall be shown on the spine of the work, reading downwards.

AN EVALUATION OF WORKING WOMEN'S FAMILY ROLES IN MANCHESTER'S TEXTILE INDUSTRY IN THE 19TH CENTURY

LIZZIE GASKELL

A submission presented in partial fulfilment of the requirements of the University
of South Wales / Prifysgol De Cymru
for the degree of Doctor of Philosophy

This research programme was carried out
in collaboration with the Engels' Historical Society

January 2019

15. Review of an examination decision

- 15.1 A candidate may in the circumstances set out below request a review of an examination decision, whether at the first examination or re-examination.
- 15.2 A request for a review may only be made following a decision of the Research Programmes Sub Committee on the recommendation of the examiners. Given the existence of procedures for complaint and grievance during the study period (see section 16), alleged inadequacy of supervisory or other arrangements during the period of study shall not constitute grounds for requesting a review of the examination decision.
- 15.3 A request for a review may only be made on the following grounds:
- a) that there were circumstances affecting the candidate's performance of which the examiners were not aware at the oral examination; and/or
 - b) that there is evidence of procedural irregularity in the conduct of the examination (including administrative error) of such a nature as to cause doubt as to whether the result might have been different had there not been such irregularity; and/or
 - c) that there is evidence of unfair or improper assessment on the part of one or more of the examiners; a candidate may not otherwise challenge the academic judgement of the examiners.
- 15.4 A candidate shall give notice, in a letter to the University Secretary, within **20 working days** from the date of notification of the result that she / he wishes to request a review and shall submit the case for review within a further **20 working days** from the date of giving notice.
- 15.5 The request for a review shall first be considered by the University Secretary who shall determine whether there is a prima facie case for a review. If it is considered that the request is clearly frivolous, vexatious or outside the permitted grounds, she / he shall discuss the request with the Chair and Secretary of the Research Programmes Sub Committee. If it is agreed that there is no prima facie case, the recommendation shall be submitted to the Chair of the Academic Board for decision. The Chair of the Academic Board may support the recommendation or require further investigation or action on the review. There shall be no appeal against the decision of the Chair of the Academic Board.
- 15.6 If it is considered that there is a prima facie case for a review the University Secretary shall gather such evidence as considered appropriate and likely to assist a panel in reviewing the case. This may include seeking written or oral testimony from the examiners, from other persons present at the oral examination, from supervisors or other members of the academic staff, or further evidence or statements by way of elucidation from the candidate.

15.7 The request for a review shall be considered by a panel, constituted by the Research Committee, from persons having no previous involvement in the case. The panel will include:

- Chair of Research Committee or nominee from Executive with experience of research (panel chair)
- Two senior members of academic staff who are members of either Research Committee or a Faculty Research Programmes Committee* and who have experience of examining and / or chairing research degrees
- Director of Research and Business Engagement or nominee (secretary to panel)

The Chair of the Research Programmes Sub Committee or nominee may be invited to advise on regulations or procedural matters but shall not be involved in the decision making process.

At the discretion of the panel the student may be invited to put his / her case forward in person and to answer any questions the panel may have. In such a case the student may be accompanied by a friend who may be present to support them.

No student or research degree candidate shall be a member of a research degree review panel.

15.8 Following consideration of the case the review panel shall recommend that the Research Programmes Sub Committee either:

- a) invite the examiners to reconsider their decision; or
- b) appoint new examiners; or
- c) confirm the original decision of the examiners.

There shall be no appeal against the decision of the review panel.

15.9 A review panel shall not be constituted as an examination board and shall not have the authority to set aside the decision of the Research Programmes Sub Committee and thereby to recommend the award of the degree.

** The appointed panel member should not be a member of the FRPC in the faculty where the student is registered*

- 15.10 Where a candidate is dissatisfied with the outcome of the review and, following issue of a *Completion of Procedures* letter, the candidate may lodge a complaint with the Office of the Independent Adjudicator (OIA). Details of the OIA and the relevant information in relation to the scheme can be accessed at www.oiahe.org.uk. Further information and advice can be obtained from the University Secretary's Office.

Chapter 16 – Complaints

- 16.1 A student may raise any complaint informally with their Director of Studies, Dean of Faculty, or with the Chair or Secretary of RPSC / FRPC. In most cases it should be possible to resolve the issue amicably in this way without recourse to the formal complaints procedure.
- 16.2 Where a complaint is so serious that it makes it inappropriate to deal with informally or where the informal procedure has not proved satisfactory, a student may make a formal complaint.

For information regarding the formal complaints procedure, please refer to:
<http://uso.southwales.ac.uk/StudentCasework/SCP/>

- 16.3 Any student complaint must be lodged before the final thesis examination and cannot constitute grounds for appeal against the outcome of an examination.

Please note: The Student Complaints Procedure does not cover the following, for which separate procedures exist: Complaints involving an allegation of misconduct by a student, an allegation of harassment by a student or member of staff, an allegation of misconduct by a member of staff.

Annex 1: List of the University's research forms

- R1 - Application to register for a research award of the University
 - R5 - Application for changes in registration details, including extension of registration period, suspension of registration period, change in arrangements for supervision and notification of withdrawal
 - R6 - Application for transfer of registration from Master of Philosophy to Doctor of Philosophy or Research Diploma to Master of Philosophy
 - R7 - Application for the appointment of examiners
 - R8 - Preliminary report and recommendation of an examiner on a candidate for the degree of Doctor of Philosophy/Professional Doctorate/Master of Philosophy/Masters by Research
 - R9 - Recommendation of the examiners on a candidate for the degree of Doctor of Philosophy/Professional Doctorate/Master of Philosophy/ Masters by Research
 - R10 - Signing off Thesis Form
 - R11 - Certificate of Research
 - Decl - Candidate's declaration form Thesis Deposit Agreement
- for LRC

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<http://gro.southwales.ac.uk/forms/>

January 2018



ACADEMIC APPEALS REGULATIONS 2018/2019

Title: Academic Appeals Regulations					
Version	Issue Date	Revision Description	Author	Approved By & Date	Next Review Date
1.0	September 2016	First Issue	Samantha Haines	Academic Board 8 June 2016	June 2017
2.0	September 2016	Amendment to Review Panel constitution	Samantha Haines	Chair of Academic Board 22 September 2016	June 2017
3.0	August 2017	Second issue	Siobhan Coakley	Board of Governors 4 July 2017	June 2018
4.0	September 2018	Third issue	Siobhan Coakley	Academic Board 13 June 2018	June 2019

1. Introduction

1.1 The University's regulations for academic appeals apply to:

- Students studying at the University, at the University's Dubai Campus and University of South Wales courses through distance delivery.
- Students studying at the Royal Welsh College of Music and Drama (RWCMD).
(NB Any reference made to 'faculties' or 'faculty' in the regulations should be read as 'the College'.)
- Students studying university courses at the University's partner institutions.
(NB The only exception to this is students studying research degrees, who should refer to the Research Degree Regulations.)
- Students studying on work placements or engaged in work-based learning.
- Students on an approved leave of absence.

1.2 The regulations allow students to appeal following a decision of an award and progression board as long as appeals are raised within the timeframes specified in the regulations. Before results are formally released University marking protocols are followed as detailed in the Regulations for Taught Courses A.2.7.4:

- Internal moderation of all marking should take place in order to ensure consistency across the subject.
- All assessed work should be made available for external scrutiny by way of external moderation of marks.
- All decisions (including marks awarded) are considered and ratified firstly by the subject assessment board (which is responsible for assessment of modules) and then by the award and progression board (which is responsible for student progression and awards). An external examiner will be in attendance at the assessment boards.

2. Advice

2.1 In the first instance, students are strongly advised to speak to the Advice Zone for formal guidance relating to appeals. The Advice Zone will signpost students to other areas of the University as appropriate.

3. General Principles

3.1 *Presumption of good faith and conduct*

- 3.1.1 The application of the regulations will be in good faith and any appeal submitted by a student will also be in good faith.
- 3.1.2 It is expected that students submitting appeals, and their representative(s), behave in an appropriate manner. If the University deems that their behaviour is unacceptable action may be taken under the Student Conduct Regulations.

3.2 *Group appeals*

3.2.1 Where an appeal is submitted by a group of students, one member of the group must be nominated as the main contact. Each member of the group must confirm in writing that they wish the nominated individual to act in this capacity and that the appeal reflects their concerns. The nominated contact will receive updates on the appeal on behalf of the group. All members of the group will receive notification of the outcome individually.

3.3 Appeals from third parties

3.3.1 The University expects students to submit appeals themselves. Should a submission be required by a third party on behalf of a student valid reasons should be provided, along with evidence, and with written authorisation that the student has agreed for the third party to act on their behalf.

3.4 Malicious/vexatious appeals

3.4.1 Appeals which the University considers to be unreasonably persistent or vexatious will not be considered and could result in action being taken under the Student Conduct Regulations. In this context 'unreasonably persistent' means, for example, that the appeal is being made in a way that is obsessive, prolific or repetitious, or might be considered to be harassment. It may be one that is being pursued in a way that hinders the ability of the University to carry out its appeals process. A 'vexatious appeal' is one that the University considers is designed to cause disruption or annoyance, or makes demands for redress which lack serious purpose or value.

3.4.2 Where the Associate Registrar (Student Casework) considers that an appeal is being pursued in an unreasonably persistent or vexatious manner the student will be written to and informed that the University will not consider the appeal any further. Reasons for this decision will be given and a Completion of Procedures Letter will be issued.

3.5 Confidentiality

3.5.1 Information supplied within an appeal will only be provided to appropriate members of staff.

3.5.2 The University will not disclose any information to third parties regarding investigations and outcomes from student appeal cases unless legal exceptions under the Data Protection Act apply or the student has given the University written authority to do so.

3.5.3 If students have any concerns regarding disclosure of information detailed within their appeal they should contact the Student Casework Unit.

3.6 Attendance at Graduation

3.6.1 Students who are eligible to receive a University award and wish to appeal against the decision of the award and progression board should seek advice from the Advice Zone if they wish to attend their upcoming graduation ceremony.

3.6.2 Where students appeal against a decision of an award and progression board and the appeal is still in progress at the time of the graduation ceremony they will not be able to attend that particular graduation ceremony as attendance would indicate agreement with the award made.

3.6.3 Students will not be issued with their certificate until the outcome of the appeal is known.

3.6.4 Once an appeal has been completed students, if eligible, will be able to attend the next available graduation ceremony.

3.7 Status of students during appeals

- 3.7.1 Whilst an appeal is ongoing students should prepare to complete any resit assessments or other progression requirements.
- 3.7.2 Students will not normally be allowed to progress to the next stage of their study whilst their academic appeal outcome is pending.

3.8 Possible actions

- 3.8.1 Following consideration of an appeal, marks for assessments, modules or degree classifications cannot be raised or amended unless there has been an administrative error.
- 3.8.2 Students may be referred through other University regulations where this is deemed to be appropriate, for example the Fitness to Study Regulations.

4. Appeals and complaints

- 4.1 Where it is considered that an appeal contains elements of complaint, a decision will be made on whether the appeal as a whole, or elements of it, should be reclassified and processed using the Student Complaints Regulations. Where an appeal and complaint cannot be separated the University will investigate the issues raised together. The investigation will then inform both the outcome of the appeal and complaint. The Student Casework Unit will discuss any decisions made on the status of the appeal with the faculty and the student concerned.
- 4.2 Issues that have been considered under the Academic Appeals Regulations cannot subsequently be used as a ground for complaint.

5. Grounds for appeal

- 5.1 Appeals can only be submitted on the following ground:

Material procedural defect or irregularity which is relevant to the outcome of the academic decision.

Students must demonstrate one or more of the following categories:

- a) there has been an administrative error;
 - b) proper process has not been followed in relation to the assessments;
 - c) there were defects in the advice provided in relation to assessments;
 - d) an academic decision was not arrived at in accordance with the regulations of the course.
- 5.2 An appeal will not be accepted on the basis of a disagreement with the academic or professional judgement of the assessment boards i.e. students believe they deserve a higher mark or different outcome. Academic and professional judgement includes assessing a specific piece of work, and/or reaching a decision on a student's progression, or on the final level of the award, based on the marks, grades and other information relating to the student's performance.

5.3 These regulations do not allow students to submit an appeal based on bias or perception of bias. Where students consider that they have been treated in a biased manner these issues should be raised through the Student Complaints Regulations for investigation. Students are required to provide evidence to support any claims of bias.

6. Evidence

6.1 All appeals submitted must be supported by written independent evidence. Appeals which do not provide such evidence will not be accepted.

6.2 The University has the right to check or verify any evidence submitted. If a student submits any evidence which turns out to be false, an investigation under the Student Conduct Regulations will commence. The appeal will be put on hold until an outcome is reached under the alternative regulations.

7. Stages in the handling of appeals

7.1 *Early resolution*

7.1.1 Each campus offers students the opportunity to discuss their end of year outcomes following publication of their results.

7.1.2 Prior to submitting an appeal for consideration students are advised to discuss any concerns they have regarding their results or the decision of the award and progression board with the appropriate member of staff. This may be their module leader or course leader, or if they believe that there has been an administrative error they should contact the Advice Zone. If it has not been possible to resolve any of the concerns then students may submit an academic appeal.

7.2 *Initial assessment of appeal*

7.2.1 Appeals must be submitted within 10 working days of publication of results using the 'Stage 1 Appeal Form' and include appropriate supporting evidence (see section 6) and a copy of the student's results. Appeal forms are available at: <http://uso.southwales.ac.uk/StudentCasework/AP/>. Stage 1 appeals will not be considered unless they comply with the requirements above.

7.2.2 Late appeals will only be accepted if a student can provide good reason, supported by written independent evidence, for submitting an appeal outside of the timescales.

7.2.3 All appeals should:

- identify the category of appeal (see section 5.1);
- clearly set out the facts that support the appeal;
- include appropriate evidence to support the appeal being made (see section 6);
- identify the outcome the student is seeking.

7.2.4 Upon receipt of a stage 1 appeal, the Student Casework Unit will check that the appeal meets all of the requirements set out in 7.2.3 and was submitted within 10 working days of the publication of the assessment results or is permissible under 7.2.2. If this is the case the appeal will be referred for consideration.

7.2.5 An appeal which does not meet the requirements set out in 7.2.3 will not be processed further but will be returned to the student along with a Completion of Procedures Letter.

7.3 Timescales

- 7.3.1 Where it is identified that swift consideration of an appeal is required, for example when a student is due to graduate or when progress or delays will affect a student's mental health, the University will ensure this is highlighted to the staff considering the appeal.
- 7.3.2 Where it is not possible to adhere to the timescales set out in 7.4 and 7.5, for example due to the complexity of the case, the University will write the student providing a rationale for the delay and a revised date for the outcome of their appeal.

7.4 Stage 1 – Consideration by faculty/campus

- 7.4.1 Appeals will be considered by a nominee within the faculty at associate head of school level or above. The relevant nominee will not have been involved in the consideration of the student's results.
- 7.4.2 Stage 1 appeals will be dealt with on the basis of the documentation provided by students. Exceptionally, students may be invited to a meeting to clarify details of the appeal. If the nominee of the faculty requires additional information to assist them in reaching a decision on the outcome of an appeal students will be given 5 working days in which to confirm that they intend to provide the additional information and the timeframe in which the information will be submitted. If the information is not submitted within the timeframe and a rationale for the delay is not provided a decision will be made on the appeal without the additional information.
- 7.4.3 The nominee of the faculty has 10 working days from the date that the student provided the final relevant piece of documentation to review the appeal and provide a response, with a rationale as to the decision, to the Student Casework Unit. The Student Casework Unit will write to the student with the outcome of the appeal within 5 working days of receipt of the faculty response.

7.5 Stage 2 – Review

- 7.5.1 Students are entitled to submit a stage 2 request for review of the stage 1 decision on the following grounds.
- a) The student has evidence that the procedures at stage 1 were not conducted in line with the regulations and this has materially disadvantaged them.
 - b) The student has new and relevant evidence which **for good reason** was not available at the time their stage 1 appeal was submitted. *(NB Sensitive personal, family or cultural reasons will not be accepted as good reason as they should have been drawn to attention at stage 1).*

This information should not have been accessible or known to the student when the stage 1 appeal was submitted. Information which was available and not provided with the stage 1 appeal will not be considered valid grounds for a request for review.
 - c) The student has evidence that the outcome at stage 1 was not reasonable in the circumstances.
- 7.5.2 Students are only entitled to access stage 2 once stage 1 has been completed.
- 7.5.3 No new issues may be introduced at stage 2.
- 7.5.4 Stage 2 requests for review must be submitted within 10 working days of notification of the outcome of

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stage 1 using the 'Stage 2 – Request for Review Form' and include appropriate evidence. Request for review forms are available at <http://uso.southwales.ac.uk/StudentCasework/AP/>. Stage 2 requests for review will not be accepted unless they comply with the requirements above.

- 7.5.5 Requests for review will be initially considered by the Academic Registrar (or nominee) to determine whether there is a *prima facie* case for review, within 5 working days of submission of the request.
- 7.5.6 If the Academic Registrar (or nominee), after considering the stage 2 request for review, concludes that:
- it does not meet the grounds above set out in 7.5.1;
 - it was submitted outside the 10 working day deadline;
 - it does not include the appropriate evidence.

the request for review will be disallowed and the original decision will stand. The student will be issued with a Completion of Procedures Letter within 5 working days.

- 7.5.7 If it is decided by the Academic Registrar (or nominee) that the request for review meets one or more of the grounds, the following action may be taken:
- if the case is straightforward, it will be referred back to the relevant award and progression board for reconsideration; a response will be provided to the student within 10 working days;
 - if the case is complex, it will be referred to a review panel, which will be comprised of members from the Review Board; the Review Panel will be convened within 20 working days.

- 7.5.8 The Review Board will consist of:
- 3 members appointed by Academic Board;
 - 4 academic representatives of each faculty (as a minimum).

- 7.5.9 The Review Panel will consist of:
- 1 of the members of the Review Board appointed by Academic Board (Chair);
 - 1 of the academic representatives on the Review Board, drawn from faculties unconnected with the appeal under consideration;
 - President of the Students' Union (or nominee).

A member of the Student Casework Unit will provide administrative support.

- 7.5.10 In order to permit full consideration of the request for review the administrative support from the Student Casework Unit may request relevant information from the faculty/campus. The purpose of the Review Panel is to review the procedures at stage 1 or consider whether it was reasonable that evidence was not provided at stage 1 and not to rehear the case.
- 7.5.11 The Review Panel will make one of the following decisions:
- That the appeal is rejected and no further action will be taken.

In this case, the decision of the Review Panel will be communicated to the student within 5 working days of the meeting. The decision will be final and the matter will be regarded as closed.

- b) That the matter is referred back to the chair of the relevant award and progression board for reconsideration.

In exceptional cases, the Review Panel may require that the full award and progression board be reconvened. Where this is the case the Review Panel may require an officer of the Student Casework Unit to attend the meeting of the award and progression board as an observer. The student will be kept informed of any resultant necessary amendments to timescales.

- 7.5.12 Any meeting of the Review Panel will normally be held in private; however, students will be given the opportunity to request attendance at the meeting. Exceptionally, students may be invited to meet with the Review Panel to clarify details of their request for review. The chair of the Review Panel will confirm whether the student's request will be upheld.
- 7.5.13 The chair of the relevant award and progression board will provide a decision to the Academic Registrar (or nominee) within 10 working days and the decision will be communicated to the student in writing within 5 working days.
- 7.5.14 The Review Panel may make recommendations for consideration by the Regulations Sub-Group or Academic Board as appropriate on any matters arising from the consideration of appeals.

8. Monitoring

- 8.1 The Student Casework Unit will monitor the actions taken by the faculty/college in relation to the management of academic appeals. A report will be submitted to the annual meeting of the Student Casework Group.
- 8.2 The Student Casework Group may make recommendations for consideration by the Learning, Teaching and Enhancement Committee, Quality Assurance Committee and Academic Board, as appropriate, on any matters arising from the consideration of appeals that require amendments to regulations.

9. OIA

- 9.1 A student who is unhappy with the outcome of the stage 1 appeal or whose request for review is unsuccessful may, following issue of a Completion of Procedures Letter, lodge a complaint with the Office of the Independent Adjudicator (OIA). Details of the OIA and the relevant information in relation to the Scheme can be accessed at www.oiahe.org.uk. Further information and advice can be obtained from the Student Casework Unit.

Evidence for extenuating circumstances and appeals submitted under ground b)

<p>This table provides you with an indication of the types of evidence that you will be required to provide in order to support an extenuating circumstances claim or an appeal submitted under ground b). You may not need to provide all the various forms of evidence but your claim/appeal must be supported by independent evidence.</p> <p>Please note that this is not an exhaustive list and there will be issues which are not covered below. In these cases you should provide the most relevant evidence to support your claim/appeal; advice should be sought from your Advice Zone. Extenuating circumstances and appeals will be accepted or rejected depending on their nature, severity, timing and the appropriateness of the evidence.</p>							
	Letter from medical professional or counsellor	Letter/ evidence from an independent professional	Death certificate	Obituary/ order of service	News/ Media report	Official witness report/police report which details information related to the offence	Letter from bank/debt letters
All evidence should be submitted in English or in the original language with an official certified translation provided							
Serious short-term illness/accident	✓	✓					
Bereavement	✓	✓	✓	✓	✓		
Significant worsening of an ongoing health condition	✓	✓					
Pregnancy related illness or childbirth	✓	✓					
Significant adverse personal/ family circumstances	✓	✓					
Significant financial problems	✓	✓					✓
Victim of crime	✓	✓			✓	✓	



ACADEMIC MISCONDUCT REGULATIONS 2018/2019

Title: Academic Misconduct Regulations					
Version	Issue Date	Revision Description	Author	Approved By & Date	Next Review Date
1.0	September 2016	First issue	Samantha Haines	Board of Governors 4 July 2016	June 2017
2.0	August 2017	Second issue	Siobhan Coakley	Board of Governors 4 July 2017	June 2018
3.0	September 2018	Third issues	Samantha Haines	Board of Governors 3 July 2018	June 2019

1. Introduction

- 1.1 Academic misconduct is any action or attempted action that may result in creating an unfair academic advantage or disadvantage for any other member(s) of the academic community.
- 1.2 The University is a 'learning community' within which students and staff learn from each other, from their peers and through original research. All members of the University are expected to maintain high standards of academic conduct and professional relationships based on courtesy, honesty and mutual respect.
- 1.3 As a principle, the University's approach to academic misconduct is to develop learning and understanding, without prejudice, depending on the severity of the offence. Therefore, the penalties detailed within section 5 should be considered with this in mind.
- 1.4 The University's regulations for academic misconduct apply to:
- Students studying at the University, at the University's Dubai Campus and University of South Wales courses through distance delivery.
 - Students studying at the Royal Welsh College of Music and Drama.
(NB Any reference made to 'faculties' or 'faculty' in the regulations should be read as 'the College'.)
 - Students studying university courses at the University's partner institutions.
 - Students studying on work placements or engaged in work-based learning.
 - Students on an approved leave of absence.
- 1.5 Sections 5.1 – 5.4 of these regulations apply to research students throughout their studies up until thesis submission. Following submission of a thesis the Research Degree Regulations will apply.
- 1.6 A guide to Referencing, Plagiarism and Good Academic Practice can be found on UniLife for students <http://unilife.southwales.ac.uk/pages/3272-referencing-plagiarism-and-good-academic-practice?locale=en>

2. General Principles

- 2.1 If it is suspected that students have committed academic misconduct, as set out in section 4, the case will be investigated.
- 2.2 If students have reason to believe that another student has used any of the academic misconduct practices set out in section 4, they should speak to the module leader. This conversation will be in confidence and their identity will not be revealed as part of any investigation; however, no further action will be taken unless additional evidence is identified by the marker or module leader.
- 2.3 Students are encouraged to seek support from the Advice Zone or the Students' Union and will have the opportunity to put their case forward if it is suspected that they have committed academic misconduct.
- 2.4 Extenuating circumstances cannot be used as justification for committing academic misconduct.
- 2.5 Where professional body requirements govern courses the University may be required to inform them, either once an investigation is instigated or following an investigation, if it is concluded that academic misconduct has taken place.

- 2.6 Where the student has not previously been found guilty of academic misconduct, the Academic Misconduct Officer or Academic Misconduct Panel will normally consider multiple allegations as being concurrent if it determines that there would have been insufficient time for the student to benefit from appropriate academic guidance between the identification of academic misconduct in one piece of work and the submission of another.

3. **Poor Academic Practice**

- 3.1 The University acknowledges that students may inadvertently commit academic misconduct through poor academic practice. Poor academic practice is a term used when students poorly prepare a piece of work for assessment. It often involves poor referencing where the work may be referenced and cited, but not using the correct format or system. It may include a paraphrase which only slightly alters the original source or incorporate so many reference texts that there is very little evidence that the student has engaged with the topic in question. Whilst such scenarios might not reflect intentional plagiarism they do show a lack of individual thinking and student learning whilst studying the module(s) and should therefore be sanctioned by using the normal assessment criteria.
- 3.2 If a student continues to commit poor academic practice the University will consider that the student has used academic misconduct practices, as set out in section 4, unless the circumstances are concurrent.

4. **Definitions of Academic Misconduct**

4.1 ***Intention to break the regulations***

- 4.1.1 Students must not conspire to break or avoid the regulations, for example by offering to bribe invigilators, academic or administrative staff, examiners or any other persons connected with the assessments.

4.2 ***Plagiarism***

- 4.2.1 Plagiarism is when students take someone else's work or ideas and pass them off as their own. Plagiarism may be written or non-written. Detailed examples of plagiarism can be found at: <http://uso.southwales.ac.uk/StudentCasework/AI/>.

4.3 ***Cheating***

- 4.3.1 Cheating is when students act dishonestly or unfairly before, during or after an examination or a class test in order to gain advantage, or assist another student to do so. Detailed examples of cheating can be found at: <http://uso.southwales.ac.uk/StudentCasework/AI/>.

4.4 ***Contract cheating***

- 4.4.1 Contract cheating is when students put out to tender or buy an essay or assignment, either 'off the shelf' or specifically written for them, and submit it as their own work. Detailed examples of contract cheating can be found at <http://uso.southwales.ac.uk/StudentCasework/AI/>.

4.5 ***Falsification***

- 4.5.1 Falsification is when students falsify information or theories and make use of them within an assessment. Detailed examples of falsification can be found at:

<http://uso.southwales.ac.uk/StudentCasework/AI/>.

- 4.5.2 For students on courses leading to a professional qualification, falsely claiming to have completed non-academic requirements such as hours in practice, or to have achieved professional competencies, may lead to discontinuation from the course and escalation to the relevant professional body (see the Fitness to Practise Regulations).

4.6 Recycling

- 4.6.1 Recycling is when students submit a piece of work which has already been used in one context and is then used again in another. Detailed examples of recycling can be found at:

<http://uso.southwales.ac.uk/StudentCasework/AI/>.

- 4.6.2 In some instances it may be acceptable to use work previously submitted for a written assignment as the basis for an examination answer or to further expand and develop work at a higher level; for example, developing the ideas formulated in a third year dissertation into a Master's level thesis. These situations would be governed by the specific regulations of the appropriate course of study.

4.7 Collusion

- 4.7.1 Sometimes at university students will be required to work collaboratively, preparing and submitting assignments together, and in this case 'joint work' is entirely appropriate.

- 4.7.2 Collusion occurs when, unless with official approval (e.g. in the case of some forms of group projects), two or more students collaborate in the production of work which is submitted by each and is unreasonably similar and/or is represented by each to be the product of their individual efforts.

- 4.7.3 One student allowing another access to their own work, resulting in similar output, is considered to be collusion by both parties, regardless of intent. Detailed examples of collusion can be found at:

<http://uso.southwales.ac.uk/StudentCasework/AI/>.

4.8 Other types of academic misconduct

- 4.8.1 There may be other types of academic misconduct which are not included above, for example where a student writes a piece of assessed work for another student or undertakes unethical practice such as conducting research without obtaining ethical approval from the University where such approval is required, or the unauthorised use of information that has been confidentially acquired.

- 4.8.2 Cases may fall into more than one category.

- 4.8.3 Where a member of staff is concerned that a student has submitted work that is substantially different to other work which has been submitted previously the faculty (i.e. the member of academic staff who identified a concern) may investigate prior to deciding whether to refer the case to an Academic Misconduct Officer/Chair of the Academic Misconduct Panel. The relevant procedures can be found at: <http://uso.southwales.ac.uk/StudentCasework/AI/>.

