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**ACADEMIC MISCONDUCT REGULATIONS 2018/2019**

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| **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 Governors4 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:

https://registry.southwales.ac.uk/student-regulations/academic-misconduct/

***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: https://registry.southwales.ac.uk/student-regulations/academic-misconduct/

***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 https://registry.southwales.ac.uk/student-regulations/academic-misconduct/

***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: https://registry.southwales.ac.uk/student-regulations/academic-misconduct/

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:

https://registry.southwales.ac.uk/student-regulations/academic-misconduct/

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:

<https://registry.southwales.ac.uk/student-regulations/academic-misconduct/>

***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: https://registry.southwales.ac.uk/student-regulations/academic-misconduct/

# 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 senior lecturer level or above, with relevant experience, 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 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:

1. 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.
2. 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.
3. 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).

5.4