5. Dealing with Academic Misconduct

5.1 General principles

- 5.1.1 In order to substantiate an allegation, the University will not be required to prove that the student intended to commit academic misconduct. However, additional proof of intent may be relevant in

arriving at an appropriate penalty. It is the University's responsibility to prove that on the balance of probabilities academic misconduct took place (i.e. the student is more likely to have committed academic misconduct than not).

- 5.1.2 In cases such as collusion, where two or more students are accused of related offences, the University may decide to deal with the cases together. Each student will be given the opportunity to request that the cases are heard separately.
- 5.1.3 All questions to witnesses must relate directly to the allegation and the evidence supplied. Witnesses will normally withdraw after questioning. All parties must agree if the Chair of the Academic Misconduct Panel wishes to allow witnesses to remain after questioning has been completed. It is not anticipated that there will be a need to call witnesses for meetings with an Academic Misconduct Officer.
- 5.1.4 Additional documentary evidence may be presented on the day of the meeting only with the express permission of the Academic Misconduct Officer/Chair of the Academic Misconduct Panel.
- 5.1.5 The Academic Misconduct Officer/Chair of the Academic Misconduct Panel is advised to seek advice from relevant faculty members as to whether the case should be considered under the Fitness to Practise Regulations and refer on as appropriate. This is particularly relevant to students studying professional regulated courses/modules or who are already a registered professional.
- 5.1.6 Students may be referred through other University regulations following the conclusion of a case, where this is deemed to be appropriate.

5.2 Timescales

- 5.2.1 The Academic Misconduct Officer has 20 working days to meet with students to determine an appropriate outcome from the date the suspected academic misconduct is raised. However, if the award and progression assessment board is due to meet before the end of the 20 working days the outcome should be determined before that board.
- 5.2.2 The University has 20 working days to meet with students to determine an outcome once a case has been referred to an Academic Misconduct Panel.
- 5.2.3 Where it is not possible to adhere to the timescales set out in sections 5.2.1 and 5.2.2, for example due to the complexity of the case or unforeseen delays, the University will write to students and keep them informed of the progress of their case.

5.3 Faculty level

- 5.3.1 A nominee of the Dean of Faculty where the course resides will manage academic misconduct cases within that faculty.
- 5.3.2 Each faculty will have a team of Academic Misconduct Officers who will consider cases at faculty level. The Academic Misconduct Officers will be academic members of staff at course leader level or above, nominated by the Dean (or nominee). The Academic Misconduct Officer will have had no direct involvement in the case, neither will they be involved in the consideration of the student's module results.
- 5.3.3 Academic Misconduct Officers will review each case upon receipt to determine whether there is a case to answer and whether they are able to consider the case or if it should be escalated to an Academic Misconduct Panel.
- 5.3.4 When academic misconduct is suspected students will be invited to a meeting at their campus to discuss the allegations, or alternatively given the option to submit a written statement. It may be

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appropriate to arrange meetings via video conference if students are based at a collaborative partner site. Students will be notified of the meeting at least 5 working days prior to it taking place.

- 5.3.5 Present at the meeting will be the Academic Misconduct Officer, the student and a member of Student Administration. If the student does not wish to attend the meeting they can submit a written statement.
- 5.3.6 Students are entitled to bring a friend or representative to the meeting. The friend or representative in attendance will be there in a personal capacity and not a legal capacity. Students may not send any other person to the meeting on their behalf. Due notice of meetings will be considered to have been given on sending notification to a student's University email account. Additionally, notification may be sent by the most appropriate postal route to a student's last recorded address.
- 5.3.7 If students require a revised date the meeting will be rearranged only once. Students must advise the faculty at least 48 hours in advance of the original meeting if they require a revised date. If students do not attend meetings they will take place in their absence; in these circumstances students are strongly advised to provide a written statement to support their case.
- 5.3.8 A written report by the member of staff who identified the suspected academic misconduct (or the module leader), along with any evidence, must be provided to the Academic Misconduct Officer and student no later than 5 working days prior to the meeting. The student will have the opportunity to provide a statement to the Academic Misconduct Officer in support of their case, following receipt of the documentation, and ahead of the meeting.
- 5.3.9 Following discussions, the Academic Misconduct Officer considering the allegations can take one of the following actions:
- d) If it is concluded that academic misconduct has not taken place, no further action will be taken, other than to advise the member of staff who suspected academic misconduct that this is not the case.
 - e) If it is concluded that poor academic practice has taken place the student will be advised to speak to an appropriate academic member of staff and/or attend a session with the Student Development and Study Skills Service. The student will be given clear advice on the steps they must take to prevent a recurrence of this poor practice. A note of this discussion will be given to the student within 5 working days of the meeting and a copy kept on the student record, so that students who are referred repeatedly can be identified.
 - f) If it is concluded that on the balance of probabilities that academic misconduct has taken place the Academic Misconduct Officer will determine a penalty from the list in section 5.5. Academic Misconduct Officers may only issue penalties up to and including 5.5.1 b). Serious and complex cases should be referred to the Academic Misconduct Panel.
- 5.3.10 All outcomes from faculty meetings should be reported to the subject assessment board so that any penalty imposed in relation to the module can be recorded before being ratified at the award and progression assessment board.

5.4 University level

- 5.4.1 The University has established an Academic Misconduct Board from which the members of an academic misconduct panel will be drawn to hear cases which are either complex or where it is possible the penalty may exceed 5.5.1 b).
- 5.4.2 The composition of the Academic Misconduct Board will be:

- Eight members at academic subject manager level or above from across the institution, nominated by the deans of faculty (or their nominees).

5.4.3 The composition of the Academic Misconduct Panel will be:

- Two members of the Academic Misconduct Board (one of whom will be chair);
- President of the Students' Union (or nominee).

A member of staff from Student Administration will provide administrative support.

Members of the Academic Misconduct Panel will be independent and will not have been a member of an assessment board associated with the allegation or connected with the course.

5.4.4 The Academic Misconduct Panel will have the following responsibilities:

- a) To ensure that a student suspected of academic misconduct is given a full and fair hearing.
- b) To establish, as far as possible the facts of the case, having regard to evidence presented to it by academic staff and by the student and to decide whether or not the allegation is substantiated, and its severity.
- c) To determine an appropriate penalty.
- d) To report the decision to the appropriate assessment boards.

5.4.5 Academic Misconduct Panel meeting

5.4.5.1 Both the student and the member of staff who identified the suspected academic misconduct (or the module leader) will be invited to a meeting. The Chair of the Academic Misconduct Panel may request that the Academic Misconduct Officer attends the meeting, if appropriate. All parties will be notified of the meeting at least 5 working days prior to it taking place.

5.4.5.2 Students are entitled to bring a friend or representative to the meeting. The friend or representative in attendance will be there in a personal capacity and not a legal capacity. Students may not send any other person to the meeting on their behalf. Due notice of meetings will be considered to have been given on sending notification to a student's University email account. Additionally, notification may be sent by the most appropriate postal route to a student's last recorded address.

5.4.5.3 If students require a revised date the meeting will be rearranged only once. Students should advise the secretary to the Academic Misconduct Panel at least 48 hours in advance of the original meeting if they require a revised date. Should students not attend meetings they will take place in their absence; in these circumstances students are strongly advised to provide a written statement to support their case.

5.4.5.4 The written report by the member of staff who identified the suspected academic misconduct (or the module leader), along with any evidence, and the report from the Academic Misconduct Officer, if appropriate, must be provided to the panel and student no later than 5 working days prior to the meeting. The student will have the opportunity to provide a statement in support of their case to the panel, following receipt of the documentation, and ahead of the meeting.

5.4.5.5 Both the student and the member of staff who identified the suspected academic misconduct (or the module leader) will be asked to enter the meeting at the same time and withdraw from the meeting during private discussions of the panel.

5.4.5.6 The panel will establish as far as is possible the facts of the case and, where an allegation is

proven, it will seek advice in determining a penalty. This is to ensure the penalty is appropriate to the course. A

5.4.5.7 The panel will report its decision to the chairs of the subject assessment board and the award and progression assessment board. The subject assessment board will record the penalty imposed in relation to the module. The award and progression assessment board will record and ratify the decision.

5.5 Actions Available in Proven Cases

5.5.1 Students on taught courses

The following are the options available to an Academic Misconduct Officer (up to and including 5.5.1 b)) or Academic Misconduct Panel based on the seriousness of the allegation:

- a) Issue a formal written warning as to future conduct. The warning will be retained on the student's personal record.
- b) Cancel mark for the element of assessment – student must resubmit the work for the element – the whole module is capped at the base pass mark²³, but all other marks achieved in the module remain the same.
- c) Cancel marks for the whole module – student must resubmit the work for all elements of assessment in order to pass the module – the module is capped at the base pass mark.
- d) Cancel marks for the whole module – student must resubmit the work for all elements of assessment in order to pass the module – the module is capped at the base pass mark. All module marks for the stage²⁴ are capped at the base pass mark.
- e) Cancel all module marks for current stage²⁵ – student is not allowed to repeat the year. The student is allowed to retain the credits already gained. The student is discontinued from their course but is eligible to apply for admission to a new course in accordance with the University's admissions regulations.
- f) A recommendation is made to the Vice Chancellor (or nominee) that the student concerned be expelled. The student may be:
 - i) expelled with credit – student is allowed to retain credits already gained; no further study at the University is allowed;
 - ii) expelled without credit – all existing credit is revoked; no further study at the University is allowed.

In addition to any decision made under a) to d) a student may be referred to an appropriate referencing workshop or individual tutorial at the Student Development and Study Skills Service.

The University reserves the right to revoke an award or credits if it is discovered that academic misconduct was committed in order to gain the award.

Sanctions, other than expulsion, should only be imposed after the request for review period has expired.

5.5.2 Research students – pre submission of thesis

²³ The pass mark is defined in the validation document. Ordinarily this will be 40%, however, this may differ for some courses and modules, where, for example, there may be a derogation due to professional body requirements.

²⁴ Modules within a stage are the modules being studied by a student in that particular academic year.

²⁵ Modules within a stage are the modules being studied by a student in that particular academic year.

The following are the options available to a faculty or academic misconduct panel:

- a) Issue a formal warning - student is allowed to resubmit the work.
- b) A recommendation can be made to the Vice Chancellor (or nominee) that the student concerned should be expelled. The student may be:
 - i) expelled with credit – the student is allowed to retain credits already gained. In the case of professional doctorates where students are not permitted; to resubmit their thesis, they may be permitted to exit with a lower award.
 - ii) expelled without credit – all existing credit is revoked; no further study at the University will be allowed.

Sanctions, other than expulsion, should only be imposed after the request for review period has expired.

5.5.3 Research students – post submission of thesis

The following are the penalties available to the Research Programmes Sub Committee:

- a) The first submission of the thesis will be discounted. The student is allowed to resubmit their work for re-examination (at discretion of examiners) but only for a lower award.
- b) A recommendation can be made to the Vice Chancellor (or nominee) that the student concerned should be expelled. The student may be:
 - i) expelled with credit – the student is allowed to retain credits already gained. In the case of professional doctorates where students are not permitted to resubmit their thesis, they may be permitted to exit with a lower award;
 - ii) expelled without credit – all existing credit is revoked, no further study at the University will be allowed.
- c) The University reserves the right to revoke an award if it is discovered that academic misconduct was committed in order to gain the award.

Sanctions, other than expulsion, should only be imposed after the request for review period has expired.

6. Review Procedure

6.1 Students are entitled to submit a request for review following notification of the outcome by the Academic Misconduct Officer or Academic Misconduct Panel on the following grounds:

- a) The student has evidence that the procedures were not conducted in line with the regulations and this could cause reasonable doubt as to whether the same decision would have been reached had the issues not occurred.
- b) That there has been an administrative error (for example, the notification of the penalty was not in line with the decision reached at the meeting or was recorded incorrectly on the student's record).

The grounds under which a request for review against expulsion may be made are as above and, in addition:

c) That the original penalty imposed was excessive.

6.2 A request for review must be submitted within **10 working days** of notification of the outcome of the Academic Misconduct Officer or Academic Misconduct Panel case using the Academic Misconduct – Request for Review form which is available from <http://uso.southwales.ac.uk/StudentCasework/AI/>. Requests for review will not be accepted unless they comply with the requirements above.

6.3 Requests for review will be initially considered by the Academic Registrar (or nominee) to determine whether there is a *prima facie* case for review.

6.4 If the Academic Registrar (or nominee), after considering the request for review, concludes that:

a) it does not meet the grounds above set out in 6.1,

b) it was submitted outside the 10 working day deadline,

the request for review will be disallowed and the original decision will stand. The student will be issued with a Completion of Procedures Letter within 5 working days.

6.5 If it is decided by the Academic Registrar (or nominee) that the request for review meets one or both of the grounds, arrangements will be made by the Student Casework Unit to set up a Review Panel, drawn from a Review Board and the President of the Students' Union (or nominee).

6.6 The Review Board will consist of:

- 3 members appointed by Academic Board;
- 4 academic representatives of each faculty (as a minimum).

6.7 The Review Panel will consist of:

- 1 of the members of the Review Board appointed by Academic Board (Chair);
- 2 of the academic representatives on the Review Board, drawn from faculties unconnected with the appeal under consideration;
- President of the Students' Union (or nominee).

A member of the Student Casework Unit will provide administrative support.

6.8 Any meeting of the Review Panel will be held in private. The purpose of the meeting is to review the procedures from the Academic Misconduct Officer and/or Academic Misconduct Panel and not to rehear the case. Both the student and the relevant panel(s) will have an opportunity to provide information in writing.

6.9 If there has been a clear administrative error the Academic Registrar (or nominee) will advise the faculty/campus administration to amend the student's record. In such cases, the Review Panel will not be required to meet.

6.10 The Review Panel will make one of the following decisions:

a) That the appeal is rejected and no further action is taken.

In the case above, the decision of the Review Panel will be final and the matter will be regarded as closed.

b) Recommend to the Academic Registrar (or nominee) that the decision be overturned.

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- 6.11 The Student Casework Unit will inform the student in writing of the decision of the award and progression board and the reasons for the decision within 5 working days of receipt of the decision.

7. International students

- 7.1 Whilst the Academic Misconduct Regulations apply to all students, there will need to be special consideration when concern is raised regarding an international student who is sponsored by the University on a Tier 4 visa. Such students must be studying full-time to remain compliant with the conditions of the Tier 4 visa.
- 7.2 The student should be signposted to the Immigration and Student Advice team for information on the impact expulsion on their Tier 4 visa.

8. Office of the Independent Adjudicator

- 8.1 A student who is unhappy with the decision of the Academic Misconduct Officer/Academic Misconduct Panel or whose request for review is unsuccessful may, following issue of a Completion of Procedures Letter, lodge a complaint with the Office of the Independent Adjudicator (OIA). Details of the OIA and the relevant information in relation to the Scheme can be accessed at www.oiahe.org.uk. Further information and advice can be obtained from the Student Casework Unit.



EXTENUATING CIRCUMSTANCES REGULATIONS 2018/2019

Title: Extenuating Circumstances Regulations				
Issue Date	Revision Description	Author	Approved By & Date	Next Review Date
September 2016	First Issue	Siobhan Coakley	Academic Board 8 June 2016	June 2017
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September 2018	Fourth issue	Samantha Haines	Academic Board 13 June 2018	June 2019

1. Introduction

1.1 The extenuating circumstances regulations apply to:

- Students studying at the University, at the University's Dubai Campus and University of South Wales courses through distance delivery.
- Students studying at the Royal Welsh College of Music and Drama (RWCMD).
(NB Any reference made to 'faculties' or 'faculty' in the regulations should be read as 'the College'.)
- Students studying university courses at the University's partner institutions.
- Students studying on work placements or engaged in work-based learning.

1.2 The University definition of extenuating circumstances is as follows:

Exceptional circumstances which are outside the control of the student and which have prevented, or will prevent, them from performing in assessment at the level expected or required of them.

1.3 Extenuating circumstances are not applicable in the case of disabled students who have on-going conditions for whom an Individual Support Plan (ISP) has been put in place. However, extenuating circumstances can be applied for in cases where there is a sudden or unexpected deterioration of the known condition or where appropriate reasonable adjustments have not been made. Students are responsible for informing the Disability and Dyslexia Service (DDS), as soon as possible, of any changes to their circumstances that may require amendment of their ISP.

2. Principles and Aims

2.1 The key principle of these regulations is to provide equality for all students in relation to the assessments they are required to undertake during their course. In order to implement this principle, **students have a responsibility to notify the University of any circumstances which may affect their assessments as soon as they arise, using the Extenuating Circumstances claim form.**

2.2 The University aims to ensure that a student, who has proven extenuating circumstances, as defined above, is not unfairly disadvantaged as a result; at the same time, students with extenuating circumstances will not be disproportionately advantaged over other students.

2.3 The following is a non-exhaustive list of what the University would regard as extenuating circumstances that could have affected performance and which could not have been remedied in advance of the assessments:

- bereavement - the death of a close relative/person of significance to the student (of a nature which, in an employment context, would have led to an absence in accordance with compassionate leave regulations);
- serious short-term illness or accident (of a nature which, in an employment context, would have led to absence on sick leave);
- the significant worsening of an on-going health condition;
- pregnancy-related illness or child birth, but not pregnancy itself;
- significant adverse personal/family circumstances;
- significant financial problems, e.g. bankruptcy;
- victim of serious crime;
- competing at an international level, for example in a sport or drama competition;
- fire alarm going off in an examination;

- other exceptional factors which have caused significant stress.

2.4 The University will not accept as extenuating circumstances any situations which students could reasonably have been expected to avoid or to have made arrangements in advance to address the issues or taken action to limit their impact. The following are examples of what will not be considered as extenuating circumstances:

- study related circumstances: equipment failure including computing/printer difficulties (unless they occur in the examination itself) and failure to have taken back up copies for work stolen or corrupted²⁶; bunching of deadlines/examinations; missing books; poor time management; misreading the examination timetable and not being aware of dates or times of submission of coursework assessment²⁷; taking the wrong examination;
- non-serious domestic or personal disruptions: moving house; change of job; holidays; weddings; normal job pressure; failed travel arrangements (unless these are as a result of a major incident); oversleeping;
- general financial issues;
- alleged statement of a medical condition without reasonable evidence to support it;
- medical circumstances outside the relevant assessment period or the learning period;
- any circumstances which were foreseeable and/or preventable;
- minor illness or ailment (which in the work situation would be unlikely to lead to absence from work);
- late disclosure of circumstances on the basis that students felt unable to or did not feel comfortable in confiding in a member of staff about their circumstances without good reason (students should contact the Advice Zone and/or Students' Union, if they need support in conveying specific circumstances which may affect their assessments);
- religious observances – the University will not alter assessment deadlines or examination timetables around religious festivals of the various faiths of students. If a deadline coincides with a religious festival, students should plan their time accordingly and submit any assessments prior to the submission date. For examinations, students are expected to participate in any religious observance before or after any scheduled examination.

2.5 Eligible claims will be considered based on the evidence and information provided and the decision will be based on whether the circumstances impacted on the student's ability to study.²⁸

2.6 Sensitive personal, family or cultural reasons may not be accepted as good reason why a student did not submit a claim within the specified deadlines.

3. Timescales

3.1 Coursework

Claims must be submitted prior to, or within 5 working days, of the deadline for the submission of coursework.

3.2 Timetabled examinations/assessments

Claims must be submitted prior to, or within 5 working days, of the examination.

3.3 Exceptions

²⁶ Students should allow sufficient time to submit electronically or print any assessment submissions by the required deadlines to avoid any difficulties.

²⁷ The faculty will provide clear information on such dates and times, but students also have an individual responsibility for seeking clarification of all deadlines and examinations.

²⁸ Consideration of whether the circumstances impacted on the student's ability to study will be in line with the balance of probability. This means that the circumstances were more likely to have affected a student's ability to study than not.

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The only exception to the timescales set out in 3.1 and 3.2 is where the student has evidence that circumstances or illness prevented them from submitting the form on time. If a student has evidence they must submit an extenuating circumstances claim, ensuring that they complete the relevant section of the form to provide an explanation of why their claim was not submitted in a timely manner. The evidence must be submitted with the claim.

- 3.4 Extenuating circumstances claims will normally only be considered within 4 weeks prior to the assessment deadline/examination date. Exceptions to this are where the student has evidence, in advance, of specific circumstances that will impact for a specified period. For example a hospital admission or where the assessment deadline relates to submission of a dissertation or major project.

4. Fit to Sit Policy

- 4.1 The University operates a Fit to Sit Policy whereby all students, in submitting or presenting themselves for assessments²⁹, are declaring that they are fit to sit the assessment. In signing the attendance slip for an examination, or indicating they are present on an attendance register³⁰, a student is declaring themselves fit to sit. Students cannot subsequently claim that their performance in that assessment was affected by existing circumstances or illness, other than in exceptional circumstances.
- 4.2 If a student submits an assessment³¹ pending the decision of the nominee of the Advice Zone Manager/Extenuating Circumstances Panel, the submission will not be classed as a formal submission if the nominee of the Advice Zone Manager/Extenuating Circumstances Panel subsequently approves the claim. If the student is given the opportunity to re-submit the assessment and chooses to do so, the mark awarded will be that obtained for the re-submitted assessment.
- 4.3 If a student is taken unexpectedly ill during an examination, they should submit a claim, and supporting evidence, or alternatively a Self-Certification Form, for extenuating circumstances as soon as possible after the examination. Any such claim must contain evidence of the situation recorded at the time by the examination invigilator.

5. Evidence of Extenuating Circumstances

- 5.1 Students will be allowed to self-certificate for a period of 7 calendar days once only in each academic year. In order to self-certificate students will be required to complete a Self-Certification Form available from the Advice Zone.
- 5.2 All other claims for extenuating circumstances must be supported by independent evidence, with the exception of group/cohort extenuating circumstances, such as a fire alarm going off during an examination. In these cases the University will provide the evidence.
- 5.3 It is a student's responsibility to provide evidence when submitting a claim. Claims which do not provide such evidence will not be accepted. Evidence provided should be copies of originals and must be written and signed/officially stamped, where appropriate, by a suitable third party on headed paper. Documents provided or signed by family members, friends or fellow students will not be accepted.

²⁹ This regulation applies to examinations, in-class tests, presentations, clinical practice appraisals, practical tests, coursework assessments and projects but not to stage performance assessments/assessed performances in music.

³⁰ Attendance registers for in-class tests, etc should include a note at the top reminding the students that by signing the register they are declaring themselves fit to sit the assessment.

³¹ This regulation applies to examinations, in-class tests, presentations, clinical practice appraisals, practical tests, coursework assessments and projects but not to stage performance assessments/assessed performances in music.

- 5.4 Where the original evidence is not in English or Welsh, the student must arrange for translation into English or Welsh with a verification provided showing by whom and where the translation was undertaken.
- 5.5 The following are examples of what would be considered as acceptable evidence (see also Appendix 1):
- In the case of bereavement, a death certificate, an obituary, or order of service from a funeral.
 - For a medical condition, a medical certificate or a report from an appropriate professional which must be specific and contain a date which is relevant to the claim. Students must have visited a medical/ appropriate professional during the course of any illness and certificates issued must contain verification of the date of the visit. A medical certificate or report from an appropriate professional in retrospect or post-dated will not be accepted. In relation to medical conditions there must be sufficient evidence of the impact of the illness/situation on the assessment to which the extenuating circumstances claim relates.
- 5.6 The University has the right to check or verify any evidence submitted. If a student submits any evidence which turns out to be false, an investigation under the Student Conduct Regulations will commence.
- 5.7 In the case of a major event/issue affecting a large number of students, e.g. severe weather conditions, the Academic Registrar will consider the impact and may make an announcement via UniLife and Blackboard with an agreed university-wide or, where appropriate, campus-specific course of action.

6. Submission of Claims for Extenuating Circumstances

- 6.1 Students are advised to seek information and guidance on how to submit a claim from the Advice Zone and/or Advice Zone Online. The Students' Union are also available to provide support and guidance.
- 6.2 All claims must be submitted via the Advice Zone or Advice Zone Online, using the student ID number, within the timescales specified in section 3. The only exception is for group/cohort extenuating circumstances, such as a fire alarm going off during an examination, in which case a member of University staff will bring the case to the attention of the Advice Zone for consideration.
- 6.3 Where a student is so incapacitated that they are not able to complete and submit an extenuating circumstances form at the time the circumstances occur, the student should endeavour to contact the Advice Zone to outline the circumstances or arrange for a friend or relative to do so. Claims not made within the timescales set out in sections 3.1 and 3.2 should be submitted in line with section 3.3 of these regulations.
- 6.4 All sections of the Extenuating Circumstances Form must be completed.
- 6.5 The completed Extenuating Circumstances Form must include a clear explanation of:
- how the extenuating circumstances affected the student's ability to undertake the assessment or to perform at the level expected or required;
 - the period of time during which the circumstances which affected the assessment took place;
 - the assessments which were affected by the circumstances;
 - the outcome the student is seeking as a result of the claim.
- 6.6 Evidence to support a claim, or Self-Certification Form, must be submitted with the form or it will not be possible for the Advice Zone to consider the claim. The University reserves the right to request

additional evidence prior to making a decision.

7. Handling Submissions for Extenuating Circumstances

7.1 Straightforward Claims

- 7.1.1 Where a claim for extenuating circumstances is straightforward the nominee of Advice Zone Manager will review the claim and make a decision in line with published guidelines. The nominee of the Advice Zone Manager, in signing the form, authorises the decision.
- 7.1.2 Claims will be referred to the Extenuating Circumstances Panel if there is any doubt about the validity of the claim or where the claim is complex.
- 7.1.3 A sample of all claims will be reviewed each term by the Advice Zone Manager to ensure consistency across the University.

7.2 Complex Claims

- 7.2.1 Complex cases will be considered by a university wide Extenuating Circumstances Panel on a minimum of a fortnightly basis.
- 7.2.2 The constitution and terms of reference of the Extenuating Circumstances Panel are as set out in section 8. Where chair's action is taken, the outcome will be reported to the next meeting of the Extenuating Circumstances Panel.

8. Constitution and Terms of Reference of the Extenuating Circumstances Board/Panel

- 8.1 The University has an Extenuating Circumstances Board from which the members of the Extenuating Circumstances Panel will be drawn to hear complex claims.
- 8.2 The composition of the Extenuating Circumstances Board will be:
 - Eight members of academic staff from across the institution (two from each faculty), nominated by the deans of faculty (or their nominees).
- 8.3 The composition of the Extenuating Circumstances Panel will be:
 - a chair, who is an academic member of staff nominated by the Academic Registrar (or nominee) in agreement with the relevant dean of faculty;
 - a further three members of academic staff, each from a different faculty (one of these will be vice chair).

One member of academic staff from each faculty must be in attendance at each meeting.

A senior member of staff from the Advice Zone will attend all meetings of the panel to provide advice and guidance and to ensure there is an accurate record of proceedings. In addition other staff may be requested to attend the meetings in an advisory capacity as required.

Any academic members of staff on the panel who have been teaching, supervising or have had close connections with a student who has submitted a claim for extenuating circumstances will not be permitted to participate in the decision on the claim.

- 8.4 The terms of reference of the Extenuating Circumstances Panels are:

- a) To consider extenuating circumstances claims in line with the University's Extenuating Circumstances Regulations.
 - b) To ensure that all evidence provided in support of claims is carefully considered.
 - c) To make decisions on whether or not to accept a claim and the appropriate outcome for any claim which is accepted.
 - d) To ensure a consistent and reasonable approach is taken in relation to all claims.
 - e) To report decisions to the appropriate assessment boards.
 - f) To refer students, as appropriate, to other services or regulations.
- 8.5 The chair of the Extenuating Circumstances Panel, in signing the Extenuating Circumstances Form, authorises the decision of the panel.
- 8.6 Assessment boards must accept the decision of the Extenuating Circumstances Panel.

9. Outcomes of Claims for Extenuating Circumstances

- 9.1 The outcome of a student's extenuating circumstances claim will be provided to them not later than 5 working days after the decision has been made.
- 9.2 Students who have submitted claims for extenuating circumstances will be provided with a clear explanation of the reason for the outcome. The Advice Zone will record details of the issues considered as well as the reason for the decision taken.
- 9.3 Where the medical evidence provided or the frequency of claims raises concerns about a student's fitness to study the panel can refer the student's case for consideration under the Fitness to Study Regulations.
- 9.4 It is not possible for additional marks to be awarded to any individual student for any assessment as a result of a claim for extenuating circumstances.
- 9.5 Possible outcomes of a claim for extenuating circumstances are:
- the claim may be declined;
 - the claim may be deferred, pending a request for additional information/evidence;
 - an extension of the deadline for submission of the assessment³² may be granted;
 - the student may be allowed to undertake the assessment/examination at the next assessment period as the same attempt and without further penalty;³³
 - the Subject Assessment Board will take account of the grade profile of the assessment in the case of a group/cohort extenuating claim.
- 9.6 Tier 4 visa regulations may restrict the number of attempts that international, non-EU students on a Tier 4 visa can be offered and restrict the overall time duration that they may study in the UK. Students must be advised to seek advice from Immigration and International Student Advice in relation to how this will affect their immigration status.

³² In this case the 5 day late submission regulation (which enables the student to have the assessment marked but capped at 40%) cannot also be applied.

³³ For example, first attempts remain as first attempts, referred work remains as referred work.

10. Interruption of Studies

- 10.1 If the extenuating circumstances are so severe that the student is temporarily unable to continue to study, the student may apply for an interruption of studies for the remainder of the academic year, providing there is a possibility that they will be able to resume studies on the same course at the date of enrolment for the following year of study.
- 10.2 A student wishing to apply for an interruption of studies must discuss this with the appropriate course leader(s) and complete the 'Student Request to Interrupt Studies' form available from the Advice Zone.
- 10.3 Interruption of studies is not a student right and must be approved by the student's course leader(s) (who will advise on feasibility in terms of course delivery) and the nominee of the Advice Zone Manager/ Extenuating Circumstances Panel. The student may be referred to the Student Progression, Student Money Advice Team and/or the Revenue Unit who will offer support and provide advice regarding the financial implications.
- 10.4 The following are some examples of circumstances that might be acceptable reasons for in year interruption of studies:
- medical circumstances, accident or disability (for example, debilitating illness; illness over a long period of time, i.e. 4 weeks or more; broken limbs restricting mobility or writing for a prolonged period; mental health problems; extensive hospital treatment; pregnancy or major surgery);
 - death or serious illness of a close relative or friend, thus preventing a student being able to continue on their course;
 - childbirth;
 - bankruptcy or significant financial problems;
 - personal/family problems;
 - involvement in a prolonged legal case;
 - employment e.g. unexpected increase in workload.
- 10.5 Poor marks and/or failure to engage with the course are not acceptable reasons for an interruption of studies.
- 10.6 All applications for an interruption of studies in year should be supported by evidence in writing from an independent source, i.e. from an appropriate third party who can verify the circumstances from a position of authority. It is the student's responsibility to seek and provide this evidence. The following are examples of acceptable evidence:
- a medical certificate, preferably with an indication of speed of recovery;
 - a statement from a religious or community leader;
 - an official document, for example a birth or death certificate;
 - a letter from a solicitor;
 - a summons to attend court;
 - a report from a police officer;
 - a bankruptcy notification;
 - a letter from an employer;
 - a contract for work (for self-employed students);
 - a letter/medical certificate from Student Services.
- 10.7 Letters from family members, friends, tutors or fellow students are not acceptable.
- 10.8 The maximum period for an interruption of studies is one academic year; applications for an indefinite period will not be permitted. Applications for an interruption of studies for a whole academic year

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must be received prior to the date of enrolment for that year³⁴. Approval to interrupt studies may be renewed in exceptional circumstances only.

- 10.9 Students must be informed of the agreed date of return from an interruption of studies at the time it is approved. Students must also be informed that, upon their return, they will be governed by current regulations and not those in force when they interrupted their studies. Failure to return at the agreed time will result in withdrawal.
- 10.10 The nominee of the Advice Zone Manager/ Extenuating Circumstances Panel, with advice from the relevant academic member of staff, will determine whether the student will:
- retain the marks achieved in all modules in the academic session up to the agreed date of the interruption of studies; this may include marks for individual assessments;
 - forfeit the marks achieved in all modules in the academic session even if the marks may have resulted in modules being passed.

No other option, such as retaining some but not all marks, is allowed.

- 10.11 Applications received within six weeks prior to the start of the assessment boards will not normally be considered; students should then apply for extenuating circumstances instead.
- 10.12 In the case of international non-EU students studying on a Tier 4 visa, Tier 4 sponsorship will cease. The student must leave the UK and re-apply for an appropriate visa prior to returning to studies.
- 10.13 In circumstances in which an absence of more than 20 working days is unavoidable the University reserves the right to require a student to interrupt their studies.

11. Requests for Review of an Outcome of an Extenuating Circumstances or Interruption of Studies Claim

- 11.1.1 Students are entitled to submit a request for review of the outcome of an extenuating circumstances or Interruption of Studies claim on the following grounds.
- d) The student has evidence that there was procedural error during the consideration of the extenuating circumstances/Interruption of Studies claim and this has materially disadvantaged them.
- e) The student has new and relevant evidence, which **for good reason** was not available at the time the initial extenuating circumstances/Interruption of Studies claim was submitted. *(NB Sensitive personal, family or cultural reasons will not be accepted as good reason as they should have been drawn to attention at the time was submitted).*

This information should not have been accessible or known to the student when the initial extenuating circumstances/Interruption of Studies claim was submitted. Information which was available and not provided with the extenuating circumstances/Interruption of Studies claim will not be considered valid grounds for a request for review.

- 11.1.2 Students are only entitled to submit a request for review once the initial extenuating circumstances/Interruption of Studies claim has been considered.
- 11.1.3 No new issues may be introduced as part of the request for review.
- 11.1.4 Requests for review must be submitted within 10 working days of notification of the outcome of the

³⁴ The date of enrolment for that year refers to the date students were expected to enrol.

initial extenuating circumstances/Interruption of Studies claim, using the Extenuating Circumstances/Interruption of Studies – Request for Review Form, and must include appropriate evidence. The Request for Review Form is available at [INSERT LINK and the Advice Zone Online](#). Requests for review will not be accepted unless they comply with the requirements above.

11.1.5 Requests for review will be considered by the Academic Registrar (or nominee) to determine whether there is a *prima facie* case for review, within 5 working days of submission of the request.

11.1.6 If the Academic Registrar (or nominee), after considering the request for review, concludes that:

- g) it does not meet the grounds above set out in 11.1.1;
- h) it was submitted outside the 10 working day deadline;
- i) it does not include the appropriate evidence.

the request for review will be disallowed and the original decision will stand. The student will be issued with a Completion of Procedures Letter within 5 working days.

11.1.7 If it is decided by the Academic Registrar (or nominee) that the request for review meets one or more of the grounds, the following action may be taken:

- c) if the case is straightforward, it will be considered by the Associate Registrar (Student Casework) (or nominee); a response will be provided to the student within 10 working days;
- d) if the case is complex, it will be referred to the Extenuating Circumstances Panel. The Extenuating Circumstances Panel may be reconstituted if appropriate. A response will be provided to the student within 5 working days of referral.

12. OIA

12.1 A student who is unhappy with the outcome of their extenuating circumstances/Interruption of Studies claim or whose request for review is unsuccessful may, following issue of a Completion of Procedures Letter, lodge a complaint with the Office of the Independent Adjudicator (OIA). Details of the OIA and the relevant information in relation to the Scheme can be accessed at www.oiahe.org.uk. Further information and advice can be obtained from the Student Casework Unit.

Appendix 1

Evidence for extenuating circumstances and appeals submitted under ground b)

<p>This table provides you with an indication of the types of evidence that you will be required to provide in order to support an extenuating circumstances claim or an appeal submitted under ground b). You may not need to provide all the various forms of evidence but your claim/appeal must be supported by independent evidence.</p> <p>Please note that this is not an exhaustive list and there will be issues which are not covered below. In these cases you should provide the most relevant evidence to support your claim/appeal; advice should be sought from the Advice Zone. Extenuating circumstances and appeals will be accepted or rejected depending on their nature, severity, timing and the appropriateness of the evidence.</p>							
	Letter from Medical professional or counsellor	Letter/ evidence from an independent professional	Death certificate	Obituary/ order of service	News/ Media report	Official witness report/police report which details information related to the offence	Letter from bank/debt letters
All evidence should be submitted in English or in the original language with an official certified translation provided							
Serious short-term illness/accident	✓	✓					
Bereavement	✓	✓	✓	✓	✓		
Significant worsening of an ongoing health condition	✓	✓					
Pregnancy related illness or childbirth	✓	✓					
Significant adverse personal/ family circumstances	✓	✓					
Significant financial problems	✓	✓					✓
Victim of crime	✓	✓			✓	✓	



FITNESS TO PRACTISE REGULATIONS 2018/2019

Title: Fitness to Practise Regulations					
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1. Introduction

- 1.1 The Fitness to Practise Regulations should be read in conjunction with the Student Code of Conduct, which details expectations of behaviour.
- 1.2 The University's regulations for fitness to practise apply to:
- Students studying at the University and University of South Wales courses through distance delivery.
 - Students studying university courses at the University's partner institutions.
 - Students studying on work placements or engaged in work-based learning.
 - Students on an approved leave of absence.
- 1.3 These regulations relate to courses which lead to professional registration, both initial and/or further annotation/registration, and/or a license to practise in a professional context and are characterised as being service-centred/client-centred/patient-centred and directed towards the achievement of professional competence and/or professional registration. Additionally, these regulations may apply to courses which facilitate entry to courses which lead to professional registration and/or license to practice (please see Appendix 1). The institution will have a responsibility to deal with such students to ensure that they do not qualify to practise in a profession when they are deemed not fit to do so.
- 1.4 Criminal conduct or disciplinary offences whilst a student of the University may also lead to action under these regulations, as will unprofessional behaviour which may also contravene codes of professional conduct as applied to students.
- 1.5 The University has a duty under the Counter-Terrorism and Security Act 2015 to prevent students from being drawn into non-violent extremism, violent extremism and/or terrorism and to ensure they are being given appropriate advice and support. If a member of staff or a student has reasonable grounds for concern that a student is being drawn into, or is drawing others into, activities which may lead to acts of non-violent extremism, violent extremism and/or terrorism they should raise the matter with the designated associate head of school (or equivalent) in the first instance. (See the University's Prevent Protocol).
- 1.6 The University recognises that with advances in modern technology, it is easier to make covert recordings i.e. recordings of meetings or conversations made without the consent of the participants. Where recordings are made of telephone calls, this activity is likely to be in breach of the Regulation of Investigatory Powers Act. In the case of recordings of face-to-face meetings, the material gained is likely to be held in breach of the participant's Article 8 rights under the Human Rights Act and the UK data protection laws. For this reason, the University will not permit the use of covert recordings in fitness to practise cases, except in exceptional circumstances.

The facts that will be considered are:

- The extent to which the evidence is relevant to the issues in the case, including considering the nature of the evidence and if other, more cogent evidence is available.
 - The extent to which the evidence has been obtained unlawfully or its use otherwise interferes with privacy rights.
 - The extent to which the evidence can be relied upon from a technical perspective given that it is possible to manipulate recorded material. The availability of an independently created transcript of any recording may be helpful to satisfy this requirement.
- 1.7 The University will, when necessary, take action under its Fitness to Practise Regulations to:

- protect present or future patients, service users or clients (i.e. public protection);
- protect the institution against a legal suit brought by someone claiming to have suffered loss or harm as a result of a student proving after qualification to be unfit to practise;
- comply with the requirements of professional bodies.

2. Advice and Support

The University is committed to safeguarding the emotional, mental and physical well-being of all parties involved during the operation of its Fitness to Practise Regulations.

2.1 Advice and support for students

2.1.1 It is recognised that being the subject of an allegation can have an adverse impact on the welfare of students. Advice and support is available from:

The University's Wellbeing Services - <http://thewellbeingservice.southwales.ac.uk/>

The Chaplaincy - <http://chaplaincy.southwales.ac.uk/>

The Students' Union - <http://su.southwales.ac.uk/>

2.1.2 The Student Casework Unit provides authoritative, formal guidance on the applicability and operation of the Fitness to Practise Regulations.

2.2 Advice and support for staff

2.2.1 It is recognised that dealing with fitness to practise matters can cause pressure for staff. The Chaplaincy has considerable experience of dealing with sensitive matters and is available to offer formal and informal confidential advice and support.

3. Definitions of Fitness to Practise Concerns

3.1 Professional misconduct

The following is a non-exhaustive list of examples of behaviour and conduct which would constitute professional misconduct and thereby trigger an investigation of a student's fitness to practise. These apply to all aspects of a student's professional and personal life, including online activity and social networking:

3.1.1 Physical misconduct

- Punching;
- Kicking;
- Slapping;
- Biting;
- Pulling hair;
- Pushing/shoving.

3.1.2 Sexual misconduct

- Engaging, or attempting to engage in sexual intercourse or a sexual act without consent;
- Sharing private sexual materials of another person without consent;
- Kissing and/or touching inappropriately without consent;

- Inappropriately showing sexual organs to another person;
- Making unwanted remarks of a sexual nature;
- Failure to keep appropriate professional and sexual boundaries.

3.1.3 Abusive behaviour

- Threats to hurt another person;
- Engaging in any activity or behaviour which contravenes the University's Strategic Equality Plan or Dignity at Study/Dignity at Work policies, including acts of racial hatred, non-violent extremism, violent extremism and/or terrorism and abusive comments relating to an individual's sex, sexual orientation, religion or belief, race, pregnancy, marriage/civil partnership, gender reassignment, disability or age³⁵;
- Failure to respect clients as individuals and/or failure to protect the interests and dignity of clients irrespective of gender, age, race, pregnancy, ability, disability, sexuality, economic status, lifestyle, culture or of any other irrelevant distinction.
- Acting in an intimidating and hostile manner;
- Malicious or vexatious allegations against other members of the University community;
- Use of inappropriate language;
- Repeatedly following another person without good reason;
- Repeatedly contacting another person (by phone, email, text or on social networking sites) against the wishes of the other person (see also the University's Social Media Policy: <http://its.southwales.ac.uk/documents/download/6/>).

3.1.4 Damage to property

- Causing damage to University property or property of other students, staff or visitors.

3.1.5 Unauthorised taking or use of property

- Unauthorised entry onto or unauthorised use of University premises;
- Misuse of University property (for example computers and laboratory equipment) or fail to comply with IT regulations;
- Purchase or order goods on behalf of the University without due authorisation.

3.1.6 Causing a health or safety concern

- Act/omission that did cause or could have caused serious harm on University premises or during University activities (for example, disabling fire extinguishers or possessing/supplying controlled drugs) and including interfering with anything provided in the interests of Health and Safety at Work as detailed in the [Health and Safety Policy document](#);
- Act/omission that did cause or could have caused a health and safety concern on University premises or during University activities (for example, smoking cigarettes in non-designated areas);
- Carrying potential weapons, for example knives, whilst on a university campus.

³⁵ It is to be noted that incidents which appear to the victim or anyone else to be based on prejudice towards them because of their race, religion, sexual orientation, disability or transgender identity are known as hate incidents. When a hate incident is also a criminal offence it is known as a hate crime. Hate crime is not a specific criminal offence in itself, rather it denotes a criminal offence such as assault, harassment, sexual offences, criminal damage and hate mail, which is perceived to be motivated by hostility or prejudice based on race, religion, sexual orientation, disability or transgender identity.

3.1.7 Operational obstruction

- Acts/omissions/statements intended to deceive the University³⁶, including failure to advise the University of a criminal offence, including a caution or reprimand, as soon as possible after the arrest;
- Disruption of the activities of the University (including academic, administrative, sporting and social) on University premises or elsewhere;
- Disruption of the functions, duties or activities of any student or employee of the University or any authorised visitor to the University;
- Bribe or attempt to bribe a member of university staff;
- Improper interference with the activities of the University (including academic, administrative, sporting and social) on University premises or elsewhere;
- Improper interference with the functions, duties or activities of any student or employee of the University or any authorised visitor to the University;
- Fail to comply with the reasonable request of an authorised individual;
- Fail to give their name and address to an officer or employee of the University when reasonably requested to do so by such officer or employee in the course of their duties;
- Failure to rectify behaviour that has been subject to any disciplinary actions under the University's regulations;
- Falsification of documents, clinical, personal or academic records, data or research material;
- Acceptance of gifts, hospitality and other considerations or allowing any gift to influence the quality of care provided to the donor or to others.

3.1.8 Reputational damage

- Behaviour which has caused or could have caused damage to the reputation of the University.

3.2 Professional unsuitability

3.2.1 Professional unsuitability may be demonstrated in various ways. The following are common indicative examples:

a) Persistent, inappropriate attitude or behaviour which may be manifested by:

- failure to accept and follow advice from the University or placement provider;
- failure to follow recommended procedures/practices that may put other people, clients, students, staff at risk of harm;
- persistent lack of motivation or interest and/or non-participation in learning activities (e.g. practice placements, presentations, timetabled academic sessions, academic or pastoral tutorials, clinical skills sessions, direct client care);
- non-attendance at class, work placement or other relevant appointment;
- poor application to and failure to submit work;
- continuously failing required professional competencies/proficiencies.

b) Unprofessional behaviour which may be manifested by:

- misuse of the internet and social networking sites;

³⁶ Where an act is committed to gain admission to the University, e.g. falsification of qualifications, where no credit has been awarded, this will be considered through the admissions procedures. Where credit has been gained, the matter will be dealt with through the Student Conduct Regulations.

- failure to keep appropriate professional or sexual boundaries;
- breach of confidentiality;
- unlawful discrimination;
- persistent rudeness to people, colleagues or others;
- unsocial behaviour that adversely affects the proper operation of the professional practice context.

3.3 Health concerns

3.3.1 The University recognises that students may have, or may develop, health conditions that may impact on their fitness to practise. In most cases health conditions (including disabilities) will not raise concerns in relation to a student's fitness to practise. The University's inclusive practices and procedures are primarily designed to meet the needs of students with disabilities; further adjustments can also be made to ensure students are not disadvantaged due to a health condition/disability, taking into consideration any health and safety issues. Students may also be asked to adjust their practice to ensure they are able to study and work safely and effectively. Unfortunately, there may be circumstances when a student's fitness to practise is impaired and it is not possible to provide reasonable adjustments due to health and safety/other restrictions, which may make it impossible for a student to graduate with a professionally approved/accredited award, preventing them from entering further training, registering or obtaining further annotation/registration with the relevant professional body.

4. Advising Students of Professional Standards

- 4.1 Each faculty should ensure that its students are aware of the relevant professional standards and should also have its own internal arrangements to monitor and ensure the fitness to practise of students.
- 4.2 These arrangements will include:
- provision of a student contract which includes reference to the issue of fitness to practise;
 - provision of advice to students regarding standards of professional behaviour, e.g. as described in student handbooks and/or guidelines from appropriate professional bodies;
 - provision of appropriate induction sessions on professional conduct and fitness to practise and what it means;
 - provision of details of the relevant professional body requirements to students, including those relating to the student's eligibility to register and to the dean of faculty's obligation with regard to declaring them fit to practise;
 - provision of a copy of the Fitness to Practise Regulations and the Student Conduct Regulations;
 - a process for identifying alleged cases of unfitness to practise, for carrying out the requirements of these regulations and of any additional school requirements pertaining to the subject area.

5. Procedures for Dealing with Fitness to Practise Allegations

5.1 General principles

- 5.1.1 The procedures are designed to ensure that in taking action against a student the University acts fairly and consistently in relation to all students.
- 5.1.2 Allegations of misconduct submitted anonymously will not normally be considered.

- 5.1.3 The outcome of any fitness to practise hearing will be determined on the balance of probabilities³⁷, according to reasonable belief in the student's innocence or guilt.
- 5.1.4 The University will not disclose any information to third parties regarding investigations and outcomes from fitness to practise cases unless legal exceptions under the Data Protection Act apply.
- 5.1.5 In implementing these regulations, the University will ensure that the student is clearly informed of the case against them and is given a proper opportunity to reply to that case before any decision as to their fitness to practise is made.
- 5.1.6 The University Secretary has overall responsibility for the operation of the Fitness to Practise Regulations. The Associate Registrar (Student Casework) (or nominee) acts as a point of contact for advice on procedural matters. The Students' Union, Advice Zone or Student Services can provide advice and support to students involved in fitness to practise proceedings.
- 5.1.7 Students must comply with any penalty imposed by the University in respect of any previous breach of these regulations. If they do not a more serious penalty may be issued.
- 5.1.8 Repeated breaches of these regulations may be more serious than a single act and previous findings may be taken into account when determining penalties.

5.2 Investigating issues

- 5.2.1 An investigating officer will be appointed by the relevant dean of faculty (or nominee). The investigating officer will be from outside the school in which the student is based and will have no prior knowledge of the case.
- 5.2.2 The investigating officer will conduct an investigation of the allegations within 30 working days from referral from the Cause for Concern Panel. The timescale may be extended by agreement with the student who is the subject of the allegations or, in exceptional circumstances, by the University.
- 5.2.3 Any meetings with the student will be held on their campus unless, due to the nature of the allegations, this is inappropriate.
- 5.2.4 As part of the investigation, a student may be required to agree that a medical report is requested in respect of their medical condition by the investigating officer. The student will also be required to agree to the disclosure of any such report to the extent necessary for the proper conduct of the investigation and any subsequent proceedings. This requirement may extend to other reports, including reports from social workers, probation officers and the police. The University will bear any costs of such reports.
- 5.2.5 The investigating officer will prepare a report on the investigation that will be presented to the Cause for Concern Panel or Fitness to Practise Committee, as appropriate.
- 5.2.6 Where an investigation highlights the need for the Fitness to Practise Regulations to be accessed the nature and length of the investigation may require adjustment from the usual form, or may be suspended pending the outcome of investigations under the Fitness to Study Regulations.

³⁷ This means that the circumstances were more likely than not to have happened. This is a lower standard than 'beyond reasonable doubt'.

6. Precautionary Action for the Purpose of Investigation

6.1 *Withdrawal from placement*

- 6.1.1 A placement provider may withdraw a student from attending placement or area of practice learning, under its own procedures, and/or may seek advice from the University regarding withdrawal, if it asserts that the student is not fit to practise³⁸.
- 6.1.2 The course leader (or nominee) should normally be informed immediately of a withdrawal but where circumstances make this impossible the course leader (or nominee) must be informed within 2 working days.
- 6.1.3 The course leader may also instigate the withdrawal of a student from placement or area of practice learning. Such a withdrawal will be considered by the Cause for Concern Panel and the procedures detailed within these regulations will be followed.
- 6.1.4 If the student is on a Tier 4 visa, the course leader (or nominee) must inform the Head of Compliance, who will report the change in circumstances to UK Visas and Immigration (UKVI).
- 6.1.5 The case will be presented to the Cause for Concern Panel that may decide that:
- a) The student may continue with the taught element of their studies, pending the outcome of the placement provider's/University's internal investigation.
 - b) The case against the student is sufficiently serious to warrant precautionary action, in which case the procedures under section 6.2 should be followed.
- 6.1.6 The Cause for Concern Panel will decide whether to instigate the University's internal procedures. Where a case is to be investigated by the University, the procedures detailed within these regulations will be followed.

6.2 *Precautionary Actions*

- 6.2.1 Where an allegation is of sufficient seriousness, the Risk Assessment Panel or, due to the urgent or sensitive nature of the matter, the University Secretary, may approve a precautionary action until the hearing by a Fitness to Practise Committee takes place and a conclusion has been reached (please see Risk Assessment Procedures for further details). Precautionary action must be reasonable and proportionate. The following constitutes a non-exhaustive list of examples of precautionary actions:
- Temporary suspension of a student from their studies; this will be interpreted as exclusion from all University campuses and services, including residential accommodation. However, the student may visit the campus to access any support required in preparing a defence, e.g. from the Students' Union or Wellbeing Services, providing appointments have been made in advance through the Student Casework Unit.
 - Temporary suspension of a student from their placement or area of practice learning.
 - Temporary exclusion of a student from the campus, or certain areas of the campus (for example the Students' Union or halls of residence).
 - Suspension of a student's access to the University's IT facilities.
 - Imposing certain restrictions/conditions on the student (for example requiring the student to move accommodation and/or requiring the student not to contact specified individuals).

³⁸ See also the *Procedures for Placement and Work-Based Learning* <http://cpu.southwales.ac.uk/documents/download/121/>

6.3 Fitness to Practise Issue which is also a Criminal Offence

- 6.3.1 Where a fitness to practise issue is also a criminal offence the procedures under section 7 of the Student Conduct Regulations will be followed.
- 6.3.2 Driving offences will not normally be considered under the Student Conduct Regulations. However, a driving offence may be considered under the Fitness to Practise Regulations. In considering whether a driving offence calls into question a student's fitness to practise the following will be taken into account:
- Whether the offence occurred in the course of undertaking professional duties.
 - If it is a repeat offence.
 - Whether there are other circumstances connected with the offence.

7. Cause for Concern Panel

7.1 General principles

- 7.1.1 The Cause for Concern Panel is a faculty level group that considers alleged breaches of professional standards or conduct.
- 7.1.2 A cause for concern should be raised with the appropriate course leader, who will discuss the issue with the head of school. Evidence should be provided, where possible, to support the concerns raised.
- 7.1.3 Where it is considered that the concerns raised may be founded, the course leader/head of school will refer the case to the Cause for Concern Panel.
- 7.1.4 The secretary of the Cause for Concern Panel will write to the student informing them that the case has been referred, the date of the meeting and whether they will be required to attend.
- 7.1.5 The Cause for Concern Panel will be convened within 10 working days of referral of the case. This timescale may be extended by agreement with the student who is the subject of the concerns raised or, in exceptional circumstances, by the University.

7.2 Constitution of the Cause for Concern Panel

- 7.2.1 The Cause for Concern Panel is constituted as follows:
- Nominee of the Dean of Faculty (Chair);
 - Representatives from at least two of the subject areas that have a course that is governed by the Fitness to Practise Regulations;
 - Nominee of Dean of Faculty (Secretary).

The panel may have present a representative from the practice provider partnership who will attend in an advisory capacity (if appropriate).

The panel may wish to invite a member practising at a senior level in the student's profession in an advisory capacity.

7.3 Functions of the Cause for Concern Panel

- 7.3.1 The functions of the Cause for Concern Panel are:

- a) To share expertise and disseminate good practice.
- b) To consider cases of students, who are enrolled on a course leading directly to a professional qualification or further annotation/registration that gives the right to practise a particular profession, which are referred to the panel on either of the following grounds:
 - any conduct which may call into question a student's fitness to be admitted to and practise in that profession, including academic misconduct; or
 - any health problem which may call into question a student's fitness to be admitted to or obtain further annotation/registration and practise that profession.
- c) To consider the suspension of students from placement or area of practice learning.
- d) To monitor action plans put in place by the Cause for Concern Panel or other staff members of the faculty, either without investigation or as a result of an investigating officer's report.
- e) To establish, as far as possible, the facts of the case, decide whether there is a *prima facie* case and if a full investigation is required to determine if there is a case for referral to the Fitness to Practise Committee.

7.3.2 Following consideration of the case the panel may:

- a) Dismiss the case where the allegation is determined not to have any substance.
- b) Refer the case to be dealt with by other appropriate staff members of the faculty, e.g. personal tutor/course leader/head of school.
- c) Recommend that an action plan is put in place for the student.
- d) Recommend that the head of school issues an informal verbal or written warning. The warning will not appear on the student's record.
- e) Refer the case for a full investigation, following which a decision will be made on the most appropriate course of action, i.e. referral to a Fitness to Practise hearing or referral back to the Cause for Concern Panel, who will then make a decision on an outcome as detailed under a) to d) above.

7.3.3 The student may be asked to attend the Cause for Concern Panel meeting. This will be an informal meeting to discuss the concerns of the panel and determine whether the student can be supported by the faculty or whether formal procedures will need to be instigated. The student is allowed to be supported at the meeting, for example by a friend or a representative.

7.3.4 The outcome of the Cause for Concern Panel will be provided to the student within 5 working days of the meeting either verbally or in writing. Should the panel require further information in order to reach a decision the student will be informed of any delays.

7.3.5 Students who do not respond to the measures put in place by the Cause for Concern Panel may be subject to referral to the Fitness to Practise Committee that may impose a more severe penalty.

7.3.6 There is no opportunity to request a review of the decision of the Cause for Concern Panel.

8. Fitness to Practise Committee

8.1 General principles

- 8.1.1 The Fitness to Practise Committee is a formal, University level committee that considers alleged serious breaches of professional standards or conduct.
- 8.1.2 All serious breaches of the Fitness to Practise Regulations must be referred to the Fitness to Practise Committee.
- 8.1.3 The Fitness to Practise Committee hearing will be convened within 20 working days of submission of the investigating officer's report to the Student Casework Unit. This timescale may be extended by agreement with the student who is the subject of the allegations or, in exceptional circumstances, by the University.
- 8.1.4 The outcome of the hearing will be determined on the balance of probabilities³⁹, according to reasonable belief in the student's innocence or guilt.

8.2 Constitution of the Fitness to Practise Committee

8.2.1 The Fitness to Practise Committee is constituted as follows:

- One senior staff member of the Academic Board (Chair);
- One member drawn from the teaching staff of schools of the faculty which have fitness to practise requirements but who have had no involvement with the case and who have the required professional registration to meet professional body standards;
- The President of the Students' Union (or nominee).

The committee will have present an individual from outside the University but practising at a senior level in the student's profession in the capacity of an advisor. Nominations for this external advisor will be sought from appropriate practice providers (e.g. Local Health Board/Local Authority, Health and Care Professions Council).

The committee will be served by a secretary who is not a member but will be present throughout the proceedings. The secretary will be the Associate Registrar (Student Casework) (or nominee).

The members of the Fitness to Practise Committee will have had no previous involvement with the case or association with the student.

8.3 Functions of the Fitness to Practise Committee

8.3.1 The functions of the Fitness to Practise Committee are:

- a) To consider cases of students, who are enrolled on a course leading directly to a professional qualification or further annotation/registration that gives the right to practise a particular profession, which are referred on either of the following grounds:
- any conduct which may call into question a student's fitness to be admitted to and practise that profession, including academic misconduct, or
 - any health problem which may call into question a student's fitness to be admitted to or obtain further annotation/registration and practise that profession.

³⁹ This means that the circumstances were more likely than not to have happened. This is a lower standard than 'beyond reasonable doubt'.

- b) To hear appeals from students who have been refused confirmation of their declaration of good character and/or good health or similar.
- c) To consider reports from investigating officers.
- d) To establish, as far as possible, the facts of the case.

8.3.2 Following consideration of the case the committee may:

- a) Dismiss the case where the allegation is determined not to have any substance. Under these circumstances, the University will ensure, so far as possible, that the student has not been disadvantaged by any disciplinary action or suspension.
- b) Permit the student to continue with the course under close supervision and/or specified conditions.
- c) Issue a formal written warning. The formal written warning will be held on the student's file for a specified period and may be commented upon in any references provided.
- d) Issue a final written warning. The final written warning will be held on the student's file for a specified period and may be commented upon in any references provided.
- e) Suspend the studies of the student for a specified period of time.
- f) Require that the student's studies on a course leading to a professional qualification or further annotation/registration be terminated but the student is able to:
 - transfer their credit onto another course, subject to them having met any specified entry criteria and the course leader of the receiving course, in liaison with the faculty representative, having undertaken the appropriate mapping exercise. The student will be supported by the faculty in this process;
 - apply for admission as a new entrant through the normal procedures.

The student will not be able to transfer their credit onto certain courses, including those that lead to a professional qualification that is subject to the Fitness to Practise Regulations. This also applies to courses leading to further annotation/registration. The decision of the committee will be communicated to staff that require the information to make a decision on transfer/admission.

- g) Require that the student's studies on the course be terminated and that their enrolment as a student should cease.

8.3.3 If the decision of the committee is to suspend or terminate the studies of an international student on a Tier 4 visa the Head of Compliance must be informed immediately as these penalties are subject to Tier 4 visa regulations.

8.3.4 Where enrolment is allowed to continue on a course under specified conditions (see 8.3.2 b)) the Cause for Concern Panel will monitor progress and report any failure to meet the conditions to the secretary of the committee and, in the case of international students on a Tier 4 visa, the Head of Compliance.

8.3.5 Sanctions, other than suspension and expulsion, should only be imposed after the request for review period has expired.

8.3.6 Any repeated occurrences of a similar offence, or failure to comply with a penalty imposed by the Fitness to Practise Committee, may result in a more severe penalty.

8.4 Paperwork required for hearings

- 8.4.1 When a student is referred to a Fitness to Practise Committee hearing, the following information will be required:
- the student's personal statement;
 - the investigating officer's report, minutes of meetings and evidence gathered;
 - any additional written comments on the student's conduct and/or health, explaining why there is concern as to the student's fitness to practise;
 - factual information about the student's professional progress on the course;
 - Fitness to Practise Regulations;
 - the relevant professional body code of conduct or equivalent;
 - any other relevant documentation.
- 8.4.2 All documentation will be sent to the secretary of the Fitness to Practise Committee hearing.
- 8.4.3 The secretary will send to the student a copy of all documentation received and will notify both parties of the date of the hearing as soon as possible and in any event, not less than 10 working days before the hearing.
- 8.4.4 The student will be invited to set out their case in writing prior to the hearing. Copies of any relevant documentation should be enclosed, including testimonials from witnesses. These should be sent to the secretary not less than 5 working days before the hearing.
- 8.4.5 The student must also send the secretary details of any witnesses they are preparing to bring to the hearing in support of their case. The student is responsible for ensuring that any witnesses they wish to call are notified of the date, time and venue for the hearing.
- 8.4.6 It is the student's responsibility to provide any written material in support of their case. Written material, submitted by the student, will be circulated by the secretary at least 3 working days before the hearing.
- 8.4.7 The committee will only receive written material that has been made available to the student.
- 8.4.8 Any written communication to the student will be sent by e-mail and/or first class recorded post to the registered term-time address last supplied by the student. Such despatch will be deemed to be sufficient and complete discharge of the duty to inform the student. It is the student's responsibility to ensure that their current addresses are made known to the faculty concerned.

8.4 Attendance at hearings

- 8.5.1 The student will be required to attend the hearing of the Fitness to Practise Committee in person and may not send any other person on their behalf. Students will be provided with a date for their hearing. Should the student require a revised date the hearing will be rearranged once only. Students should inform the University at least 48 hours in advance of the original hearing if they require a revised date. Should a student not attend a hearing, it will take place in their absence; in that case, however, students are strongly advised to provide a written submission for the committee.
- 8.5.2 Members of staff and any other persons relevant to the case may be required to attend the hearing as witnesses if appropriate. The student will be informed of the names of witnesses prior to the hearing.
- 8.5.3 At the Fitness to Practise Committee hearing, the school's case will be presented by the investigating officer.

8.5.4 The student is allowed to be supported at the hearing, for example by a friend or a representative. At least 24 hours before the hearing, the student should advise the secretary of the name and status of the person accompanying them and the name of any witnesses. Although the University would not anticipate the attendance of a legal representative, the chair of the hearing may exercise discretion should the student indicate that they wish to bring someone with a legal background. Such a person would not be in attendance at the hearing in a legal capacity but as support for the student.

8.5.5 It is the student's responsibility to ensure that any witness(es) they wish to call attends the hearing.

8.6 Outcome of hearing

8.6.1 The outcome of the Fitness to Practise Committee will be provided to the student in writing within 5 working days of the hearing by email and/or first class post to the last known address of the student. Such dispatch will be deemed to be sufficient and complete discharge of the duty to inform the student. Should the committee require further information in order to reach a decision the student will be informed of any delays.

9. Request for Review

9.1 General principles

9.1.1 Students have the right to request a review of the penalty imposed by the Fitness to Practise Committee.

9.1.2 The request for review must be submitted to the Student Casework Unit on the correct form and should be received within 10 working days of the formal notification of the outcome of the Fitness to Practise Committee.

9.2 Grounds for review

9.2.1 A review can be requested under the following grounds:

- a) That new evidence or extenuating circumstances have become known that are relevant to the case, which the student **could not** have reasonably made known at the time of the original hearing. *(NB Sensitive personal, family or cultural reasons will not be accepted as good reason.)*
- b) That there were irregularities in the conduct of proceedings of such a significant nature as to cause reasonable doubt as to whether the committee would have reached the same decision had they not occurred.
- c) That the findings and recommendations of the panel were disproportionate.

9.2.2 It is the student's responsibility when requesting a review to demonstrate, on the balance of probabilities, that there is evidence to show that one or more of the grounds stated in section 9.2.1 applies.

9.3 Consideration of the request for review

9.3.1 If the University Secretary (or nominee), after considering the student's request for review, concludes that:

- a) the request for review was not submitted within the specified timescale;

- b) the request for review did not meet the grounds set out in section 9.2.1;
- c) the grounds for review were deemed to be vexatious or frivolous;

the request for review will be disallowed and the original decision will stand. The student will be issued with a Completion of Procedures Letter within 5 working days.

9.3.2 If the University Secretary (or nominee) considers that there are grounds for review, the case will be referred to a Review Panel.

9.3.3 The decision of the University Secretary (or nominee) will be communicated to the student within 5 working days of receipt of the request for review.

10. Review Panel

10.1 Timescales

10.1.1 The Review Panel hearing will be convened within 20 working days of the decision of the University Secretary to refer the case. This timescale may be extended by agreement with the student who is the subject of the allegations or, in exceptional circumstances, by the University.

10.2 Constitution of the Review Panel

10.2.1 A Review Panel is constituted as follows:

- Vice Chancellor (or nominee);
- Member of senior management.

In the case of a difference of opinion between the two members of a panel, the Vice-Chancellor (or nominee) will have the casting vote.

The panel may request that an individual from outside the University but practising at a senior level in the student's profession attends in the capacity of an advisor. Nomination for this external advisor will be sought from appropriate practice providers (e.g. Local Health Board/Local Authority, Health Professions Council).

The hearing will be served by a secretary who is not a member but will be present throughout the proceedings. The secretary will be the Associate Registrar (Student Casework) (or nominee).

The members of the Review Panel will have had no previous involvement with the case or association with the student.

10.3 Functions of the Review Panel

10.3.1 The Review Panel may decide that:

- a) The outcome of the Fitness to Practise Committee should be upheld.
- b) The outcome of the Fitness to Practise Committee should not be upheld.
- c) The Fitness to Practise Committee made procedural errors and/or errors of judgement and a new Fitness to Practise Committee should be convened to hear the case afresh.
- d) The outcome of the Fitness to Practise Committee was disproportionate and a more proportionate outcome should be substituted.

10.4 Paperwork required for hearings

10.4.1 The following paperwork will be provided to the Review Panel:

- Request for Review form and supporting evidence;
- student's statement;
- paperwork considered by the Fitness to Practise Committee;
- minutes of the hearing of the Fitness to Practise Committee;
- outcome letter to the student.

10.5 Attendance at hearings

10.5.1 The student will not be required to attend the hearing of the Review Panel.

10.6 Outcome of hearing

10.6.1 The decision of the panel shall be final and will be notified to the student within a period of 5 working days following the hearing by e-mail and/or first class post to the last known address of the student. Such despatch will be deemed to be sufficient and complete discharge of the duty to inform the student.

10.6.2 If the review is successful, the University will ensure, so far as possible, that the student has not been disadvantaged by any disciplinary action or suspension.

11. Informing Professional Bodies/Local Authorities

11.1 Certain professional bodies require the University to inform them as soon as an investigation is instigated under these regulations.

11.2 For all other professional bodies, once the University regulations have been completed the most senior registrant within the faculty will inform the relevant professional body/local authority of the outcome reached.

12. Office of the Independent Adjudicator

12.1 A student who is unhappy with the outcome of the Cause for Concern Panel or whose request for review is unsuccessful may, following issue of a Completion of Procedures letter, lodge a complaint with the Office of the Independent Adjudicator (OIA). Details of the OIA and the relevant information in relation to the Scheme can be accessed at www.oiahe.org.uk. Further information and advice can be obtained from the Student Casework Unit.

Appendix 1

Course	Accrediting/Regulatory Body
Nursing courses leading to registration	Nursing and Midwifery Council (NMC)
Midwifery courses leading to registration	
MSc/BSc Specialist Community Public Health Nursing (all pathways)	
MSc/BSc Community Health Studies (all pathways)	
Return to Practice	
PgCert in Learning and Teaching in Higher Education	
Practice Teacher Programme	
Prescribing V100 and V150	
Independent Prescribing	Nursing and Midwifery Council (NMC), Health and Care Professions Council (HCPC), General Pharmaceutical Council
Master of Chiropractic	General Chiropractic Council (GCC)
Postgraduate Diagnostic Clinical Ultrasound courses	Students pre-existing professional bodies
Social Work	Care Council for Wales (CCW)
BSc Childhood and Youth	Behaviour Analysis Certification Board (BACB)
MSc Behaviour Analysis and Therapy	
PG Cert and PG Dip Behaviour Analysis Supervised Practice	
BSc Systemic Counselling	British Association for Counselling and Psychotherapy (BACP)
MSc Systemic Counselling	D No accreditation
MSc Systemic Psychotherapy	The Association for Family Therapy and Systemic Practice (AFT)
PgD Systemic Practice in Psychotherapy	The Association for Family Therapy and Systemic Practice (AFT)
MA/PGDip Integrative Counselling and Psychotherapy	British Association for Counselling & Psychotherapy (BACP) Dip level
MSc/PGDip Cognitive Behavioural Psychotherapy	
MSc Play Therapy	British Association of Play Therapists (BAPT)
MA Art Psychotherapy	Health and Care Professions Council (HCPC)
MA Music Therapy	
Postgraduate Certificate in Counselling Skills	Entry requirement for MA Integrative Counselling and Psychotherapy and MSc Cognitive Behavioural Psychotherapy - British Association for Counselling and Psychotherapy

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Teaching courses with QTS	Education Workforce Council (Wales)
PcET Professional Certificate in Education (PcET) PcET Professional Certificate in Education (Adult Literacy and Communication) PcET Professional Certificate in Education (Adult Numeracy and Maths) PcET Professional Certificate in Education (ESOL)	Education Workforce Council (Wales)
PcET Professional Graduate Certificate in Education (PcET) PcET Professional Graduate Certificate in Education (Adult Literacy and Communication) PcET Professional Graduate Certificate in Education (Adult Numeracy and Maths) PcET Professional Graduate Certificate in Education (ESOL)	Education Workforce Council (Wales)
PcET Advanced Certificate in Teaching (Adult Literacy and Communication) PcET Advanced Certificate in Teaching (Adult Numeracy and Maths) PcET Advanced Certificate in Teaching (ESOL)	Education Workforce Council (Wales)
PcET University Higher Certificate: Adult Literacy and Communication PcET University Higher Certificate (Adult Numeracy and Maths) PcET University Higher Certificate (ESOL)	Education Workforce Council (Wales)
BA (Hons) Youth and Community Work	Professional endorsement by Education and Training Standards Committee Wales
BA (Hons) Youth and Community Work (Youth Justice)	Professional endorsement by Education and Training Standards Committee Wales
MA/PgD Working for Children and Young People (Youth Work Initial Qualifying Youth)	Professional endorsement by Education and Training Standards Committee Wales
MA/PgD Counselling Children and Young People	Seeking CPD accreditation; aligned with BACP curricula
MA/PgD Consultative Supervision	Seeking CPD accreditation; aligned with BACP curricula

Appendix 2

Procedure for reporting concerns regarding post-registration students on courses not leading to further annotation/registration

This procedure should be used where the Fitness to Practise Regulations cannot be applied as the student is post-registration and not on a course which leads to further annotation/registration, but they have either committed an act of misconduct or members of staff have concerns about their actions or behaviour.

Procedure

1. If a member of staff has concerns regarding the actions or behaviour of a registered student they should report these to their head of school.
2. Any suspected misconduct should be reported following the discussions above. An Allegation of Misconduct Form should be completed and sent to the Student Casework Unit. The circumstances will then be investigated using the Student Conduct Regulations.
3. Once an outcome has been reached, either at faculty level or at university level the most senior registrant within the faculty will report the outcome to the relevant statutory/professional body. Where appropriate, the student's employer will also be informed.



FITNESS TO STUDY REGULATIONS 2018/2019

Title: Fitness to Study Regulations					
Version	Issue Date	Revision Description	Author	Approved By & Date	Next Review Date
1.0	September 2016	First Issue	Siobhan Coakley	Board of Governors 4 July 2016	June 2018
2.0	September 2018	Second Issue	Siobhan Coakley	Board of Governors 3 July 2018	June 2019

1. Introduction

- 1.2 The University's regulations for fitness to study apply to:
- Students studying at the University, at the University's Dubai Campus and University of South Wales courses through distance delivery.
(NB In relation to the Dubai Campus, the roles and responsibilities defined in these regulations have been allocated to staff as outlined in Appendix 2.)
 - Students studying university courses at the University's partner institutions.
 - Students studying on work placements or engaged in work-based learning.
- 1.2 The University is committed to supporting its students and recognises the importance of a student's health and wellbeing in relation to his/her academic progress and student experience. The University seeks to provide an environment that is safe and conducive to study so that students can fulfil their potential while at university.
- 1.3 The University recognises the need to respond appropriately to situations where visible signs of illness, mental health difficulties, psychological, personality or emotional state may have a profoundly disruptive impact on the functioning of individual students and on the wellbeing of others around them. This may also include signs of radicalisation.
- 1.4 The University has a duty under the Counter-Terrorism and Security Act 2015 to prevent students from being drawn into non-violent extremism, violent extremism and/or terrorism and to ensure they are being given appropriate advice and support. If a member of staff or a student has reasonable grounds for concern that a student is being drawn into, or is drawing others into, activities which may lead to acts of non-violent extremism, violent extremism and/or terrorism they should raise the matter with the designated associate head of school (or equivalent) in the first instance. (See the University's Prevent Protocol).
- 1.5 The University is committed to maintaining students' wellbeing and to promoting positive attitudes towards students with disabilities and wherever possible making arrangements to ensure that they are not placed at a disadvantage. **These regulations outline the procedures and support available to both staff and students when a student becomes unwell and/or presents a risk to self and/or others.** There is also a [Student Mental Health Policy](#)⁴⁰ which exists to formalise a consistent non-discriminatory and supportive approach to mental and emotional wellbeing within the University of South Wales.
- 1.6 In order to maintain and enhance the University community, students need to conform to certain standards of behaviour, and the University has Student Conduct Regulations in place to deal with students whose behaviour falls outside these standards. In addition, students who are resident in University accommodation are subject to the Regulations for Misconduct in University Halls of Residence. However, it is recognised that the cause of misconduct may include issues relating to a student's health and general well-being, where disciplinary action may not always be appropriate and would therefore fall within the remit of these regulations.
- 1.7 The term "fitness to study" as used in these regulations relates to the entire student experience, and not just a student's ability to engage with their studies. For example, unless it is informed otherwise, the University expects its students to be able to live independently and in harmony with others, and not conduct themselves in a way which has an adverse impact on those around them. These regulations are not designed to be used to address academic performance issues, issues relating to attendance, issues relating to professional competence or individual extenuating circumstances. However, where the medical evidence provided to an extenuating circumstances panel raises

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concerns about a student's fitness to study the panel can refer the student's case for consideration under the Fitness to Study Regulations.

- 1.8 The University has a responsibility to respond promptly to situations where there are substantial concerns relating to a student's pattern of conduct and behaviour where these impact upon the individual student's fitness to study and/or other members of the University community.
- 1.9 It is important to establish that the cause of concerns arising from a student's pattern of conduct and behaviour may relate to the manifestation of a diagnosed (or as yet undiagnosed) illness or with behaviours deemed to be consistent with illness, disability or radicalisation. It is also important, where an illness or behaviour is involved, that decisions are based on evidence and assumptions about an illness or behaviour are avoided. Such assumptions may give rise to instances of direct unlawful discrimination on the grounds of a student's disability, culture or potential illness. The University is committed to combating disability discrimination and promoting equality.
- 1.10 When such concerns are present, the University recognises that the student may benefit from the University's direct intervention and support and that in some circumstances the University would have a legal duty under equality legislation to make reasonable adjustments to avoid any disadvantage that the student may suffer.
- 1.11 These regulations are intended to:
- Manage and support rather than punish student behaviour that causes significant concern.
 - Provide a framework to ensure a consistent and sensitive approach.
 - Provide a co-ordinated approach to the management of a situation where it is apparent that a student's mental and/or physical functioning may prevent him/her from gaining benefit from the educational and social provision at a particular time, or is adversely affecting the student experience of others, or has extended beyond the general and specialist support that exists within the University.
 - Ensure that all decisions are supported by appropriate evidence, including medical evidence and after input from the affected parties and the student in particular, who should be consulted before any decision is taken.
 - Signpost areas of support for staff and ensure the student is appraised of all avenues for support and in particular the Disability and Dyslexia Service and Health, Counselling and Wellbeing Service.
 - Enable consideration to be given to whether a student should be required to suspend their studies temporarily, where there is clear justification for such an action. Compulsory suspension should not be seen or used as a punishment.
 - Support staff in signposting a student-facing link in cases where a student's behaviour significantly changes, which could be as a result of radicalisation or abuse.
- 1.12 It is recognised that dealing with fitness to study cases can bring a different kind of pressure on staff and students alike. The Chaplaincy has considerable experience of dealing with sensitive matters relating to staff and students and is available to offer formal and informal confidential advice and support as requested.
- 1.13 The University may invoke its general and/or other regulations and disciplinary procedures in those cases where behaviour which causes concern is in contravention of the Student Conduct Regulations and where the alleged conduct appears to be unconnected with a person's condition or disability. This is also the case where, despite the conduct being related to a disability, given the seriousness of the alleged conduct, or the obstacles towards progress, or where a student fails to respond to supportive measures, the circumstances indicate that further support measures are inappropriate or unlikely to succeed.
- 1.14 These regulations apply to student conduct on University premises, during study/research activities

off-site (e.g. field work or placements) and to any other situation where conduct is brought to the attention of the University.

- 1.15 The procedures for dealing with cases of Fitness to Study detailed in section 5 below has three levels. Depending upon the perceived severity of the situation and seriousness of any perceived risks, *action may be initiated at any of the three levels.*

2. Data Protection Issues

All University staff are governed by the requirements of the UK's data protection laws. Under this act, all data relating to a person's physical or mental health is regarded as sensitive, personal data. The University's policy on data protection⁴¹ contains guidance on the use of sensitive information. Further advice on this can be sought from the University's Information Compliance Officer.

3. Confidentiality

A student's personal and sensitive personal data may be disclosed as appropriate where a member of staff considers that there are legitimate reasons under the UK's data protection laws for doing so, unless a student explicitly requests that this does not happen. Further advice on this can be sought from the University's Information Compliance Officer.

4. Crisis Situations

- 4.1 Crisis situations are rare. However, it is possible that a student may pose such an extreme risk to themselves and/or others that they require emergency assistance.

Examples of emergencies requiring immediate action are:

- A student who discloses that they have taken a large overdose. This is a severe, self-inflicted injury that needs medical attention.
- A student whose behaviour is putting them or others at serious, immediate risk. The student may or may not understand the risk involved.
- A student who expresses the view that life is not worth living is at risk. Some students might take a small overdose as a "cry for help" (para suicide).

- 4.2 Where a member of staff detects or recognises concerns such as suicide ideation (e.g. comments about taking one's own life) advice should be sought from Wellbeing Services.

If based on Treforest, Glyntaff or Cardiff campuses the University emergency number is (9) 999 for emergency services, with an additional call to the security lodge to inform them that the emergency services are on route. If calling the security lodge from a mobile dial 01443 4 (82057) for Treforest; 01443 4 (83165) for Glyntaff; 01443 6 (68543) for Cardiff.

To call the emergency services from Newport City campus dial 55555.

The University's Security Office on the appropriate campus should be informed that emergency services have been called and location details given.

If based on the Dubai Campus the number of the ambulance service is 998/999. The number for the

⁴¹ University of South Wales Data Protection Policy

<http://uso.southwales.ac.uk/ig/dp/>

police is also 999.

- 4.3 A student's personal and sensitive personal data may be disclosed as appropriate where a member of staff considers that there are legitimate reasons under the UK's data protection laws for doing so, unless a student explicitly requests that this does not happen
- 4.4 The Manager of Health, Counselling and Wellbeing Services should be notified at the earliest possible opportunity. If the student is violent or refuses to cooperate, staff should not put themselves at risk but should inform the emergency services, who may also contact the police.
- 4.5 The Manager of Health, Counselling and Wellbeing Services will ensure that contact is made with the student and the student's dean of faculty (or nominee)/head of school and that appropriate arrangements are made with regard to academic matters. It is possible that the student will need to suspend their studies and/or be suspended from the University's campuses.

5. The Procedure - Level 1: Emerging Concerns/Informal Intervention

- 5.1 A student's fitness to study may be brought into question for many reasons and in a wide range of circumstances. These include (but are not restricted to) the following:
- Serious concerns about the student are raised by a third party (i.e. house-mate, friend, colleague, placement provider, member of the public, medical professional etc) which indicate that there is a need to question the student's fitness to study.
 - The student has told a member of the University that they have a problem and/or provided information which indicates that there is a need to question their fitness to study.
 - The student's current behaviour is such that it indicates that there may be a condition which is having a significant adverse impact on their health or which causes them to have difficulty making adjustments of a reasonable nature that may indicate a need to address an underlying mental health problem, for example if they have demonstrated moods swings; shown signs of serious depression; become withdrawn.
 - The student exhibits behaviour, which would otherwise be dealt with as a disciplinary matter, but which it is considered may be the result of an underlying physical or mental health problem.
 - The student's academic performance or physical behaviour is not acceptable and this is thought to be the result of an underlying physical or mental health problem.
- 5.2 In the first instance, concerns about a student's conduct should normally be raised at local level i.e. within the student's school through the student support and pastoral arrangements that apply or, if the behaviour is exhibited in University-owned or managed accommodation, through the Resident Tutor Service or Accommodation Service. Responsibility for applying the level 1 procedure lies with the appropriate associate head of school/Advice Zone Team Leader who must be informed as soon as concerns are raised about an individual student. The Chaplaincy offers a broad, confidential and non-judgemental pastoral support and advice service in such circumstances and is available to support both staff and students.
- 5.3 The associate head of school/Advice Zone Team Leader will arrange a meeting with the student as soon as is practicable. (S)he should ensure that advice is sought from the University Health, Counselling and Wellbeing Service and/or the Disability and Dyslexia Service prior to the meeting. While the meeting is intended to be informal and supportive in nature and to encourage open discussion, a note of the meeting, which can be agreed with the student, will be taken by an administrative member of staff.
- 5.4 The meeting will be a fact-finding and non-confrontational discussion of the concerns regarding the student's fitness to study. The associate head of school/Advice Zone Team Leader will:

- outline their concerns and provide examples where appropriate;
 - explain the impact on the student and others; and
 - remind the student of their responsibility to be fit to study and the University's duty of care.
- 5.5 The nature of the discussion will determine possible outcomes. It may be appropriate in some circumstances for the associate head of school/Advice Zone Team Leader to encourage the student to seek support from one of the following in order to try to resolve any problems they may have:
- the University's Health, Counselling and Wellbeing Service;
 - the University Disability and Dyslexia Service;
 - the Chaplaincy;
 - their GP or another external service.
- 5.6 If the student agrees that they should see any of the first three services listed above, a Referral Form (see Appendix 2 and also obtainable on The Hub for Staff, "[How to refer students causing significant concern](#)")⁴² should be completed and signed by the associate head of school/Advice Zone Team Leader and the student. The student will be requested to make an appointment with the relevant service within 2 weeks of the meeting at the latest. The student will be given the referral form and told to take it with them to the referral appointment.
- 5.7 The associate head of school/Advice Zone Team Leader will also send a copy of the referral form to the manager of the relevant service with a request that the associate head of school/Advice Zone Team Leader be notified if the student has not engaged with the relevant service within 2 weeks of the referral. This will be made clear to the student when filling in the form.
- 5.8 Where it is clear from the meeting that the situation is so serious and that the student is unable to cooperate with this informal procedure and/or the associate head of school/Advice Zone Team Leader considers that it is inappropriate to wait for a meeting to be arranged with any of the services noted in 5.5, the associate head of school/Advice Zone Team Leader will inform the student that the case is being referred to level 2 of the procedure. The associate head of school/Advice Zone Team Leader will then ensure that arrangements are made for the student to meet as quickly as possible with the relevant head of school and the Manager of Health, Counselling and Wellbeing Service (or nominee), in line with the procedure set out in section 6.
- 5.9 If the discussion with the student suggests that the student is not in need of the support of any of the above services, the associate head of school/Advice Zone Team Leader may consider that all that is required is action such as encouraging the student to:
- complete any required assessments;
 - ensure they are attending their classes regularly;
 - consider whether they should apply for extenuating circumstances if the issues arising are having an impact on assessments which the student is due to take.
- 5.10 Where the student declares a physical or mental health condition which they have not previously notified the University of, the associate head of school/Advice Zone Team Leader must clarify with the student what action the student wishes the University to take in relation to the disclosure i.e. do they require support, in which case they need to register with the Disability and Dyslexia Service. If the student indicates that they do not want any support, they should sign a declaration to that effect.

⁴² How to ... refer students causing significant concern:
<https://thehub.southwales.ac.uk/Interact/Pages/Content/Document.aspx?id=1311>

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- 5.11 The associate head of school/Advice Zone Team Leader will, prior to the end of the meeting, arrange a further meeting with the student within a period of not more than one month to review the situation and ensure that the issues discussed have been resolved or that satisfactory progress is being made.
- 5.12 The associate head of school/Advice Zone Team Leader will ensure that the student is provided with a written record of the agreed outcomes of the meeting, including a proposed action plan, within 5 working days of the meeting.
- 5.13 At the review meeting all key points from the initial meeting should be addressed and notes made by an administrative member of staff which will document one of the following:
- Whether the concerns about a student's fitness to study have been significantly reduced and/or eliminated so that no further action is required. In this case, mention should be made of the possibility that the level 2 procedure may need to be invoked if the situation arises again in the future.
 - Whether the informal intervention has been unsuccessful and it has been concluded that the case has now become too serious to be addressed informally. In this situation level 2 of the procedure should be invoked.
- 5.14 The notes of the review meeting will be forwarded to the student within 5 working days of the meeting. A copy will be held on the student's personal file.

6. The Procedure - Level 2: Continuing or Serious Concerns/Formal Intervention

- 6.1 Level 2 is a formal intervention to be used when level 1 has not been successful or the student's conduct/circumstances indicates that intervention beyond the less informal procedure provided by level 1 is required. Level 2 should only be initiated by the head of school or above. The advice of the Manager of Health, Counselling and Wellbeing Services will be sought prior to commencing the procedure.
- 6.2 The head of school, Advice Zone Team Leader and, where appropriate, the Manager of Health, Counselling and Wellbeing Service (or nominee), will arrange to meet with the student within 5 working days of issues being raised. The student will be given written notice of the meeting, with the letter informing the student of the concerns about their fitness to study. Due notice of the meeting will be considered to have been given on sending the notice to the student's University email account. Additionally, notification may be sent by the most appropriate postal route to the student's last recorded address. *For clarity: the need for notice of a formal meeting does not preclude communication with the student at the time of any specific incident.* If appropriate, the student will be encouraged to provide detailed information, including medical evidence.
- 6.3 The student will be informed that they are entitled to bring a friend or representative from the Students' Union to the meeting. The student should advise the University of the name and status of the person accompanying them at least 24 hours before the case conference. Although the University would not anticipate the attendance of a legal representative, the chair of the meeting may exercise discretion should the student indicate that they wish to bring someone with a legal background.
- 6.4 At the meeting, the student will be informed of the reasons for the concern about their fitness to study, including detailed examples of incidents/events/inappropriate behaviour, etc if appropriate. The student will be given the opportunity to ask questions and to respond to the issues raised. It is important at this stage to establish the student's perception of the situation and how this is impacting on them, their studies and others. Notes of the meeting will be made by an administrative member of staff.

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- 6.5 The nature of the discussion will determine possible outcomes. If necessary a decision may need to be deferred to allow for evidence to be gathered. In appropriate cases this may involve a referral for a medical examination or witness statements of any particular events.
- 6.6 Where appropriate, the head of school, Advice Zone Team Leader and Manager of Health, Counselling and Wellbeing Service (or nominee) will offer appropriate supportive outcomes. Outcomes may include one or more of the following:
- that no further action is necessary;
 - that an action plan, with a review date (normally within 1 month), must be agreed with the student;
 - that, there should be an adjustment of mode of study, subject to the student's consent (e.g. part-time hours of study);
 - that, subject to the student's consent, there should be an interruption from the course (i.e. suspension of studies). Where this is the case, the student will be supported on return to the University (see section 10);
 - that there should be a referral to level 3 of the procedure;
 - that there should be a referral to other University regulations/procedures (e.g. Student Conduct Regulations, Regulations for Misconduct in University Halls of Residence, Fitness to Practise Regulations), as appropriate;
 - other actions intended to support the student to successful completion of their studies.
- 6.7 If the student does not agree to the supportive proposed outcome, the student will be advised that the case will be referred to the level 3 procedure set out in section 7.
- 6.8 If the student does not attend the meeting or engage in the process, the head of school, Advice Zone Team Leader and the Manager of the Health, Counselling and Wellbeing Service (or nominee) will still meet and consider the case. They will decide whether it is appropriate to offer the student an alternative meeting in the next day or so or decide on the immediate action that now needs to be taken (see section 6.6).
- 6.9 Where the student has not provided the evidence which they were requested to bring to the meeting, the meeting will still be held.
- 6.10 The head of school will ensure that the student is provided with a written record of the agreed outcomes of the meeting, including any proposed action plan, within 5 working days of the meeting.
- 6.11 If there is a review meeting all key points from the initial meeting should be addressed and notes made by an administrative member of staff which will document one of the following:
- Whether the concerns about a student's fitness to study have been significantly reduced and/or eliminated so that no further action is required. In this case, mention should be made of the possibility that the level 3 procedure may need to be invoked if the situation arises again in the future.
 - Whether the informal intervention has been unsuccessful and it has been concluded that the case has now become too serious to be addressed informally. In this situation level 3 of the procedure should be invoked.
- 6.12 The notes of the review meeting will be forwarded to the student within 5 working days of the meeting. A copy will be held on the student's personal file.

7. The Procedure - Level 3: Significant or Persistent Concerns/Final Formal Intervention

- 7.1 This consists of a case conference to consider why resolution has not been achieved at levels 1 and 2 and whether or not a suspension of studies is appropriate to help address the difficulties being experienced. This stage can also be triggered by the seriousness of the concerns, without first following the level 1 and level 2 procedures.
- 7.2 A case conference will be convened and chaired by the Executive Director, Campuses and Student Services (or a director if the Executive Director is unavailable), supported by the dean of faculty (or nominee) and the Advice Zone Team Leader and will also include key academic and support staff who have direct experience of the student and relevant staff from central departments involved in the case supported. This could include the Chaplaincy either as a body informally involved with the case or as a non-involved but informed and experienced observer and advisor. A note-taker will make a record of the meeting.
- 7.3 The student will be informed of the meeting and will be invited to attend and to submit a written statement. Due notice of the case conference will be considered to have been given on sending the notice to the student's University email account. Additionally, notification may be sent by the most appropriate postal route to the student's last recorded address.
- 7.4 The student is entitled to bring a friend or representative from the Students' Union to the case conference. The student should advise the University of the name and status of the person accompanying them at least 24 hours before the case conference. Although the University would not anticipate the attendance of a legal representative, the chair of the case conference may exercise discretion should the student indicate that they wish to bring someone with a legal background.
- 7.5 In advance of the case conference copies of all relevant pieces of evidence will be provided to the student or the person supporting them, in an appropriate format and, where appropriate, documents may be anonymised. The student will normally be consulted about an appropriate time for the conference but if this is not possible they will be given at least 5 working days' written notice of the date of the meeting, unless circumstances are such that a shorter period of notice is required.
- 7.6 The chair of the case conference should set out the situation to the student, including the evidence which is being considered. The student will then be given the opportunity to present their side of the case and their supporter may also speak for them. Where previous interventions have taken place under levels 1 and/or 2 of this procedure, reference should be made to them at the case conference.
- 7.7 Others present at the meeting will be invited to ask any questions or raise any issues which they consider are relevant to the deliberations.
- 7.8 Prior to moving to the stage of reaching a decision about the case, the chair must be satisfied that the conference has obtained and reviewed all possible relevant medical guidance about the student's condition to ensure that all possible alternatives for resolving the situation have been explored. Where it is concluded that there is further medical evidence that needs to be obtained, the case conference will be adjourned to allow for further investigation.
- 7.9 Having heard both sides of the case and having ensured that all issues have been aired, the chair will ask the student and their supporter to withdraw while the matter is being considered.
- 7.10 The chair will then outline the following options for action which need to be considered:
- disciplinary action;
 - implementing additional support strategies to overcome the student's problems;
 - a change of mode of study;
 - temporary suspension of studies;

- suspension from the University's campuses;
- discontinuation of the student's studies.

- 7.11 All those present at the case conference will be permitted to express their views, but the ultimate decision on the action to be taken will be that which the chair and the dean of faculty (or nominee) consider the most appropriate in the circumstances.
- 7.12 A decision may also need to be made on whether the student's nominated emergency contact should be informed of the situation (unless this has already been done) and the outcome of the case conference. Where appropriate, the emergency contact may be offered the support of the Chaplaincy with regard to assistance in understanding the issues and defusing any potential conflict.
- 7.13 In considering the actions which will be taken, the chair will take into account the University's duty to students in general and to any staff involved with the student.
- 7.14 In cases where it has become apparent that an individual student's present support needs are beyond that which the University can reasonably provide, a decision will be made by the chair that the student will suspend temporarily from their studies at the University for a specific period, subject to review on a specified date. The exclusion and the review period will be determined by reference to medical opinion on possible recovery, treatment or rest times.
- 7.15 The chair of the case conference is responsible for arranging a meeting with the student to communicate the agreed course of action. The meeting will take place within 5 working days of the case conference at which time the student may again bring a nominated person of their choice. The student should advise the University of the name and status of the person accompanying them at least 24 hours before the meeting. Although the University would not anticipate the attendance of a legal representative, the chair of the case conference may exercise discretion should the student indicate that they wish to bring someone with a legal background.
- 7.16 A record of the key points of the case conference will be made and circulated to all present. The recording of information is underlined by the concept of 'latent duty', where it can be necessary to have evidence of what action has been taken in respect of supporting a student when a disability has been declared.
- 7.17 If the outcome of the case conference is that the student's studies are suspended, the chair of the case conference will temporarily suspend the student with immediate effect. The full details of the impact of the suspension will be provided to the student. For students on a Tier 4 visa please see section 9. The chair will then inform the student in writing of the decision in regards to the suspension, ensuring that the full details of the impact of the suspension are included. In cases of suspension, the Advice Zone Team Leader will be responsible for informing the head of school; course leader; Director of Chaplaincy Services; Student Casework Unit; campus administration team; Head of Compliance⁴³ and security. The student will be informed of the 'Return to Study' procedure (see section 10).
- 7.18 It will be made clear to the student by the chair that this procedure is quite separate from the University's Student Conduct Regulations.
- 7.19 In implementing the suspension of studies, the student will be assisted by the Advice Zone and Wellbeing Services to ensure that their absence is appropriately managed, documented and notified to the relevant external agencies.

⁴³ Only where the case involves an international student on a Tier 4 visa

- A
- 7.20 If a student is discontinued, they will not be able to re-apply to the University for a minimum period of 12 months. Following this period, in order to be reconsidered for further study at the University of South Wales, the student will be required to re-apply to the University and provide appropriate evidence of their fitness to return to study. In managing the student's return to study, sections 10.5 – 10.8 of these regulations will apply.

8. Student Unable/Unwilling to Attend

- 8.1 In the event that the student feels unable to attend the case conference as arranged, the University will make every reasonable effort to enable them to do so, for example by moving the meeting to a time or location with which the student feels comfortable.
- 8.2 Alternatively, the student may ask the case conference panel to consider the case in their absence on the basis of written reports which may include a written statement from the student or his/her representative.
- 8.3 If, despite the University's best endeavours, the student feels unable/unwilling to attend a case conference, the meeting may take place in their absence with the outcome communicated to the student or the case may be referred to the next level of the procedures.

9. International Students

Whilst the Fitness to Study Regulations apply to all students, there will need to be special consideration when concern is raised regarding international students who are studying under a student visa.

9.1 UK campuses

- 9.1.1 Full-time attendance is a requirement for the student's continued eligibility to remain in the UK on their Tier 4 visa, and the University, in compliance with its sponsorship responsibilities, would report to UK Visas and Immigration (UKVI) any student no longer able to study full-time. However, it should be considered that if a student could successfully continue to study by taking reduced credits (in line with relevant University policy) and that the University would still be able to monitor them fully and appropriately throughout their studies, they could still be considered as studying full time for UKVI purposes.
- 9.1.2 The chair of the case conference, working in partnership with the Head of Compliance and the Immigration and Student Advice team, will conduct a review of the case if suspension or discontinuation is required.
- 9.1.3 The student should be signposted to the Immigration and Student Advice team for information on the impact of the suspension or discontinuation on their Tier 4 visa.

9.2 Dubai Campus

Full-time attendance is a requirement for the student's continued eligibility to remain in the United Arab Emirates (UAE) on their student visa, and the University, in compliance with its sponsorship responsibilities, would report to the Department of Naturalisation and Residency Dubai, (DNRD), any student no longer able to study full-time. However, it should be considered that if a student could successfully continue to study by taking reduced credits (in line with relevant University policy) and that the University would still be able to monitor them fully and appropriately throughout their studies, they could still be considered as studying full time for student visa purposes

10. Suspension and Return to Study

- 10.1 This section applies to a student who has been suspended from studies and/or from University campuses as a result of a decision under the Fitness to Study Regulations. Where a suspension from studies is necessary, this will need to be sufficient to allow the student to make appropriate arrangements and could be for the remainder of the student's academic year.
- 10.2 Upon the review date set, which will normally be prior to commencement of the following academic year, the student will be contacted by the relevant associate head of school/Advice Zone Team Leader who initially dealt with the student to arrange a review meeting with relevant academic staff, head of school, relevant Wellbeing Service staff and the campus administration manager to consider whether it is appropriate for the student to return to their studies at the end of the suspension period. Unless the student advises that they do not wish to return, a meeting will be arranged and the student will be referred for medical assessment (see Appendix 5). This is in order to ascertain fitness to study and ensure any appropriate support mechanisms can be put in place.
- 10.3 The academic manager and the Advice Zone Team Leader, working in partnership with relevant Wellbeing Service staff, will conduct a review of the documentary evidence of the student's mental and/or physical wellbeing and contextualise such evidence within the demands of the course.
- 10.4 Exceptionally, a further suspension will be arranged where this appears to still be justified by the evidence. The University retains the right to extend a period of suspension where a student may be fit to study but there are other issues that impact on their ability to return to study. In considering the duration of any suspension and the most appropriate time for the student to return to study, due account will need to be taken of any altered structure of the course and of the ability of the University to support the student.
- 10.5 Where it is concluded that the student is now fit to return to study, relevant Wellbeing Service staff will provide assistance with drawing up a 'Return to Study Plan' in consultation with the student and key academic staff. This should address the specific study-related support needs of the student in returning to education; the support which is reasonably required in the short term; involvement of and liaison with relevant external agencies; any longer term support or adjustments that are reasonably required and any conditions that might or should apply to provision. To ensure that the conduct and behaviour of the student is monitored on an ongoing basis, the Return to Study Plan will also include a timetable for review meetings between the academic manager, Advice Zone Team Leader and the student.
- 10.6 Any return to study will be subject to the student's co-operation with this process. The student will be required to sign the Return to Study Plan confirming their full adherence to all agreements made. If the student refuses to sign the Return to Study Plan the case will be referred to be dealt with under the relevant University regulations, such as the Student Conduct Regulations.
- 10.7 Other members of staff within Wellbeing Services, the Chaplaincy and the student's school will be available to provide advice and support to facilitate the student's transition back onto the course, particularly in relation to any reasonable adjustments that might be required.
- 10.8 Staff within Wellbeing Services will provide advice and support to staff dealing with such cases if it is required.

11. Appeal

- 11.1 A student will have the right to appeal against a level 3 fitness to study outcome or the decision that they cannot return to study following a suspension on the grounds of fitness to study. In either case, the fitness to study appeal should be lodged within 10 working days of the decision having been communicated to the student. The appeal should be made in writing and submitted to the Associate Registrar: Student Casework.
- 11.2 A student's suspension from their studies and/or the University campuses will remain in place pending the outcome of the Appeals Panel.
- 11.3 An appeal may only be submitted on one or more of the following grounds:
- that fresh material evidence is available, which it was not possible for the student to make available prior to the decision being made;
 - there has been a procedural irregularity in the way that the process leading to the suspension/withdrawal on the grounds of fitness to study has been conducted;
 - the student has clear evidence of bias or prejudice in the way that the procedure was implemented.
- 11.4 The appeal against a fitness to study outcome must set out clearly the grounds on which the appeal is being submitted and must be accompanied by supporting evidence which substantiates one or more of the grounds for appeal set out above.
- 11.5 The Associate Registrar: Student Casework (or nominee) will consider the appeal and the accompanying evidence and decide whether to refer it to an Appeals Panel (see below) or whether it should be dismissed as it does not provide a *prima facie* case under the specified grounds.
- 11.6 In the case of an appeal which is accepted, it will be referred to an Appeal Panel consisting of the Vice-Chancellor (or nominee) and another senior member of University staff who has had no previous connection with the case. The Appeal Panel should hold a hearing, arranged by the Student Casework Unit, to which the student will be invited to make representations in writing or in person. The student may be accompanied to the hearing.
- 11.7 The decision of the panel considering the appeal will be final and will be notified to the student within a period of 5 working days following the meeting.
- 11.8 There shall be no further appeal within the University.

12. Monitoring

- 12.1 It is the responsibility of the Advice Zone Team Leader to keep a record of the number of times the Fitness to Study Regulations have been used within each academic year, which level has been reached and the outcome. This information should be collated and sent to the Student Casework Unit for statistical and monitoring purposes. It should contain no personal or personal and sensitive information.

13. Office of the Independent Adjudicator

- 13.1 A student whose appeal is unsuccessful may, following issue of a Completion of Procedures letter, lodge a complaint with the Office of the Independent Adjudicator (OIA). Details of the OIA and the relevant information in relation to the Scheme can be accessed at www.oiahe.org.uk. Further information and advice can be obtained from the Student Casework Unit, Academic Registry.

14. Implementation

	Position(s)
Owner <i>The position in the University that is accountable for ensuring that these regulations are applied correctly</i>	Executive Director, Campuses and Student Services
Implementation <i>The person(s) responsible for ensuring that these regulations operate as required on a daily basis</i>	Manager of Health, Counselling and Wellbeing Services
Delivery <i>Which positions are involved in delivering these regulations</i>	All staff who interact with the student

Appendix 1

Relationship with other University Regulations, Policies and Procedures

The Fitness to Study Regulations have been developed by the University to manage situations where, in light of concerns regarding a student's health or wellbeing, the University considers it inappropriate to implement other student processes, such as the Student Conduct Regulations.

There may, however, be situations where it is appropriate to implement alternative University regulations/procedures and the University is not prevented from doing so, notwithstanding concerns regarding the student's health or wellbeing.

Student Conduct Regulations

Where the student exhibits behaviour which it is considered may be as a result of an underlying physical or mental health problem, this should be dealt with under the Fitness to Study Regulations in the first instance.

The University reserves the right to use the Student Conduct Regulations in all cases, but particularly if the student refuses to engage with the support offered. Any action taken up to that point under the Fitness to Study Regulations will be made available to the investigating officer.

Fitness to Practise Regulations

The Fitness to Study Regulations run in parallel to the Fitness to Practise Regulations to enable flexibility of student support according to the individual needs of students, enabling students to continue studying on a course with PSRB requirements where possible, whilst still ensuring service user safety.

Fit to Sit Policy

The Fitness to Study Regulations should not be confused with the Fit to Sit Policy, details of which can be found in the Extenuating Circumstances Regulations.

Student Mental Health Policy

This policy should be used alongside the Fitness to Study Regulations.

Guidelines for Staff – Students with Mental Health Issues

These guidelines should be used alongside the Fitness to Study Regulations.

Regulations for Misconduct in University Halls of Residence

Where the student exhibits behaviour which it is considered may be as a result of an underlying physical or mental health problem, this should be dealt with under the Fitness to Study Regulations in the first instance.

The University reserves the right to use the Regulations for Misconduct in University Halls of Residence, particularly if the student refuses to engage with the support offered. Any action taken up to that point under the Fitness to Study Regulations will be made available to the relevant colleague investigating the incident.



STUDENT CASEWORK UNIT

RISK ASSESSMENT PROCEDURES

1. A Risk Assessment Panel will be convened where the University is informed or becomes aware that:
 - a student has disclosed that, during the course of their studies, they have received a criminal caution, charge or conviction;
 - a student is being investigated by the relevant authorities on suspicion of having committed a serious criminal offence;
 - an investigation is about to commence;
 - a concern has been raised during an investigation into an alleged misconduct that the student poses a risk to themselves or others.

A Risk Assessment Panel may also be convened in other exceptional circumstances, where it is deemed necessary by the University Secretary.

2. The risk assessment is required to safeguard the student(s) themselves, other members of the University community or the University's reputation.
3. The constitution of the Risk Assessment Panel is as follows:

University Secretary (Chair)	Responsible for disciplinary action and without-prejudice suspension of students against whom complaints have been made
Director of Student Services	Responsible for support to students via the Wellbeing Service, liaison with students via resident tutors and liaison with faculties for teaching purposes
Director of Campus Services	Responsible for halls access, accommodation staff and potential changes of accommodation
Director of Chaplaincy Services	Responsible for pastoral support to affected students and primary liaison with families
Head of Security	Responsible for security, with daily liaison with South Wales/Gwent Police and logging incident reports
Chief Executive Officer, Students' Union	Responsible for Students' Union support to students and access to Students' Union facilities
Head of Corporate Communications	To act as the point of coordination for the University's public and internal communication to staff, students and external stakeholders as per the University's contingency communications flow
Dean of Faculty of the Student	Responsible for academic matters relating to

	the student
Academy Director, Dubai Campus ⁴⁴	Responsible for students studying on the Dubai Campus
Associate Registrar: Student Casework	Operational responsibility for the application of the University's Student Conduct and Fitness to Practise Regulations
Student Casework Officer	Supporting officer

Each panel member will, within their teams, nominate a substitute whenever they are out of the office, on leave or unavailable. The Chair may ask for a member of staff with specific expertise to attend a hearing if it is deemed necessary. At least four members must be present for a hearing to take place.

4. The function of the Risk Assessment Panel is to:
 - evaluate the circumstances as presented;
 - identify and measure risks;
 - consider what action, if any, should be taken to remove or mitigate the risks.
5. In assessing risk and determining what, if any, precautionary action should be taken the following must be considered:
 - the type of misconduct;
 - the circumstances of the incident;
 - the circumstances of the individuals involved;
 - the views of the police/prosecutor/probation service.
6. The student will have the right to make written representations prior to the decision being made or, where that is not possible due to the urgent or sensitive nature of the matter, as soon as possible thereafter.
7. The student will not normally be required to meet with the Risk Assessment Panel. However, there may be certain circumstances where the Risk Assessment Panel feels this will be necessary.
8. The Student Casework Unit will write to the student to inform them that a Risk Assessment Panel is being convened and, where appropriate, ask the student to provide any other pertinent information.
9. Following the meeting of the Risk Assessment Panel, the University Secretary will write to the student to provide them with the outcome of the meeting within 2 working days.
10. Precautionary action must be reasonable and proportionate. The following constitutes a non-exhaustive list of examples of precautionary actions:
 - Temporary suspension of a student from their studies; this will be interpreted as exclusion from all University campuses and services, including residential accommodation, unless exceptions are made by the panel and communicated to the student in writing. However, the student may visit the campus to access any support required in preparing a defence, eg from the Students' Union or Welfare Services, providing appointments have been made in advance through the Student Casework Unit.
 - Temporary exclusion of a student from the campus, or certain areas of the campus (for example the Students' Union or halls of residence).
 - Suspension of a student's access to the University's IT facilities.
 - Imposing certain restrictions/conditions on the student (for example requiring the student to move accommodation and/or requiring the student not to contact specified individuals and/or requiring the student to attend regular meetings with nominated staff or external agencies).

⁴⁴ The Academy Director will only form part of the Risk Assessment Panel where the student involved is studying at the Dubai Campus.

- Temporary suspension of a student from a placement.

11. Suspension of studies will be for a specified period of time and subject to periodic review, as defined by the Risk Assessment Panel.
12. The Risk Assessment Panel will consider the impact or potential impact on the student of any measures taken and the support arrangements that need to be put in place for the student(s) involved; for example, counselling sessions and academic adjustments, and consideration of any measures that need to be put in place to protect the investigation and/or the reporting individual.
13. Students are advised to seek advice and guidance from the Student Money Advice team regarding their financial circumstances and the implications of any precautionary action.
14. The time period for review will be set by the Risk Assessment Panel, taking the individual circumstances of each case into consideration. The date for review will be noted on the Risk Assessment Form.
15. The student may request a review of the outcome of the Risk Assessment Panel. This must be done in writing using the standard form 'Request for Review of Risk Assessment Panel Outcome' and submitted to the Vice-Chancellor, or his/her nominee, within 5 working days of notification of the suspension. The Vice-Chancellor, or his/her nominee, may request a meeting with the student if s/he deems it necessary.
16. The student is able to request a review of the decision at any stage if there is a material change in the circumstances of the case.
17. If no disciplinary action is subsequently taken the University will ensure so far as possible that the student has not been disadvantaged by the suspension.
18. Failure on the part of the student to comply with the decision of the Risk Assessment Panel will immediately trigger a review, which may result in more serious measures being put in place or an immediate referral to the University's Student Conduct Regulations.
19. Refusal by the student to meet the conditions/requirements of the Risk Assessment Panel will result in an immediate referral to the University's Student Conduct Regulations.

STUDENT CONDUCT: RISK ASSESSMENT FORM

Name of Student	
Enrolment Number	
Course and Year of Study	
Faculty	
Version Number	

Risks to the well being and safety of the student and others	Almost Certain 12	Medium 12	Medium 24	High 60	Very High 120	Very High 240
	Likely 9	Medium 9	Medium 18	High 45	High 90	Very High 180
	Slight 5	Low 5	Medium 10	Medium 25	High 50	Very High 100
	Unlikely 2	Low 2	Low 4	Medium 10	Medium 20	High 40
	Rare 1	Low 1	Low 2	Medium 5	Medium 10	Medium 20
		Negligible 1	Minor 2	Moderate 5	Major 10	Severe 20
	Risk to the feelings of vulnerability within the University community and potential damage to the University's reputation					

Measures required to manage the risks	Residual risk	Responsibility for actions	Timeframe for completion

Signature of Chair	
Date	
Date of Review	



STUDENT COMPLAINTS REGULATIONS 2018/2019

Title: Student Complaints Regulations					
Version	Issue Date	Revision Description	Author	Approved By & Date	Next Review Date
1.0	September 2016	First Issue	Siobhan Coakley	Academic Board 8 June 2016	June 2017
2.0	January 2017	Second Issue	Siobhan Coakley	Academic Board 24 January 2017	June 2017
3.0	August 2017	Third Issue	Siobhan Coakley	Board of Governors 4 July 2017	June 2018
4.0	September 2018	Fourth Issue	Siobhan Coakley	Academic Board 3 July 2018	June 2019

1. Introduction

- 1.1 The University of South Wales is committed to providing high quality education and support to its students. There are many routes through which students can raise any concerns or issues. Feedback regarding the University's provision is welcomed so that the University can develop and enhance the services it provides.
- 1.2 When a complaint is received the University seeks to resolve it as quickly, fairly and equitably as possible, whether the complaint is about services provided by the University, treatment by any staff member, student or visitor, or any other issue.
- 1.3 The University's regulations for student complaints apply to:
- Students studying at the University, at the University's Dubai Campus and University of South Wales courses through distance delivery.
 - Students studying at the Royal Welsh College of Music and Drama, in respect of the review stage only.
 - Former students, for a period of 3 months after leaving the course to which the complaint relates.
 - Students studying university courses at the University's partner institutions where the complaints relate to academic matters. Where matters are the responsibility of the partner institution, for example crèche facilities, the student will need to access the partner institution's complaints procedure.
 - Students studying on work placements or engaged in work-based learning.
 - Students on an approved leave of absence.

2. Advice and Support

The University is committed to safeguarding the emotional, mental and physical well-being of all parties involved during the complaints process.

2.1 *Advice and support for students*

- 2.1.1 The University has a Dignity at Study Policy, which explains how the University handles complaints about harassment, bullying, unfair treatment and victimisation. This policy should be used by any student who feels that they have been subject to unacceptable behaviour within the University.
- 2.1.2 It is recognised that making a complaint to the University can have an adverse impact on the welfare of students. Before making a complaint, students are advised to seek support and guidance from a trusted source; this could be:

The University's Wellbeing Services - <http://thewellbeingsservice.southwales.ac.uk/>

The Chaplaincy - <http://chaplaincy.southwales.ac.uk/>

The Students' Union - <http://su.southwales.ac.uk/>

- 2.1.3 The Student Casework Unit provides authoritative, formal guidance on the applicability and operation of the Student Complaints Regulations.
- 2.1.4 For a second opinion on complaints about debt advice/debt counselling, students are advised to contact

the Financial Ombudsman Service (FOS).

2.2 Advice and support for staff

2.2.1 It is recognised that dealing with student complaints or being the subject of a complaint can cause pressure for staff. The Chaplaincy has considerable experience of dealing with sensitive matters and is available to offer formal and informal confidential advice and support.

2.2.2 A member of staff who is the subject of a complaint has:

- the right to be supported by a colleague or a trade union representative throughout the process;
- the right of reply to any such complaint;
- access to relevant documentation presented as part of the complaint.

3. General Principles

3.1 Timely and transparent procedures

In the interests of students and the University, all complaints are dealt with in a timely manner and through processes which are open and straightforward.

3.2 Anonymous complaints

Anonymous complaints will not be considered unless there are exceptional reasons, supported by evidence, to do so. A complaint made anonymously will be referred to the Academic Registrar who will then consider:

- the gravity of the issues;
- the credibility of the concern;
- the likelihood of confirming the allegation from attributable sources;
- whether enough information has been provided to enable any further action;
- whether anonymity can reasonably be maintained.

Students should be aware that raising a complaint anonymously could impact on the process and timescale of the investigation.

3.3 Third party complaints

The University expects that students with concerns should be responsible for making these concerns known themselves. Only in exceptional circumstances will a complaint from a third party be investigated; the complainant must provide valid reasons for this request together with written authorisation that they are happy for the third party to act on their behalf.

3.4 Submission in good faith

The University presumes all complaints are submitted in good faith and will not disadvantage any student for bringing forward a complaint.

The University will not continue with a complaint procedure if the University considers that the complaint is being pursued in an unreasonably persistent or vexatious manner. In this context 'unreasonably persistent' means, for example, that the complaint is being made in a way that is obsessive, prolific or repetitious, or might be considered to be harassment. It may be one that is

being pursued in a way that hinders the ability of the University to carry out its complaints process. A 'vexatious complaint' is one that the University considers is designed to cause disruption or annoyance, or makes demands for redress which lack serious purpose or value.

Where the Associate Registrar: Student Casework considers that a complaint is unreasonably persistent or vexatious, the complainant will be written to and informed that the University will not consider the complaint any further. Reasons for this decision will be given and a Completion of Procedures letter will be issued. In addition, the University may take action in line with the Student Conduct Regulations where complaints have been identified as such.

3.5 Submission of evidence

Complaints must be supported by corroborating evidence upon submission. Evidence must be provided in English or Welsh. Complaints which do not provide such evidence will not be considered, unless the complainant can provide a good reason for the lack of evidence.

If a complainant submits any evidence which turns out to be false, they will be dealt with under the Student Conduct Regulations.

The University recognises that with advances in modern technology, it is easier to make covert recordings i.e. recordings of meetings or conversations made without the consent of the participants. Where recordings are made of telephone calls, this activity is likely to be in breach of the Regulation of Investigatory Powers Act. In the case of recordings of face-to-face meetings, the material gained is likely to be held in breach of the participant's Article 8 rights under the Human Rights Act and the UK's data protection laws. For this reason, the University will not permit the use of covert recordings in complaints cases, except in exceptional circumstances.

The facts that will be considered are:

- The extent to which the evidence is relevant to the issues in the case, including considering the nature of the evidence and if other, more cogent evidence is available.
- The extent to which the evidence has been obtained unlawfully or its use otherwise interferes with privacy rights.
- The extent to which the evidence can be relied upon from a technical perspective given that it is possible to manipulate recorded material. The availability of an independently created transcript of any recording may be helpful to satisfy this requirement.

3.6 Timeliness of submission

All complaints should be submitted no more than three months after the last occurrence of the issue leading to the complaint. In exceptional circumstances the Associate Registrar: Student Casework (or nominee) will consider extending this deadline where there is good reason supported by evidence (for example a family bereavement, in which case a death certificate should be provided).

3.7 Complainants' engagement with the process

It is expected that complainants will engage with the process in a timely manner. If the complainant fails to respond to a request for further information or a meeting within timescales specified by the member of staff dealing with the case, without good reason (for example an incapacitating illness, in which case a doctor's note should be provided), the Associate Registrar: Student Casework (or nominee) will suspend or close the case.

3.8 Impartiality in investigation

All complaints are investigated by university staff who have no material interest in the complaint.

3.9 Privacy

Staff investigate complaints with due regard to the privacy of all parties. The complaint is only disclosed to those immediately involved and/or those whose participation is necessary for a resolution. All parties respect the confidentiality of the process.

3.10 Confidentiality

Confidentiality will be respected in conducting all aspects of the complaints regulations. However, any member of staff about whom a complaint is made will have the right to be informed of the complaint and its nature and have access to any relevant evidence.

If a complainant requests that his/her identity be kept confidential, this is respected up to the point when disclosure is necessary to progress or resolve the issue, in which case the complainant is informed in advance of the disclosure.

The University will not disclose any information to third parties regarding investigations and outcomes from student complaint cases unless legal exceptions under the UK's data protection laws apply.

3.11 Complainant representation

The complainant is allowed to be accompanied to any discussions, meetings or hearings, for example by a friend or representative. At least 24 hours before the meeting, the complainant should advise the University of the name and status of the person accompanying them. Although the University would not anticipate the attendance of a legal representative, the chair of the meeting/hearing may exercise discretion should the complainant indicate that they wish to bring someone with a legal background.

3.12 Referral to other regulations

The Associate Registrar: Student Casework (or nominee) may refer a complaint, or elements of a complaint, to be dealt with under other University regulations if it is considered appropriate.

3.13 Group complaints

Complaints may be submitted by individuals or groups. Where a complaint is submitted by a group of students, one of the group should be nominated as the main contact and to act as a spokesperson. Each member of the group must confirm in writing that they wish the nominated individual to act in this capacity and that the complaint reflects their concerns. The nominated spokesperson will receive updates on the complaint on behalf of the group. All members of the group will be invited by the spokesperson to any meetings arranged to discuss the complaint and receive a copy of the outcome letter. The spokesperson for the complaint should inform the investigating officer 24 hours in advance of who will be accompanying them.

3.14 Complaints by students on placement

Students who wish to make a complaint about an aspect of their experience whilst on placement should, in the first instance, contact their faculty who will advise on the process. Whether the complaint will be dealt with by the University or the placement provider will depend on the circumstances of the complaint. If the complaint is more appropriately dealt with through the placement provider's own complaints

procedure, complainants will be assisted by an appropriate member of staff in the faculty in taking this forward. ^A

3.15 Complaints against members of staff

The University's Human Resources (HR) department may, dependent on the outcome, be notified of complaints against members of staff. If a complaint made against a member of staff is of a serious disciplinary nature, advice will be sought from the Academic Registrar in relation to suspending the student complaints procedure pending the outcome of an investigation by HR.

4. Complaints Covered by these Regulations

4.1 Academic matters

4.1.1 Academic matters mean specific concerns a student may have about the provision of academic courses and related services, including complaints about the conduct and management of academic appeals.

4.1.2 Students who have concerns regarding academic matters should raise them, through these regulations, at the time when the issue first arises. Complaints about the provision and conduct of academic courses cannot be retrospectively used as grounds for an appeal against the decision of an assessment board.

4.2 Students' experience

Students may complain about any aspect of their experience at the University, including their learning and relationships with the administration or support services.⁴⁵

4.3 Discrimination

Students may complain about discrimination by the University, in contravention of the University's Strategic Equality Plan.

4.4 Malpractice or impropriety

Students may complain about concerns relating to malpractice or impropriety in the conduct or management of the University, the disclosure of which is deemed to be in the public interest.

4.5 Exceptional Case Process

The University has a legal duty under the Equality Act to provide reasonable adjustments for disabled students. If a student requests an adjustment from the University and the University determines the adjustment is not reasonable, the student can complain using these regulations. Please see also the Exceptional Case Process: <http://dds.southwales.ac.uk/DEQ/and/polices/>.

5. Complaints Falling Under Separate Regulations

5.1 Academic appeals

Representations by students against decisions made by assessment boards are handled under the Academic Appeals Regulations. Students wishing to submit an appeal may seek advice from the Students' Union, Advice Zone or Welfare Services and should address their submission to the Student

⁴⁵ For students studying University courses at the University's collaborative partner institutions, matters which are the responsibility of the partner institution, e.g. crèche facilities, should be dealt with under the partner institution's own complaints procedure.

Casework Unit.

5.2 Harassment

Allegations of harassment by a student or member of staff fall under the Dignity at Study Policy. Students believing they are being harassed in any way should first seek the advice of their harassment advisor. The Students' Union or Welfare Services can also help.

5.3 Allegations of misconduct

Allegations of misconduct by any student or member of staff are governed by the Student Conduct Regulations and the Staff Disciplinary Procedures respectively. Students wishing to raise such allegations must bring them to the attention of the Student Casework Unit, who will then act under these separate regulations/procedures.

6. Complaints about the Students' Union

- 6.1 Students who are dissatisfied in their dealings with the Students' Union will have the opportunity to raise their complaint with the Students' Union in the first instance through procedures contained within the Students' Union's Standing Orders. The procedure will be made known annually to all students through publications and/or notices displayed prominently. Complaints will be dealt with promptly and fairly and where a complaint is upheld there will be an effective remedy.
- 6.2 Those who fail to obtain a satisfactory outcome through the Union, or who claim to be disadvantaged as a result of exercising their right not to be a member of the Union, will be entitled to appeal to the Board of Governors of the University, who will appoint an independent person to investigate the complaint. The Board of Governors will receive a report from that independent person and determine what remedy, if any, is appropriate. The procedure may include recourse to the Office of the Independent Adjudicator, being an independent party, should the University not be able to provide a response to the complainant's satisfaction.

7. Principles Relating to the Handling of Student Complaints

- 7.1 Students making the complaint must be made aware that, in the interest of fairness, those who are either themselves the subject of the complaint, or responsible for the provision or service complained about, will be invited to comment on the complaint at the earliest opportunity.
- 7.2 Students making the complaint will be allowed reasonable time to seek advice for any meeting which forms part of the process, whether at the early resolution or formal stages of the regulations.
- 7.3 At the formal investigation and review stages, every effort should be made to come to a resolution acceptable to all parties, including through informal discussion and agreement, should that be the complainant's wish.
- 7.4 If the complaint refers to the dean of an academic faculty⁴⁶, it should be referred to the Deputy Vice-Chancellor (Academic); if it relates to the head of a corporate department, it should be referred to the appropriate Deputy Vice-Chancellor; if it relates to a Deputy Vice-Chancellor it should be referred to the Vice-Chancellor; if it relates to the Academic Registrar, it should be referred to the Vice-Chancellor; if it relates to the Vice-Chancellor, it should be referred to the Chairman of the Board of Governors.

⁴⁶ Complaints relating to the Principal of the RWCMD should be referred to the Company Secretary, who will consult with the Vice-Chancellor and/or the Chair of the Board of Directors as appropriate.

- 7.5 The deadlines for investigation may be extended in consultation with the Associate Registrar: Student Casework where the complexity of the case, or other unforeseen circumstances, necessitate further time to complete the investigation. The complainant will be kept informed of progress and the reason for any delay.

8. Stages in the Handling of Student Complaints

8.1 Early Resolution

- 8.1.1 An informal complaint is defined as a concern that is raised by a student either verbally or in writing with a member of staff. When considering a concern, the emphasis will be on local resolution.
- 8.1.2 All concerns should be raised no more than 3 months after the last occurrence of the issue. In exceptional circumstances consideration will be given to extending this deadline, where there is good reason supported by evidence; for example, if the student has been ill, in which case any such request should be supported by a doctor's note.
- 8.1.3 Students should raise their concerns directly with the person responsible, or if they still have concerns, with the Advice Zone. Students may subsequently be referred to another, more appropriate, member of staff depending on the nature of the concern raised. However, it is recognised that there are complaints that cannot be dealt with at the early resolution stage and that will need to be referred directly to the formal investigation stage (see 8.2.2).
- 8.1.4 It is anticipated that it will be possible to resolve many concerns at this stage before it becomes necessary to take a complaint to a formal investigation. If a student's concern has not been resolved to their satisfaction, they have the right to proceed to a formal investigation.

8.2 Formal Investigation

- 8.2.1 A formal complaint is an expression of dissatisfaction concerning the provision of a course or related academic or administrative service, where the complainant has raised the concern with the University under the early resolution stage of its regulations but has not received a satisfactory response.
- 8.2.2 Complainants should have attempted to resolve their concerns informally in the first instance; however, it is recognised that there may be certain complaints that are unable to be dealt with informally and, consequently, should be progressed directly to a formal investigation. The Student Casework Unit should be contacted for advice and guidance on such cases. The Associate Registrar: Student Casework is responsible for making the final decision on any requests for direct access to the formal investigation stage of the regulations.
- 8.2.3 To invoke a formal investigation the complainant must submit a formal investigation 'Complaint Form' (found on the University website at <http://uso.southwales.ac.uk/StudentCasework/SCP/>) to the Student Casework Unit.
- 8.2.4 The Complaint Form should be completed, detailing the nature of the complaint, the steps already taken to resolve the complaint and a statement as to why the complainant remains dissatisfied. It should also detail the reasonable steps that the complainant would wish to see taken to resolve the matter. Appropriate evidence should be submitted with the form.
- 8.2.5 The University would not expect complainants to submit spurious or vexatious complaints and reserves the right to refuse to consider such complaints. In addition, the University may take action in line with the Student Conduct Regulations where complaints have been identified as such.
- 8.2.6 The Complaint Form will be logged by the Student Casework Unit and passed to one of the University's team of investigating officers, a senior member of staff with no prior involvement with the case.

Normally the investigating officer will be independent of the school/department. However, it is recognised that occasionally a degree of subject expertise may be necessary in conducting investigations. Where it is considered that this is the case, the Associate Registrar: Student Casework will make the final decision on the appointment of the investigating officer.

- 8.2.7 The investigating officer will meet with the complainant to discuss the complaint. The complainant has the right to be supported by a friend or representative throughout the process.
- 8.2.8 The investigating officer will also meet with any relevant members of staff and witnesses to discuss the detail of the complaint from their perspective. Any member of staff who is the subject of a complaint has the right to be supported by a colleague or a trade union representative throughout the process.
- 8.2.9 Following completion of the investigation, the investigating officer will prepare a report and present it to the dean of faculty/head of department/Principal of College (or nominee), who will include a faculty/departmental/College response within the report. The final report is submitted to the Student Casework Unit.
- 8.2.10 Where the outcome includes an offer of financial reimbursement/compensation the investigating officer should ensure that the faculty/department/College is aware of this. The Student Casework Unit will obtain approval from Executive. This will be done prior to notification of the outcome of the complaint to the complainant. (See Procedures for Approving Financial Recompense Arising from the Complaints process.)
- 8.2.11 The investigating officer will seek to resolve the complaint within 30 working days. The dean of faculty/head of department/Principal of College (or nominee) will have 5 working days to provide their response. The Student Casework Unit will provide a response to the student within 5 working days of receipt of the investigating officer's report. Where the complexities of the case and the need to contact a range of individuals in the course of the investigation make this difficult, the complainant will be kept informed of progress and the reason for any delays.
- 8.2.12 The complainant will respond to the University to confirm in writing whether or not they accept the outcome. The complainant must respond within one month.
- 8.2.13 If no communication is received from the complainant within the specified timescales, the University will close the case.

8.3 Review

- 8.3.1 If, upon receipt of the outcome from the formal investigation, the complainant believes that they have reasonable grounds to consider that their complaint has not been adequately addressed, the complainant may be eligible to request a review.
- 8.3.2 A review may only be invoked when the formal investigation has been completed. Complainants are strongly advised to seek advice from the Students' Union, Student Services or the Advice Zone before they seek to progress a complaint to the review stage.
- 8.3.3 To invoke a review the complainant must submit a 'Request for Review Form' (found on the University website at: <http://uso.southwales.ac.uk/StudentCasework/SCP/>) to the Student Casework Unit. The form must be submitted within one month of receipt of the response to the formal investigation. The complainant must provide relevant evidence when submitting the request for review.
- 8.3.4 The only grounds under which a complaint may be considered at the review stage are:
- a) The complainant has evidence that the procedures at the formal investigation stage were not conducted in line with the regulations and that this materially affected the outcome of the investigation.

- b) The complainant can evidence that there were specific issues of the complaint which they raised during the formal investigation which were not considered.
- c) The complainant has new material evidence that they were unable, for valid reasons, to provide earlier in the process. *(NB Sensitive personal, family or cultural reasons will not be accepted as good reason.)*
- d) The complainant has evidence that the outcome was not reasonable in the circumstances.

8.3.5 Prior to referring the case to a complaint review officer, the Academic Registrar (or nominee) will review the Request for Review Form in order to determine whether the complainant has grounds under which their complaint can be considered at this stage. One of the following actions may be taken:

- a) conclude that the complaint meets the criteria for further consideration set out in 9.4.4 above, or
- b) dismiss the case.

The complainant will be informed in writing of the decision of the Academic Registrar (or nominee) within 5 working days.

8.3.6 If a complaint is deemed not eligible for review the complainant will be issued with a Completion of Procedures Letter.

8.3.7 If a complaint is deemed eligible for review the complaint will be allocated by the Student Casework Unit to a complaint review officer. The complaint review officer will have had no prior involvement with the case and will be independent of the faculty/department/college.

8.3.8 In considering the case, the complaint review officer may wish to re-interview the complainant/staff/witnesses but this is not a requirement.

8.3.9 The complaint review officer will review the case and provide an outcome to the Student Casework Unit within 15 working days. Where the complexities of the case and the need to contact a range of individuals in the course of the investigation make this difficult, the complainant will be kept informed of progress and the reason for any delays. The complaint review officer may:

- a) overturn the outcome of the formal investigation and propose an alternative outcome;
- b) refer the complaint for re-investigation by an investigating officer (this could be the investigating officer of the original complaint, or a new investigating officer); in this case the regulations under 9.3, including timescales, will apply;
- c) uphold the findings of the original investigation.

8.3.10 The Student Casework Unit will liaise with the faculty/department/College with regard to the outcome and provide a response to the complainant within 5 working days of receipt of the complaint review officer's report.

8.3.11 If a complaint is not upheld at the review stage the Student Casework Unit will automatically issue the complainant with a Completion of Procedures letter.

8.3.12 If a complaint is upheld or partly upheld at the review stage the complainant must request a Completion of Procedures letter if they remain dissatisfied. The request must be made within one month of notification of the decision of the complaint review officer.

8.4 Communication

8.4.1 Details on responsibilities for communication at each stage of the complaints process are included in the Communication Plan.

9. Monitoring

9.1 The Student Casework Unit will monitor the actions taken by the faculty/department/College in relation to recommendations arising from investigations into student complaints. A report will be submitted to the annual meeting of the Student Casework Group.

9.2 The Student Casework Group may make recommendations for consideration by the Learning, Teaching and Enhancement Committee, Quality Assurance Committee and Academic Board, as appropriate, on any matters arising from the consideration of complaints that require amendments to regulations.

10. Office of the Independent Adjudicator

10.1 Following the issue of a Completion of Procedures letter, the complainant may lodge a complaint with the Office of the Independent Adjudicator (OIA). Details of the OIA and the relevant information in relation to the Scheme can be accessed at www.oiahe.org.uk. Further information and advice can be obtained from the Student Casework Unit, Academic Registry.

11. Financial Ombudsman Service

11.1 Following a complaint about debt advice or debt counselling provided by the University, students will be informed of their right to request a review of their case by the Financial Ombudsman Service (<http://www.financial-ombudsman.org.uk/>) should they remain dissatisfied with the outcome of the internal procedures.



STUDENT CONDUCT REGULATIONS 2018/2019

Title: Student Conduct Regulations					
Version	Issue Date	Revision Description	Author	Approved By & Date	Next Review Date
1.0	September 2016	First Issue	Siobhan Coakley	Board of Governors 4 July 2016	June 2017
2.0	September 2017	Second Issue	Siobhan Coakley	Board of Governors 4 July 2017	June 2018
3.0	October 2017	Third Issue	Siobhan Coakley	Board of Governors October 2017	June 2018
4.0	September 2018	Fourth Issue	Siobhan Coakley	Board of Governors 3 July 2018	June 2019

1. Introduction

- 1.1 The Student Conduct Regulations should be read in conjunction with the Student Code of Conduct, which details expectations of behaviour.
- 1.2 The University's regulations for student conduct apply to:
- Students of the University of South Wales, including those at the Dubai Campus. This means every enrolled student of the University or a holder of a sabbatical office in the University's Students' Union but not students who are enrolled with collaborative partners (where the collaborative partners' disciplinary procedures will apply) or students who are also members of staff of the University (where the staff disciplinary procedures will apply).
 - Students studying on work placements or engaged in work-based learning.
 - Students on an approved leave of absence.
- 1.3 Student conduct matters for students enrolled on a course leading to professional registration and/or a license to practise in a professional context will be dealt with under the University's Fitness to Practise Regulations.

2. Student Conduct: General Requirements

- 2.1 Students must observe all University regulations and policies which govern the effective organisation and management of specific areas of activity within the University, (including those relating to financial requirements, health and safety, the use of learning, computing, child care, refreshment, sport and recreational facilities) or which are specifically included as part of the student's programme of study (including any professional code of practice incorporated therein). There are also separate regulations, the Student Charter and the Students' Union Standing Orders, pertaining to student usage of Students' Union facilities.
- 2.2 The University has a duty under the Counter-Terrorism and Security Act 2015 to prevent students from being drawn into non-violent extremism, violent extremism and/or terrorism and to ensure they are being given appropriate advice and support. If a member of staff or a student has reasonable grounds for concern that a student is being drawn into, or is drawing others into, activities which may lead to acts of non-violent extremism, violent extremism and/or terrorism they should raise the matter with the designated associate head of school (or equivalent) in the first instance. (See the University's Prevent Protocol).

3. Advice and Support

The University is committed to safeguarding the emotional, mental and physical well-being of all parties involved during the operation of its Student Conduct Regulations.

3.1 Advice and Support for Students

- 3.1.1 It is recognised that bringing an allegation of misconduct or being the subject of an allegation of misconduct can have an adverse impact on the welfare of students. Advice and support is available from:

The University's Wellbeing Services - <http://thewellbeingservice.southwales.ac.uk/>

The Chaplaincy - <http://chaplainscy.southwales.ac.uk/>

The Students' Union - <http://su.southwales.ac.uk/>

3.1.2 The Student Casework Unit provides authoritative, formal guidance on the applicability and operation of the Fitness to Practise Regulations.

3.2 Advice and Support for Staff

3.2.1 It is recognised that dealing with student conduct matters can cause pressure for staff. The Chaplaincy has considerable experience of dealing with sensitive matters and is available to offer formal and informal confidential advice and support.

4. Definition of Misconduct

4.1 An act will be regarded as misconduct, and therefore the subject of disciplinary action:

- if it constitutes or is likely to constitute improper interference with the proper functioning and activities of the University, or of those who work or study in the University, or
- if it damages or is likely to damage the reputation of the University.

4.2 These regulations apply to alleged misconduct by a student occurring on or off university premises (including via social media) where the alleged victim is the university itself, a student or employee of the university or others visiting, working or studying at the university and to alleged misconduct occurring during university activities, including placements and field trips. These regulations also apply to any alleged allegations of misconduct that constitute a criminal offence.

4.3 The following constitutes a **non-exhaustive** list of examples of possible misconduct:

4.3.1 Physical misconduct

- Punching;
- Kicking;
- Slapping;
- Biting;
- Pulling hair;
- Pushing/shoving.

4.3.2 Sexual misconduct

- Engaging, or attempting to engage in sexual intercourse or a sexual act without consent;
- Sharing private sexual materials of another person without consent;
- Kissing and/or touching inappropriately without consent;
- Inappropriately showing sexual organs to another person;
- Making unwanted remarks of a sexual nature;
- Failure to keep appropriate professional and sexual boundaries.

4.3.3 Abusive behaviour

- Threats to hurt another person;
- Engaging in any activity or behaviour which contravenes the University's Strategic Equality Plan or Dignity at Study/Dignity at Work policies, including acts of racial hatred, non-violent extremism, violent extremism and/or terrorism and abusive comments relating to an individual's sex, sexual

orientation, religion or belief, race, pregnancy, marriage/civil partnership, gender reassignment, disability or age⁴⁷;

- Acting in an intimidating and hostile manner;
- Malicious or vexatious allegations against other members of the University community;
- Use of inappropriate language;
- Repeatedly following another person without good reason;
- Repeatedly contacting another person (by phone, email, text or on social networking sites) against the wishes of the other person (see also the University's Social Media Policy: <http://its.southwales.ac.uk/documents/download/6/>).

4.3.4 Damage to property

- Causing damage to University property or property of other students, staff or visitors.

4.3.5 Unauthorised taking or use of property

- Unauthorised entry onto or unauthorised use of University premises;
- Misuse of University property (for example computers and laboratory equipment) or fail to comply with IT regulations;
- Purchase or order goods on behalf of the University without due authorisation.

4.3.6 Causing a health or safety concern

- Act/omission that did cause or could have caused serious harm on University premises or during University activities (for example, disabling fire extinguishers or possessing/supplying controlled drugs) and including interfering with anything provided in the interests of Health and Safety at Work as detailed in the [Health and Safety Policy document](#);
- Act/omission that did cause or could have caused a health and safety concern on University premises or during University activities (for example, smoking cigarettes in non-designated areas);
- Carrying potential weapons, for example knives, whilst on a university campus.

4.3.7 Operational obstruction

- Acts/omissions/statements intended to deceive the University⁴⁸, including failure to advise the University of a criminal offence, including a caution or reprimand, as soon as possible after the arrest;
- Disruption of the activities of the University (including academic, administrative, sporting and social) on University premises or elsewhere;
- Disruption of the functions, duties or activities of any student or employee of the University or any authorised visitor to the University;
- Bribe or attempt to bribe a member of university staff;

⁴⁷ It is to be noted that incidents which appear to the victim or anyone else to be based on prejudice towards them because of their race, religion, sexual orientation, disability or transgender identity are known as hate incidents. When a hate incident is also a criminal offence it is known as a hate crime. Hate crime is not a specific criminal offence in itself, rather it denotes a criminal offence such as assault, harassment, sexual offences, criminal damage and hate mail, which is perceived to be motivated by hostility or prejudice based on race, religion, sexual orientation, disability or transgender identity.

⁴⁸ Where an act is committed to gain admission to the University, eg falsification of qualifications, where no credit has been awarded, this will be considered through the admissions procedures. Where credit has been gained, the matter will be dealt with through the Student Conduct Regulations.

- Improper interference with the activities of the University (including academic, administrative, sporting and social) on University premises or elsewhere;
- Improper interference with the functions, duties or activities of any student or employee of the University or any authorised visitor to the University;
- Fail to comply with the reasonable request of an authorised individual;
- Fail to give their name and address to an officer or employee of the University when reasonably requested to do so by such officer or employee in the course of their duties;
- Failure to rectify behaviour that has been subject to any disciplinary actions under the University's regulations.

4.3.8 Reputational damage

- Behaviour which has caused or could have caused damage to the reputation of the University.

4.4 Students must comply with any penalty imposed by the University in respect of any previous misconduct under these regulations. If they do not a more serious penalty may be issued.

4.5 Repeated incidents of misconduct may be more serious than a single act of misconduct and previous findings may be taken into account when determining penalties.

4.6 Students may, on occasion, believe that they have cause to complain about the behaviour of another student towards them which has affected them personally. Where the issues concerned have no bearing on University activities, they will not be dealt with under these regulations.

5. Procedures for Dealing with Allegations of Misconduct

5.1 General principles

5.1.1 The procedures are designed to ensure that in taking disciplinary action against a student the University acts fairly and consistently in relation to all students.

5.1.2 The University will conduct disciplinary cases in a confidential and sensitive manner. The identity of individuals who make an allegation against others will be kept confidential so long as that does not hinder or frustrate any investigation. However, the investigation process may reveal the source of the allegation and the person making the allegation may need to provide a statement as part of the evidence required.

5.1.3 Allegations of misconduct submitted anonymously will not be considered.

5.1.4 The outcome of any disciplinary or review hearing will be determined on the balance of probabilities⁴⁹, according to reasonable belief in the student's innocence or guilt.

5.1.5 The University will not disclose any information to third parties regarding investigations and outcomes from student conduct cases unless legal exceptions under the UK's data protection regulations apply.

5.2 Advice on procedures

5.2.1 The University Secretary has overall responsibility for the operation of the disciplinary procedures, including at faculty level. The Associate Registrar (Student Casework) (or nominee) acts as a point of contact for advice on procedural matters. Any student who is accused of misconduct, or otherwise

⁴⁹ This means that the circumstances were more likely than not to have happened. This is a lower standard than 'beyond reasonable doubt'.

involved in disciplinary investigations or hearings, is advised to seek advice from the Students' Union or from Wellbeing Services.

5.2.2 Reporting of incidents of misconduct

5.3.1 Allegations of misconduct against a student should be made to the Associate Registrar (Student Casework). They will then be passed to the student's dean of faculty (or nominee) who will be responsible for overseeing the handling of the allegations, drawing on advice from the Associate Registrar (Student Casework) (or nominee).

5.3.2 Allegations of misconduct should be made as soon as they are identified, and prior to any feedback being given to a student. Allegations must be made in writing using the Allegation of Student Misconduct Form, and include the following information:

- the identity of the person(s) against whom the allegations are made;
- the nature of the misconduct;
- the time and location;
- possible witnesses;
- details of any action already taken.

Evidence should be provided, where possible, to support any allegations.

5.3.3 The University recognises that with advances in modern technology, it is easier to make covert recordings i.e. recordings of meetings or conversations made without the consent of the participants. Where recordings are made of telephone calls, this activity is likely to be in breach of the Regulation of Investigatory Powers Act. In the case of recordings of face-to-face meetings, the material gained is likely to be held in breach of the participant's Article 8 rights under the Human Rights Act and the UK's data protection regulations. For this reason, the University will not permit the use of covert recordings in conduct cases, except in exceptional circumstances.

The facts that will be considered are:

- The extent to which the evidence is relevant to the issues in the case, including considering the nature of the evidence and if other, more cogent evidence is available.
- The extent to which the evidence has been obtained unlawfully or its use otherwise interferes with privacy rights.
- The extent to which the evidence can be relied upon from a technical perspective given that it is possible to manipulate recorded material. The availability of an independently created transcript of any recording may be helpful to satisfy this requirement.

5.3.4 Where there is doubt as to whether the student's dean of faculty is the appropriate person to deal with the allegations (e.g. where the incident involves students in more than one faculty, or is related to the work of a central University department, or where the incident occurs in Halls of Residence), the Associate Registrar (Student Casework) will advise.

5.3.5 The student's dean of faculty (or nominee), in consultation as appropriate with the Associate Registrar (Student Casework), will consider the nature and seriousness of the allegations with a view to deciding whether there is a *prima facie* case for formal disciplinary proceedings, on the basis of the information available, or whether the matter should be handled informally outside the University disciplinary regulations.

5.4 Investigations into cases of misconduct

5.4.1 Any student against whom allegations are made will be informed, in writing, of the nature and seriousness of the allegations made, that they are the subject of an investigation, and the identity of

the investigating officer who will look into the case against them.

- 5.4.2 In each case which is to be the subject of formal disciplinary proceedings an investigating officer will be appointed, who will normally be an appropriate nominee of the dean of faculty.
- 5.4.3 The Student Casework Unit will be informed of the allegation of misconduct and the identity of the investigating officer.
- 5.4.4 Investigating officers, when they are first appointed, will be required to undertake a briefing session about their role with the Student Casework Unit and will receive written guidelines on how to conduct investigations.
- 5.4.5 The investigating officer will conduct an investigation of the allegations within 30 working days. The timescale may be extended by agreement with the individual who is the subject of the allegations or, in exceptional circumstances, by the University. Any meetings with the student will be held at their campus unless, due to the allegations, this is inappropriate. The Student Casework Unit will correspond with the student in relation to any delays in the process.
- 5.4.6 Where an investigation highlights the need for the Fitness to Study Regulations to be accessed the nature and length of the investigation may require adjustment from the usual form, or may be suspended pending the outcome of investigations under the Fitness to Study Regulations.
- 5.4.7 Following completion of the investigation, the investigating officer's report will be presented to the dean of faculty. The dean of faculty will liaise with the University Secretary/Associate Registrar (Student Casework) as necessary. A decision will be taken as to whether there is a case to answer and, if so, whether the faculty already has sufficient evidence to reach a conclusion on the case and to apply a penalty or whether the case should be referred to a Disciplinary Committee. Alternatively, consideration will be given to whether the matter could be resolved in other ways (e.g. counselling/advice or informal warning).
- 5.4.8 Serious allegations of misconduct will be heard by the Disciplinary Committee. Less serious allegations of misconduct will be dealt with within the student's faculty.
- 5.4.9 The student is allowed to be supported at any meetings held by the faculty or at any hearings held by the Disciplinary Committee, for example by a friend or a representative. At least 24 hours before the meeting/hearing, the student should advise the member of staff organising the meeting/hearing of the name and status of the person accompanying them. Although the University would not anticipate the attendance of a legal representative, the investigating officer/chair of the hearing may exercise discretion should the student indicate that they wish to bring someone with a legal background. Such a person will not be in attendance at the hearing in a legal capacity but as support for the student.
- 5.4.10 The Disciplinary Committee will normally be convened within 20 working days of referral of the case. Students will be provided with the date for the hearing of the Disciplinary Committee by the Student Casework Unit. Should the student, for good reason, require a revised date the hearing will be rearranged once only. Students should inform the University at least 48 hours in advance of the original hearing if they require a revised date. Should a student not attend the hearing, it will take place in their absence; in that case, however, students are strongly advised to provide a written submission.
- 5.4.11 It is the student's responsibility to ensure that any witness they wish to call attends the meeting.

5.5 Communication

- 5.5.1 Details on responsibilities for communication at each stage of the student conduct procedures are included in the Communication Plan.

6. Precautionary Actions for the Purpose of Investigation

6.1 Where an allegation is of sufficient seriousness, the Risk Assessment Panel or, due to the urgent or sensitive nature of the matter, the University Secretary, may approve a precautionary action until the hearing by a Disciplinary Committee takes place and a conclusion has been reached (please see Risk Assessment Procedures for further details). Precautionary action must be reasonable and proportionate. The following constitutes a non-exhaustive list of examples of precautionary actions:

- Temporary suspension of a student from their studies; this will be interpreted as exclusion from all University campuses and services, including residential accommodation. However, the student may visit the campus to access any support required in preparing a defence, eg from the Students' Union or Wellbeing Services, providing appointments have been made in advance through the Student Casework Unit.
- Temporary suspension of a student from their placement.
- Temporary exclusion of a student from the campus, or certain areas of the campus (for example the Students' Union or Halls of Residence).
- Suspension of a student's access to the University's IT facilities.
- Imposing certain restrictions/conditions on the student (for example requiring the student to move accommodation and/or requiring the student not to contact specified individuals).

7. Misconduct which is also a Criminal Offence

7.1 The University has a duty of care to its staff and students and therefore must be informed of any alleged criminal activity by its students. If at any time during their enrolment a student is cautioned or arrested for, or charged with a criminal offence they are required to report this immediately and to report on the progress of any criminal proceedings to the Associate Registrar (Student Casework). If a student is sent for trial, the Associate Registrar (Student Casework) must be kept informed at all stages either by the student or by their solicitor. If a student is subsequently convicted then this must also be reported along with details of any penalty or sentence imposed. Failure to advise the University of a criminal offence, including a caution or reprimand, as soon as possible after the arrest, will be regarded as misconduct (see also 4.3.7 above).

7.2 The University would expect that an allegation of a criminal offence would be made to the police by the reporting student; however, in some circumstances the allegation will be made by the University on behalf of the reporting student.

In exceptional circumstances, the University will report an alleged crime to the police contrary to the wishes of the reporting student if disclosure of the information is necessary to protect the reporting student, or others, from harm or prevent a further crime taking place. In deciding whether to make such a disclosure and in deciding what information to disclose, the University will take into account any potential harm that the unauthorised disclosure may cause to the reporting student. If the reporting student decides not to involve the police, they will still have the option of requesting that the University considers the matter under the Student Conduct Regulations. In these circumstances, the case will be dealt with as a potential breach of these regulations and not as a criminal offence.

7.3 Conduct which may constitute a criminal offence may also amount to misconduct which, in addition to any criminal process, may therefore fall to be dealt with under these regulations, or the Fitness to Practise Regulations, if that conduct:

- took place on University premises; and/or
- affected other members of the University; and/or
- damaged or was likely to damage the reputation of the University; and/or
- impacts on a student's fitness to practise.

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7.4 The following procedures apply where the alleged misconduct would also constitute an offence under the criminal law if proved in a court of law:

- a) No disciplinary action (other than precautionary action pursuant to 5 above) may be taken under the University's regulations unless the matter has been reported to the police and either the student has been prosecuted or a decision not to prosecute has been taken, at which time the Vice-Chancellor (or nominee) may decide whether disciplinary action may be taken.
- b) Where a finding of misconduct is made and the student has also been sentenced by a criminal court in respect of the same facts, the court's penalty will be taken into consideration in determining any penalty under the University's regulations. Further investigation by the University will not be required as the conviction/caution will be taken as evidence that the behaviour took place.
- c) A student on whom a custodial sentence is imposed will normally be required to suspend studies for the duration of the custodial sentence. The date of a student's return to studies will be considered by the University's Disciplinary Committee and take into account the student's individual circumstances (see also section 8).
- d) Where the custodial sentence is more than 6 months, or longer than the remainder of the duration of the student's course, the University will withdraw the student. Students are able to request a review of this decision. The request for review will be considered by the Vice-Chancellor (or nominee) and a member of senior management. The role of the panel is to consider whether the decision of the Assistant University Secretary was correct based on the current regulations and evidence available to them at the time; and to consider whether any new evidence could overturn this decision. In the case of a difference of opinion between the two members of the panel, the Vice-Chancellor (or nominee) will have the casting vote.

8. Disciplinary Committee - Membership and Functions

A Disciplinary Committee will be convened to consider serious cases of misconduct by students.

8.1 The membership of the Disciplinary Committee will be constituted as follows:

- One member of the University's senior management (Chairperson);
- One staff member of the Academic Board;
- The President of the Students' Union or nominee.

The committee will be served by a secretary who is not a member but will be present throughout the proceedings. The secretary will be the Associate Registrar (Student Casework) (or nominee).

The members of the Disciplinary Committee will have had no previous involvement with the case(s) or association with the student(s).

8.2 The functions of the Disciplinary Committee are as follows:

- a) To consider reports from investigating officers in respect of serious allegations of misconduct by students.
- b) To consider appeals against formal warnings or charges.
- c) To establish, as far as possible, the facts of the case, including the ability to call witnesses.
- d) To consider appropriate action as follows:

- i. to approve a period of suspension on disciplinary grounds;
- ii. to approve expulsion of a student;
- iii. to impose other restrictions where it is deemed appropriate (for example, restrictions on use of IT);
- iv. to take any action available in the penalty list;
- v. to confirm that action taken so far is sufficient and appropriate;
- vi. to agree that the offence has not been established and there is no case to answer. Under these circumstances, the University will ensure so far as possible that the student has not been disadvantaged by any disciplinary action or suspension.

e) To report its decision to the Vice-Chancellor and the University Secretary.

8.3 Penalties, other than suspension and expulsion, will only be imposed after the request for review period has expired.

8.4 Paperwork required for hearings

8.4.1 When a student is referred to the Disciplinary Committee, the following information will be requested:

- the student's personal statement;
- the investigating officer's report, minutes of meetings and evidence gathered;
- Student Conduct Regulations;
- any other relevant documentation.

8.4.2 All documentation will be sent to the secretary of the Disciplinary Committee.

8.4.3 The secretary will send to the student a copy of all documentation received and will notify both parties of the date of the Disciplinary Committee hearing as soon as possible and in any event, not less than 10 working days before the hearing.

8.4.4 The student will be invited to set out his or her case in writing prior to the hearing. Copies of any relevant documentation should be enclosed. These should be sent to the secretary of the Disciplinary Committee not less than 5 working days before the hearing.

8.4.5 The student must also send the secretary details of any witnesses they are proposing to bring to the hearing in support of their case. The student is responsible for ensuring that any witnesses they wish to call are notified of the date, time and venue for the hearing.

8.4.6 It is the student's responsibility to provide any written material in support of their case. Written material, submitted by the student, will be circulated by the secretary at least 3 working days before the hearing.

8.4.7 The committee will not receive written material that has not also been made available to the student.

8.4.8 Any written communication to the student will be sent by e-mail and/or first class post to the registered term-time address last supplied by the student. Such despatch will be deemed to be sufficient and complete discharge of the duty to inform the student. It is the student's responsibility to ensure that his or her current address is made known to the faculty concerned.

8.5 Format of hearings

8.5.1 Hearings by the Disciplinary Committee should take the following format:

- the case against the student should be explained first by the chair of the Disciplinary Committee;
- this should be followed by the investigating officer explaining their findings;
- the student should then be given an opportunity to make their case prior to any witnesses being called;
- the Disciplinary Committee will ask questions of the student and the investigating officer, calling witnesses as appropriate;
- the student and the investigating officer will be given the opportunity to ask questions and sum up their case for the Disciplinary Committee prior to withdrawing.

8.5.2 The committee will aim to reach a decision based on the information provided and write to the student within 5 working days of the hearing. Should the committee require further information in order to reach a decision the student will be informed of any delays.

9. Penalties Which May Be Imposed Where Allegations of Misconduct are Proven

9.1 *Written apology*

The student may be required to write a written apology to the relevant individual(s). If the apology is deemed to be insincere by the University the student may be asked to re-write it or the case may be referred back for further action under the Student Conduct Regulations.

9.2 *Formal warnings*

There are two categories of formal warnings which may be issued depending on the seriousness of the misconduct.

- a) Written formal warning - may be issued by the Chair of the Disciplinary Committee, dean of faculty to which the student belongs, by a head of corporate department or by the University Secretary.
- a) Final written warning – may be issued by the dean of faculty, a head of corporate department or by a Disciplinary/Fitness to Practise Committee.

Written formal warnings will remain on record for a specified period, normally one year. Any repeated occurrence of a similar offence may result in a recommendation to the Vice-Chancellor, or their nominee, that the student be referred to a Disciplinary Committee. Following the issuing of a final written warning to a student, any further cases of misconduct will be dealt with directly by a Disciplinary Committee; with the anticipation of expulsion should the case be proven.

9.3 *Charges*

A student may be required to make good any damage they have caused at their expense. Charges of up to £1000 may be required by the Vice-Chancellor or their nominee. The charges are to be paid to the owner or possessor of the property damaged. The Vice-Chancellor will have regard to the means of the student and may allow time to discharge the sum or order the sum to be paid in prescribed instalments.

9.4 *Restrictions/conditions*

Restrictions or conditions may be imposed by the Disciplinary Committee on a student, examples of which are: support to be sought from Student Services; no direct contact to be made with another student.

9.5 Exclusion

The Disciplinary Committee has the authority to exclude a student from certain areas of the campus, such as the Students' Union, Halls of Residence or the Sports Hall. In such cases, the student will normally be allowed to attend the University for education and support purposes only.

9.6 Suspension

The Disciplinary Committee has the authority to suspend a student from the University on disciplinary grounds for such period as the Disciplinary Committee considers just and reasonable in the circumstances. Conditions may be imposed on a student's return to study. Students who are suspended will be required to pay a proportionate amount of fees dependent upon an assessment of fees already paid and the teaching already received. Any marks which have not been ratified by the assessment boards prior to the suspension may be removed.

9.7 Expulsion

The Disciplinary Committee has the authority to expel a student from the University on disciplinary grounds. Students who are expelled will be required to pay a proportionate amount of fees dependent upon an assessment of fees already paid and the teaching already received. Any marks which have not been ratified by the assessment boards prior to the suspension may be removed.

9.8 Application of penalties

- 9.8.1 Decisions on which of the above penalties should be applied will be made in accordance with the 'Guidelines for the Application of Penalties' available in Appendix 1.
- 9.8.2 Multiple or repeated incidents of misconduct may be more serious than a single act of misconduct and previous findings may be taken into account when determining what penalty should be imposed.
- 9.8.3 Penalties may be imposed on students who have graduated, where an offence took place whilst they were a student of the University. This would normally constitute a formal written warning that would remain on the student's record for a specified period of time.

10. Request for Review

10.1 General principles

- 10.1.1 Students have the right to request a review against the penalty which has been imposed by the Disciplinary Committee.

10.2 Timescales

- 10.2.1 The request for review must be submitted to the Student Casework Unit and should be received not later than 10 working days after the formal notification of the outcome of the Disciplinary Committee.

10.3 Grounds for review

- 10.3.1 The grounds under which a review of formal warnings, fines or charges may be made are:
 - a) That new evidence or extenuating circumstances have become known which the student could not have reasonably made known at the time of the original investigation for cases of misconduct considered by the faculty, or at the original hearing for cases of misconduct considered by the

University Disciplinary Committee. *(NB Sensitive personal, family or cultural reasons will not be accepted as good reason.)*

- b) That there were irregularities in the conduct of proceedings of such a significant nature as to cause reasonable doubt as to whether the panel would have reached the same decision had they not occurred.

The grounds under which a request for review against suspension or expulsion may be made are as above and, in addition:

- c) That the original penalty imposed was excessive against the guidelines.

10.3.2 It is the student's responsibility when requesting a review to demonstrate, on the balance of probabilities, that there is evidence to show that one or more of the grounds stated in 10.3.1 applies.

10.4 Consideration of the request for review

10.4.1 The University Secretary (or nominee) will consider the student's request for review and may dismiss it without a hearing in the following circumstances:

- d) The request for review was not submitted within the specified timescale.
e) No identifiable grounds for review were presented.
f) The grounds for review were deemed to be vexatious or frivolous.

10.4.2 If the University Secretary (or nominee) considers that there are no grounds for review, the student will be issued with a Completion of Procedures Letter.

10.4.3 If the University Secretary (or nominee) considers that there are grounds for review, the case will be referred to a Review Panel.

10.4.4 The decision of the University Secretary (or nominee) will be communicated to the student within 5 working days of receipt of the request for review.

10.5 Review Panel

10.5.1 The Review Panel hearing will be convened within 20 working days of the decision of the University Secretary to refer the case. This timescale may be extended by agreement with the student who is the subject of the allegations or, in exceptional circumstances, by the University.

10.5.2 A Review Panel is constituted as follows:

- Vice Chancellor (or nominee);
- Member of senior management.

In the case of a difference of opinion between the two members of a panel, the Vice-Chancellor (or nominee) will have the casting vote.

The hearing will be served by a secretary who is not a member but will be present throughout the proceedings. The secretary will be the Associate Registrar (Student Casework) (or nominee).

The members of the Review Panel will have had no previous involvement with the case or association with the student.

10.5.3 The Review Panel may decide that:

- e) The outcome of the Disciplinary Committee should be upheld.
- f) The outcome of the Disciplinary Committee should not be upheld.
- g) The Disciplinary Committee made procedural errors and/or errors of judgement and a new Disciplinary Committee should be convened to hear the case afresh.
- h) The outcome of the Disciplinary Committee was disproportionate and a more proportionate outcome should be substituted.

10.5.4 The decision of the panel shall be final and will be notified to the student within a period of 5 working days following the meeting by e-mail and/or first class post to the last known address of the student. Such despatch will be deemed to be sufficient and complete discharge of the duty to inform the student.

10.5.5 If the review is successful, the University will ensure as far as possible that the student has not been disadvantaged by any disciplinary action or suspension.

11. Office of the Independent Adjudicator

A student whose appeal against a disciplinary outcome is unsuccessful may, following issue of a Completion of Procedures letter, lodge a complaint with the Office of the Independent Adjudicator (OIA). Details of the OIA and the relevant information in relation to the Scheme can be accessed at www.oiahe.org.uk. Further information and advice can be obtained from the Student Casework Unit, University Secretary's Office.

Guidelines for Application of Penalties

DISCIPLINARY OFFENCE	EXAMPLES OF UNACCEPTABLE BEHAVIOUR	EXAMPLES OF PENALTIES	RESPONSIBILITY FOR IMPOSING PENALTY
Physical Misconduct	Causing injury by: <ul style="list-style-type: none"> • Punching • Pushing • Shoving • Kicking • Slapping • Biting • Pulling hair 	<ul style="list-style-type: none"> • Expulsion • Suspension/exclusion • Restrictions/conditions 	University Disciplinary Committee
	Likely to cause injury but didn't by: <ul style="list-style-type: none"> • Pushing • Shoving • Pulling hair 	<ul style="list-style-type: none"> • Formal warning • Written apology 	Dean of faculty to which the student belongs
Sexual Misconduct	<ul style="list-style-type: none"> • Engaging in sexual intercourse or a sexual act without consent • Attempting to engage in sexual intercourse or a sexual act without consent • Sharing private sexual materials of another person without consent • Sending inappropriate photos/materials • Forcefully kissing without consent • Touching inappropriately through clothes without consent • Inappropriately showing sexual organs to another person • Making unwanted remarks of a sexual nature 	<ul style="list-style-type: none"> • Expulsion • Suspension/exclusion • Restrictions/conditions • Formal warning • Written apology 	University Disciplinary Committee Dean of faculty to which the student belongs
	<ul style="list-style-type: none"> • Lightly kissing without consent • Making unwanted remarks of a sexual nature 	<ul style="list-style-type: none"> • Restrictions/conditions • Formal warning • Written apology 	Dean of faculty to which the student belongs

Abusive Behaviour	<ul style="list-style-type: none"> • Threats to hurt another person • Engage in any activity or behaviour which contravenes the University's Strategic Equality Plan or Dignity at Study/Dignity at Work policies, including acts of racial hatred, non-violent extremism, violent extremism and/or terrorism and abusive comments relating to an individual's sex, sexual orientation, religion or belief, race, pregnancy, marriage/civil partnership, gender reassignment, disability or age • Acting in an intimidating and hostile manner • Repeatedly following another person without good reason • Malicious or vexatious allegations against other members of the University community causing a significant effect 	<ul style="list-style-type: none"> • Expulsion • Suspension/exclusion • Restrictions/conditions 	University Disciplinary Committee
	<ul style="list-style-type: none"> • Malicious or vexatious allegations against other members of the University community causing a minor effect • Use of inappropriate language • Repeatedly contacting another person (by phone, email, text or on social networking sites) against the wishes of the other person • Repeatedly following another person without good reason 	<ul style="list-style-type: none"> • Formal warning • Written apology 	Dean of faculty to which the student belongs

Damage to Property	<ul style="list-style-type: none"> Maliciously or wilfully causing significant damage to University property or the property of students or employees of the University or visitors to the University 	<ul style="list-style-type: none"> Expulsion Suspension/exclusion Restrictions/conditions Charges - requirement to make good the damage caused at their expense 	University Disciplinary Committee
	<ul style="list-style-type: none"> Causing minor damage to University property or the property of students or employees of the University or visitors to the University 	<ul style="list-style-type: none"> Formal warning Written apology 	Dean of faculty to which the student belongs
Unauthorised Taking Or Use Of Property	<ul style="list-style-type: none"> Unauthorised entry onto or unauthorised use of University premises Taking another's property without their consent Taking unauthorised recordings and uploading them to social media with significant effect 	<ul style="list-style-type: none"> Expulsion Suspension/exclusion Restrictions/conditions 	University Disciplinary Committee
	<ul style="list-style-type: none"> Misuse of University property (for example computers and laboratory equipment) Taking another's property without their consent Taking unauthorised recordings and uploading them to social media with minor effect 	<ul style="list-style-type: none"> Formal warning Written apology 	Dean of faculty to which the student belongs
Causing A Health Or Safety Concern	<ul style="list-style-type: none"> Act/omission that did cause or could have caused serious harm on University premises or during University activities (for example, disabling fire extinguishers or possessing/supplying controlled drugs) 	<ul style="list-style-type: none"> Expulsion Suspension/exclusion Restrictions/conditions 	University Disciplinary Committee
	<ul style="list-style-type: none"> Act/omission that did cause or could have caused a health and safety concern on University premises (for example, smoking cigarettes in non-designated areas) 	<ul style="list-style-type: none"> Formal warning Written apology 	Dean of faculty to which the student belongs

Operational Obstruction	<ul style="list-style-type: none"> • Acts/omissions/statements intended to deceive the University⁵⁰ • Disruption of the activities of the University (including academic, administrative, sporting and social) on University premises or elsewhere • Disruption of the functions, duties or activities of any student or employee of the University or any authorised visitor to the University • Bribe or attempt to bribe a member of university staff • Fail to comply with the reasonable request of an authorised individual. 	<ul style="list-style-type: none"> • Expulsion • Suspension/exclusion • Restrictions/conditions 	University Disciplinary Committee
	<ul style="list-style-type: none"> • Improper interference with the activities of the University (including academic, administrative, sporting and social) on University premises or elsewhere • Improper interference with the functions, duties or activities of any student or employee of the University or any authorised visitor to the University • Fail to comply with the reasonable request of an authorised individual • Fail to give their name and address to an officer or employee of the University when reasonably requested to do so by such officer or employee in the course of their duties 	<ul style="list-style-type: none"> • Formal warning • Written apology 	Dean of faculty to which the student belongs

⁵⁰ When an act is committed to gain admission to the University, eg falsification of documents, where no credit has been awarded this will be considered through the admissions procedures; where credit has been gained, the matter will be dealt with through the Student Conduct Regulations.

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Reputational damage	<ul style="list-style-type: none"> Behaviour which has caused serious damage or could have caused serious damage to the reputation of the University 	<ul style="list-style-type: none"> Expulsion Suspension/exclusion Restrictions/conditions 	University Disciplinary Committee
	<ul style="list-style-type: none"> Behaviour which has damaged or could have damaged the reputation of the University 	<ul style="list-style-type: none"> Formal warning Written apology 	Dean of faculty to which the student belongs

Tier 4 Visas

As a Tier 4 student, you must ensure that you understand and abide by the conditions attached to your visa, and comply with any future UK Visas and Immigration (UKVI)/Home Office changes to Tier 4. Abiding by these conditions is a legal obligation and failure to do so may result in been withdrawn by the University and withdrawing its Tier 4 sponsorship of you.

1. Comply with all the conditions of your visa, including:

- not working more hours than you are permitted to;
- not claiming public funds;
- not studying, other than as your conditions of stay allow;
- not working as a doctor or a dentist in training;
- not be employed as a professional sportsperson (including a sports coach);
- not be employed as an entertainer;
- not be self-employed (except where you are awaiting a decision on an application you have made for leave to remain as a Tier 1 (Graduate Entrepreneur) Migrant);
- not engage in business activity;
- not filling a full-time, permanent vacancy during term-time (except where you are filling a post as a Student Union Sabbatical Officer);
- and registering with the police if required.

You must also ensure that **you update the police within seven days** if you change address during your studies; extend your Tier 4 leave; renew your passport; get married; or if any of the other details on your Police Registration Certificate change: <https://www.gov.uk/register-with-the-police/overview>

2. Notify UK Visas and Immigration (UKVI) of changes in your circumstances: <https://www.gov.uk/change-circumstances-visa-brp/youre-in-the-uk-and-have-a-brp>

3. Complete your enrolment and register for modules when you are expected to.

4. Complete any re-enrolment as required within the necessary time period.

5. Provide your original passport, visa and Biometric Residence Permit (BRP) to the University. The University is required to see the original documents, take and keep copies of your passport pages showing all personal details and visa stamps or documents to evidence your entitlement to study in the UK. This also includes a Biometric Residence Permit.

6. Ensure that you hold a valid passport **for the duration of your course**.

7. Notify and provide to the University of any updates to your passport **within seven working days**. Please email: hoenquiries@southwales.ac.uk

8. If you switch to another visa category, **you must notify the University within seven working days of the change**. The University must see the original visa, take copies and report this change to UKVI. Please email: hoenquiries@southwales.ac.uk

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9. Provide accurate and truthful information to the University when requesting a new CAS. Failure to do so could have implications for your continued studies and your Tier 4 sponsorship.
10. Apply for a new visa before your current visa expires. Contact the Advice Zone: <http://unilife.southwales.ac.uk/pages/3024-advice-zones> and Immigration & International Students Advice (IISA) team: <http://intsupport.southwales.ac.uk/> **All in the UK Tier 4 applications must be made via the IISA team and not independently.**
11. Reply to any requests from the University on your immigration status by the deadline given.
12. Attend all your lectures, classes, meetings with tutors and supervisors and any other compulsory scheduled sessions, in line with USW's Attendance Policy. Equally, scan your fingerprint every 7 days. You **must** scan your fingerprint using the fingerprint scanner at **your** respective campus. Failure to do so, may result in your withdrawal from the course, you will be reported to UKVI and your visa may be curtailed (shortened). Consequently, you may have to leave the UK.
13. Ensure that **you live within the South Wales/South West area and you must have a commutable term time address** in the South Wales/South West area in order **to attend the University.**
14. Ensure that you meet the Immigration Rules in relation to academic progression and changing courses.
15. Follow the University's procedures if you decide to suspend your studies or withdraw from your course, and leave the UK in line with the Immigration Rules.
16. Keep your contact details up to date, including changes of address and telephone number and email address. Therefore, that the university can contact you when required and help the University to comply with a UKVI's requirement.
17. Notify at the first opportunity Academic Registry prior to starting any work placement, which is an integral and assessed part of your programme of study, and meet the University's procedures. Please email: hoenquiries@southwales.ac.uk.
You may be in breach of the conditions of your visa if you start a work placement without notifying Academic Registry.
18. Seek help early from the Immigration & International Students Advice (IISA) team: <http://intsupport.southwales.ac.uk/> for issues relating to your studies, which may impact on your visa. For instance, change of courses, suspension or withdrawal.
19. Endeavour to complete your course by the date provided on your CAS.
20. Cooperate with the University in relation to its record-keeping and reporting duties placed by UKVI.

Other categories of visas

If you are subject to immigration control and have a visa that allows you to study in the University, you must ensure that you understand and abide by the conditions attached to your visa and comply with changes that UK Visas and Immigration (UKVI)/Home Office may make in relation to your visa type. This is a legal obligation and failure to do

so may result in the University withdrawing you from your course.

You must:

1. Comply with all the conditions of your visa, including not working more hours than you are permitted to, not claiming public funds, and registering with the police if required. You must also ensure **that you inform the police within seven days** if you change address during your studies; extend your leave; renew your passport; get married; or if any of the other details on your Police Registration Certificate change: <https://www.gov.uk/register-with-the-police/overview>
2. Notify UK Visas and Immigration (UKVI) of changes in your circumstances: <https://www.gov.uk/change-circumstances-visa-brp/youre-in-the-uk-and-have-a-brp>
3. If you are an Asylum Seeker, you must provide all relevant documentation to the University's Immigration & International Student Advice (IISA) Team. IISA will assess your case and identify whether you are permitted to study at the University. As your immigration status can change at any point during your studies, the University will run monthly checks with UK Visas and Immigration (UKVI). However, it is your responsibility to inform the University whether your request for asylum has been approved or your circumstances have changed. You must inform Academic Registry of any change concerning your asylum claim **within seven working days**. Please email hoenquiries@southwales.ac.uk .
4. Complete your enrolment and register for modules when you are expected to.
5. Complete any re-enrolment as required within the necessary time period.
6. Provide your original passport, visa and Biometric Residence Permit (BRP) to the University. The University is required to see the original documents, take and keep copies of your passport pages showing all personal details and visa stamps or documents to evidence your entitlement to study in the UK. This also includes a Biometric Residence Permit.
7. Ensure that you hold a valid passport **for the duration of your course**.
8. Notify and provide to the University of any updates to your passport **within seven working days**. Please email: hoenquiries@southwales.ac.uk
9. If you switch to another visa category, **you must notify the University within seven working days of the change**. The University must see the original documents, take copies and report this change to UKVI. **Please email:** hoenquiries@southwales.ac.uk
10. Apply for a new visa before your current visa expires. Contact the Advice Zone: <http://unilife.southwales.ac.uk/pages/3024-advice-zones> and the Immigration & International Students Advice (IISA) team: <http://intsupport.southwales.ac.uk/>
11. Reply to any requests from the University on your immigration status by the deadline given.
12. Cooperate with the University in relation to its record-keeping and reporting duties placed by UKVI.
13. Seek help early from the Immigration & International Students Advice (IISA) team: <http://intsupport.southwales.ac.uk/> for issues relating to your studies, which may impact on your visa. For instance, change of courses, suspension or withdrawal.

14. Follow the University's procedures if you decide to suspend your studies or withdraw from your course.
 15. Keep your contact details up to date, including changes of address and telephone number and email address. So, that the university can contact you when required.
 16. Notify at the first opportunity Academic Registry and prior to starting any work placement which is an integral and assessed part of your programme of study, and meet the University's procedures. Please email: hoenquiries@southwales.ac.uk
- You may be in breach of the conditions of your visa if you start a work placement without notifying Academic Registry.
17. Attend all your lectures, classes, meetings with tutors and supervisors, and any other compulsory scheduled sessions, in line with USW's Attendance Policy.



Fees & Debt Management Policy

Policy Review		
Version Number	Effective Date	Amendment Author
1.0	July 2018	Lisa Davies

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Introduction

The University of South Wales receives income from the following main sources:

- Tuition Fees
- Accommodation Fees
- Sponsors
- Contract Income
- Research/Grants
- HEFCW

The policy covers all types of income received via tuition fees, accommodation fees or other income.

Principles affecting how the university sets Tuition Fees

- The Higher Education Funding Council for Wales (HEFCW) sets the maximum tuition fee chargeable for full-time UK and EU undergraduate students.
- A fee plan is submitted to HEFCW for approval of the fees USW charges for full-time UK and EU undergraduate students. (<http://www.southwales.ac.uk/about/publications/>)
- The University charges the Research Councils UK (RCUK) maximum studentship fee to full-time postgraduate research students
- The University sets all other fees.
- Tuition fees are subject to annual increases as follows:
 - Full-time undergraduate UK, EU and Channel Islands students' fees may increase annually subject to setting by HEFCW
 - Part-Time undergraduate fees are reviewed annually and will usually increase in line with inflation, but this is subject to review depending on internal and external factors.
 - Full-time postgraduate research UK, EU and Channel Islands students' fees are set the same as the RCUK maximum studentship fee, which usually increases each year, in line with inflation ([Research Councils UK Doctoral Stipend Levels and Indicative Fees for 2018](#)).
 - Postgraduate taught full-time and part-time UK, EU and Channel Islands students' fee increases are reviewed annually and will usually increase in line with inflation, but this is subject to review depending on internal and external factors.).
- International students' fee increases are reviewed annually and will usually increase in line with inflation, but this is subject to review depending on internal and external factors.
- Students will pay the fee based on the fee regime in place at their initial enrolment on a course. This commitment will hold good for the normal course length (i.e. the length of the course expected at the start of the course). However, undergraduate students eligible for tuition fee loans under fee regime, pre 2012, will continue to be charged this fee regime.
- Students who transfer to a different mode of study (i.e. full-time to part-time or vice versa) will be charged according to the fee regime of the academic year during which they transfer.
- Full-time undergraduate students studying 100 credits or more will be charged the full-time course fee applicable to the fee regime in place at the start of their current course.

- Full-time students repeating a full year of study will continue to be charged the full-time fee applicable to the fee regime in place at the start of their current course.
- Full-time, undergraduate students repeating fewer than 100 credits will be charged according to the number of credits taken pro-rata to the full-time fee applicable to the fee regime in place at the start of their current course.
- Full-time postgraduate students repeating fewer than 180 credits will be charged according to the number of credits taken pro rata to the full-time fee applicable to the fee regime in place at the start of their current course.
- Part-time students repeating credits will be charged according to the fee regime on which they started. Exceptions to this are Professional courses, and modules taken as part of the Associate Student Scheme which will be charged at the fee regime applicable to the current academic year.
- Students who withdraw, transfer or have an interruption of studies: see appendix 3

Debt Management

It is important for the university to effectively manage debt as this:

- Maximises cash flows from each area of the business
- Minimises the risk of bad debt to the University

All decision makers across the University should be aware of the importance of cash management and co-operate with the financial process administrators, who will provide assistance and advice to other departments on debt management.

Information is provided to students prior to enrolling regarding their tuition fees for which they will be liable.

Student Fee Liability

Tuition Fees – Student becomes liable for fees on the course start date or enrolment date, whichever is the latter.

Accommodation Fees – Student becomes liable for fees on the first day of occupancy in the accommodation.

Please refer to Appendix 1 Debt Collection Policy Tuition Fees for further detail.

Other Debtors

Invoices are due for payment within 28 days of invoice date

Payment Methods

The following payment methods are available to USW students:

- Online

- Recurring Card Payments
- Credit/Debit card
- Bank transfer

Details are here: <http://finance.southwales.ac.uk/>

For the purpose of this policy, 'Students' are defined as persons registered or enrolled at the University to undertake a programme of study.

Students will not be allowed to enrol in any subsequent academic year if they have any prior year tuition debt outstanding.

If the student leaves the University with outstanding debt, the University will follow the debt collection process to recover the outstanding debt. Students are responsible for paying all fees incurred whilst studying at the University.

If a student is sponsored and the sponsor does not pay the debt due, the student is ultimately liable for this debt.

The following information relating to Tuition Fees and Financial Support is available to the Student prior to undertaking their chosen programme of study.

Undergraduate Tuition Fees –

<https://www.southwales.ac.uk/study/fees-and-funding/undergraduate/>

Postgraduate Tuition Fees –

<https://www.southwales.ac.uk/study/fees-and-funding/postgraduate-fees-and-funding/>

<https://www.southwales.ac.uk/study/fees-and-funding/>

Email: money@southwales.ac.uk

- **Home / EU Students**

If a student is classified as a Home / EU student and is taking out a loan from the Student Loan Company (SLC) to pay tuition fees, the student must make arrangements with the SLC in advance of enrolling on their programme of study.

- **International Students**

Students who are classified as international students will be required to pay their tuition fees as follows:

- Where the applicant requires a Confirmation of Acceptance for Studies (CAS) in order to apply for a visa, the minimum deposit must be paid or proof of sponsorship must be provided prior to the CAS being issued.
- Minimum deposit is calculated at 50% of the net fee after scholarship award.
- An international student wishing to either obtain a Confirmation of Acceptance to Study (CAS) or to enrol on a course is required to pay 50% of the net total fee in advance for each academic year.
- Exceptions to this are the 5, 7, 10 week Pre-sessional English courses, and the International Foundation Programme, who are required to pay 100% of the net total fee.

- The remainder of fees must be paid in full at enrolment or in line with the payment options set out in this policy document.

<http://international.southwales.ac.uk/fees-and-scholarships/international/>

- Norwegian students in receipt of the Norwegian Government loan, will be required to pay 50% on enrolment and the remaining 50% by the end of the 1st month of the 2nd term of their course.

- **Sponsored Students**

Students whose fees will be paid by a Sponsor, e.g. employer or Embassy, must provide proof of sponsorship at, or before enrolment on their programme of study. If this is not provided the student will be invoiced accordingly and will become liable for their tuition fees.

Proof of sponsorship includes a letter / email / purchase order addressed to the University of South Wales, from the Sponsor.

Students will be advised if their tuition fees remain unpaid by their sponsor following 28 days of invoice date.

If a student is sponsored and the sponsor doesn't pay the debt due, the student is ultimately liable for this debt.

- **Tuition Fees - Payment Options**

Fees must be paid in full at enrolment unless an instalment arrangement is agreed with The Finance Department.

- **Full Payment.**

If the student chooses to pay in full at the time of enrolment, they may be eligible for an Early Payer Discount (EPD) of £300 if the following conditions are met:

- The student is enrolled on a full-time undergraduate course studying, and paying for, 120 credits in a year, and paying the fee themselves.
- If the student is in receipt of the SLC Tuition Fee Grant, they are not eligible for the discount.

Or

- The student is enrolled as a full time student on a taught postgraduate course, paying for the full 180 credit fee in year 1, and paying the fee themselves.
- The student is not enrolled on a placement year.
- EPD does not apply to students on a placement year.
- Fees must be paid in full no later than 14 calendar days after the start date of their course as indicated on their academic record.
- EPD is **only** applicable to those students not in receipt of other scholarships, bursaries and discounts with the exception of the International scholarship initiative:

(<http://international.southwales.ac.uk/fees-and-scholarships/international-scholarships/>).

- Any student due a reduction in annual tuition fee due to discontinuation will no longer be eligible for Early Payer Discount.

- **Instalments**

The below instalment arrangement should be set up via the online payment system:

<http://finance.southwales.ac.uk/>

- **Recurring Card payments**

- A maximum of 7 equal and consecutive monthly instalments to be paid in full within 7 months of course start date.
- Home/EU postgraduate students may set up a termly recurring card plan for payments to be made in line with postgraduate loan instalments at the start of each term.

Any failed instalment will automatically be attempted again 5 days following the original attempt. Should the second attempt fail, the instalment arrangement will be cancelled.

Debt Recovery

Any instalment agreement that is cancelled leaving an outstanding debt will mean that the student becomes a debtor and is subject to the University's sanctions for debt recovery, which will include the following steps:

- Written reminders from the University
- Removal of Student's IT access
- Exclusion from studying at the University
- Revocation of the right to attend Graduation Ceremony
- The withholding of Certificate(s) and Transcript(s)
- Referral to third party debt collection agency

Refer to Appendix 1 'Debt Recovery Policy' for further detail.

All tuition debt must be cleared before a student is permitted to re-enrol or have their Certificate or Transcript released.

Exclusion Rules

Home / EU Students

Where a student has been excluded from the University for non-payment of tuition fees, they will not be permitted to return to complete the remainder of that academic year. Should the student wish to return to continue their studies in the following academic year, the student must pay the outstanding tuition fees owed and also pay the full tuition fee for the coming academic year prior to re-enrolling.

International Students (Tier 4 students)

Once a Tier 4 student reaches Stage 3, the student will be excluded from the University and a letter will be sent by the Finance Department informing the student of this. Subsequently, Student Administration Services will report the student within 10 working days to UK Visas and Immigration (UKVI) in line with USW's Tier 4 compliance responsibilities. This report means that the University is withdrawing its sponsorship and UKVI will curtail (shorten) the student's visa. Student Administration Services will write to the student confirming this has

been done. Within this letter, the student will be informed that, as per the conditions of their visa, they will be no longer permitted to work in the UK in any capacity. In addition, the student will be advised to leave the UK as soon as possible and asked to provide confirmation of travel arrangements. Should the student wish to return to continue their studies in the following academic year, the student must pay the outstanding fees owed and also pay the full tuition fee for the coming academic year prior to a Confirmation of Acceptance for Studies (CAS) being issued.

All Students

All Students who are excluded from their course for non-payment of tuition fees are therefore no longer classed as students of the University and will not be permitted to remain in Halls of Residence following stage 3 exclusion. They will therefore be expected to leave within 28 days.

Accommodation Fees

Students are made aware of the cost of accommodation and the payment options available to them at the point of application. They are obliged to sign and agree the Terms of Contract; with the signed copy to be produced in order to obtain a room key.

Accommodation Fees – Payment Options

Fees for accommodation charges are due in full at the point of taking residency as outlined in the contract. The payment options are as follows:

Home/EU Students

Payment in full, or by Recurring Card Payments in 3 instalments, taken at the beginning of each term, as per the terms of contract.

<http://accommodation.southwales.ac.uk/>

International Students

Payment must be made in full as per the terms of contract.

Accommodation Fees – Debt Recovery

Failure to comply with the payment options outlined above will result in the following sanctions:

- Email from Accommodation Manager informing student of failed payment
- Invited to discuss non-payment with Accommodation Manager
- Finance inform student of Notice to Quit
- Student Receives Notice to Quit
- Letter Before (legal) Action sent to student
- Referral to the third party debt collection agency

Refer to Appendix 2 'Debt Collection Policy Accommodation Fees' for further information.

Financial Hardship

The University recognises that some students may encounter financial hardship during their studies.

It is recommended that students experiencing financial difficulties make contact with the Student Money Advice Team to discuss their particular circumstances at the earliest opportunity, using the link below:

<https://www.southwales.ac.uk/study/fees-and-funding/contact-us/>

Withdrawals, Transfers and Interruption of Studies

Information on Withdrawals, Transfers and interruption of studies can be found in the following link:

<http://unilife.southwales.ac.uk/pages/3020-withdrawal-transfer-or-suspension-of-studies>

Refer to Appendix 3 'Student Withdrawals and Interruption of Studies Policy' for further detail.

All Other Debtors

Debt Management

Exceptions to the standard 28 days payment terms must be agreed by the Executive Director of Finance and Infrastructure Services or his nominee.

Sending reminders to debtors is the responsibility of the Finance Department. This consists of a prescribed process which is determined by time and responses from the debtor.

Whilst the debt recovery procedure maybe specific to each case, the following steps will be taken by the Finance Department to recover debt:

- Email Notifications
- Statements
- Written Reminders from the University
- Referral to third party debt collection agency

Partners & businesses' non-payment can constitute breach of contract with USW. This could trigger early notice being given on partner agreements.

Useful Contacts

Accommodation

<http://www.southwales.ac.uk/accommodation/accom@southwales.ac.uk>

International

<https://international.southwales.ac.uk>
international@southwales.ac.uk

Finance Department

<https://finance.southwales.ac.uk>
revenue@southwales.ac.uk

Student Money Advice

<https://www.southwales.ac.uk/study/fees-and-funding/>
money@southwales.ac.uk

Appendix 1

Debt Recovery Policy

Tuition Fees – Self-Paying Students

Any student whose instalment arrangement is cancelled will be subject to the stage applicable to the original date of their invoice.

7 Day Reminder

7 days after the date of the invoice, all students will be sent an email by the Finance Department to both their University and personal email account (as provided by the student) stating that their invoice has been generated.

Stage One

28 calendar days after the date of the invoice the student will be sent an email by the Finance Department to both their University and personal email account (as provided by the student) reminding them that fees are due for payment. Their Faculty will also be informed.

Stage Two

42 calendar days after the date of the invoice an email will be sent by the Finance Department to both their University and personal email account (as provided by the student). A letter will also be sent to the student's term time address provided by the student. If arrangements are not made to pay fees at this point, the Faculty will be notified and the Student's University IT access will be withdrawn within 5 days of the date of the email.

Stage Three (Exclusion)

77 calendar days after the date of the invoice, the student will be sent an exclusion letter to their personal email account, home address and term time address. At this point, enrolment will be terminated meaning the student will be excluded from their studies and must not attend any further teaching activities. The student must leave the University immediately (see earlier Exclusion rules). Students have the right to appeal against their exclusion. Notice of appeal must be made in writing to the Finance Department and must be received not later than 10 working days after the formal date on the notification of exclusion.

The University reserves the right to refuse permission for Students to attend the Graduation Ceremony where tuition fees are owed.

Letter Before Action

105 calendar days after the date of invoice, the student will be sent a letter informing they have still not paid their outstanding tuition fees. At this stage the student will be informed that they have 14 days to pay the outstanding fees in full, failure to do so will result in their account being passed to a third party debt collection agency.

Referral to Third Party Debt Collection Agency

119 calendar days after the date of invoice, the account will be passed to the third party debt collection agency who will collect outstanding debt due to the University by liaising directly with the student. The third party debt collection agency can, on behalf of the university, instigate legal proceedings to recover the debt; including

obtaining judgment against the debtor and enforcing this judgment.

The University will withhold the student's certificate and transcript until their tuition fees have been paid.

As part of the University's debt recovery procedures, we use third party debt collection agencies. The University will only pass matters into their hands when all internal efforts have been exhausted.

(This timeline is subject to university closures and exam period, during which no reminders will be sent to enrolled students)

When all of the university's debt chase processes have been exhausted, any outstanding debt is reviewed on a monthly basis by the university's appropriate delegated authorities.

Debt Collection Policy – Tuition Fees – Sponsors

Stage One

28 calendar days after the date of the invoice the sponsor will be sent an email by the Finance Department, reminding that fees are due for payment. An email is also sent to the student to both their University and personal email account (as provided by the student), advising that fees are due for payment.

Stage Two

56 calendar days after the date of an invoice the sponsor will be sent an email by the Finance Department and a letter to the sponsors address. Both the letter and the email will advise that the student may lose their IT access for non-payment of the outstanding fees. An email is also sent to the student to both their University and personal email account (as provided by the student).

Stage Three

71 calendar days after the date of an invoice the sponsor will be sent an email by the Finance Department and a letter to the sponsors address. Both the letter and the email will advise that the sponsor has still not paid the outstanding tuition fees. At this stage the sponsor will be informed that they have 14 days to pay the outstanding fees in full. Failure to do so will result in their account being passed to a third party debt collection agency or the outstanding fees being passed onto the student's account (which will then fall into the Debt Collection Policy for Self Paying Students).

Appendix 2

Debt Collection Policy – Accommodation Fees

Any student whose instalment arrangement is cancelled will be subject to the stage applicable to the original date of occupancy.

Email from Accommodation Manager

7 calendar days after the date of occupancy the student will receive an email from the Accommodation Manager informing them that they have failed to make due payment.

Invitation to Discuss

14 calendar days after the accommodation fees are due in full, the student will be contacted by the Accommodation Manager or suitable representative and invited to discuss the non-payment.

Letter from Finance

21 calendar days after the accommodation fees are due in full; the student will receive a letter from finance informing them that they will be issued a notice to quit if no payment has been received.

Notice to Quit

28 calendar days after the accommodation fees are due in full, the student will receive the 'Notice to Quit' from the Accommodation Manager and will be expected to vacate the accommodation.

Letter Before Action

56 calendar days after the date of invoice, the student will be sent a letter informing they have still not paid their outstanding tuition fees. At this stage the student will be informed that they have 14 days to pay the outstanding fees in full, failure to do so will result in their account being passed to a third party debt collection agency.

Referral to Third Party Debt Collection Agency

70 calendar days after the date of invoice, the account will be passed to the debt collection agency who will collect outstanding debt due to the University by liaising directly with the student. *(This timeline is subject to university closures and exam period, during which no reminders will be sent to enrolled students)*

Appendix 3

Withdrawal / Interruption of Studies/ Transfer Policy

Introduction

These regulations refer to the level of tuition fees to be charged to students who are withdrawn / transferred from their course / have an interruption of studies part way through their academic year. The regulations also give details on University policy regarding the payment of any refund of tuition fees due and the procedure for requesting a refund.

The effective date of a student's withdrawal / interruption of studies / transferral for the purpose of these regulations is the date entered on the student's record in the University's Student Administration and Management Information System (Quercus).

A student that interrupts their studies will be charged according to the rules below in the first academic year. When they return in the following academic year they will be charged the balance of the year's fees (effectively being charged one full year's fee across two academic years) providing that there are no changes to their curriculum.

Tuition Fee Liability – Home/EU

Undergraduate Students

- A 14 calendar date grace period will be allowed following the official course start date during which there will be no fee liability due
- A student discontinuing after the grace period, but before the second day of the second term, will be liable for 25% of their tuition fee.
- A student discontinuing on or after the second day of the second term, but before the second day of the third term, will be liable for 50% of their tuition fee.
- A student discontinuing after the second day of the third term will be liable for their full tuition fee.

N.B. Discontinuing refers to interrupted study, withdrawing or transferring from the University of South Wales.

Full-time Postgraduate Students

- A 14 calendar day grace period will be allowed following the official course start date during which there will be no fee liability.
- A student discontinuing after the grace period, but before the second day of the second term, will be liable for one third of their full tuition fee after the dissertation cost has been deducted.
- A student discontinuing after the second day of the second term, but before the second day of the third term, will be liable for two thirds of their full tuition fee after the dissertation cost has been deducted.

- A student discontinuing after the second day of the third term will be liable for their full tuition fee.

Part-time Postgraduate Students

- A 14 calendar day grace period will be allowed following the official course start date during which there will be no fee liability.
- A student discontinuing after the grace period, but before the second day of the second term, will be liable for one third of their tuition fee.
- A student discontinuing on or after the second day of the second term, but before the second day of the third term, will be liable for two thirds of their tuition fee.
- A student discontinuing after the second day of the third term will be liable for their full tuition fee.

Part-time Professional Accounting & Finance Students

- A 14 calendar day grace period will be allowed following the official course start date during which there will be no fee liability, with the exception of the cost of any study materials provided, which will be payable in full.
- A student discontinuing after the grace period, but within 4 teaching weeks of the course start date, will be liable for 25% of their tuition fee.
- A student discontinuing after the grace period, but within 8 teaching weeks of the course start date, will be liable for 50% of their tuition fee.
- A student discontinuing after 8 teaching weeks of the course start date will be liable for their full tuition fee.

Research Students

Research fees will be charged pro rata of the months studied. A student will be charged a full month's fee where they have remained enrolled in that month.

Tuition Fee Liability – International

In line with the compliance responsibilities of the University's Tier 4 Sponsor licence, USW is required to notify UK Visas and Immigration of any applicant who has been assigned a Confirmation of Acceptance for Studies (CAS) and does not enrol as well as any significant change of circumstance affecting students on a Tier 4 student visa during their studies. This includes, for instance, if a student is withdrawn from their programme, discontinues their studies with the University or intermits.

If a student chooses to discontinue their studies, they must contact their Personal Tutor/Programme Leader to discuss the academic reasons. They must also seek advice from the Immigration & International Student Advice team prior to making a decision to withdraw from their programme of study, as they will need to understand the implications of leaving the programme of study for their current Tier 4 visa.

Undergraduate Students

- A student discontinuing during the first term, but before the second day of the second term, will be liable for 50% of the tuition fee.
- A student discontinuing on or after the second day of the second term, but before the start of the third term, will be liable for 75% of the tuition fee.
- A student discontinuing any time on or after the second day of their third term are liable for the full tuition fee.

Postgraduate Students

- A student discontinuing during the first term, but before the second day of the second term, will be liable for 50% of the tuition fee after the dissertation cost has been deducted.
- A student discontinuing on or after the second day of the second term, but before the start of the third term, will be liable for 75% of the tuition fee after the dissertation cost has been deducted.
- A student discontinuing any time on or after the second day of their third term are liable for the full tuition fee.

Part-time Professional Accounting & Finance Students

- A student discontinuing within 8 teaching weeks of the course start date, will be liable for 50% of their tuition fee.
- A student discontinuing after 8 teaching weeks of the course start date will be liable for their full tuition fee.

Research Students

- A student discontinuing during the first 6 months will be liable for 50% of the tuition fee. From month 7 a student will be charged an additional full month's fee where they have remained enrolled in that month.

Refunds

If a refund is due because of a visa refusal, the refund may be subject to an admin charge of £200. International Students should contact international@southwales.ac.uk for further information.

Requests for refunds should be made via email to the Finance Department using the following email address: refunds@southwales.ac.uk

Refunds will only be made to the original fee payer.

Students who have taken out a tuition fee loan will not be entitled to a refund directly from the University. The University of South Wales will notify the SLC of students' tuition fee liability and the SLC will amend the students'

tuition fee loan liability accordingly.

Please see the University's Refund Policy for further details.

Dubai courses

Tuition Fees

- Students studying at the University's Dubai campus will be required to pay 50% of their tuition fees before enrolment and the remaining 50% by the end of the 5th month of their course.
- Sponsors who are paying tuition fees on behalf of a student will need to adhere to the 28 day payment terms.

Withdrawal / Interruption of studies

- A student discontinuing during the first term, but before the second day of the second term, will be liable for 50% of the tuition fee.
- A student discontinuing on or after the second day of the second term, but before the start of the third term, will be liable for 75% of the tuition fee.
- A student discontinuing any time on or after the second day of their third term are liable for the full tuition fee.

N.B. Discontinuing refers to interruption of studies, withdrawing or transferring from the University of South Wales.

For Debt Recovery, please see Appendix 1.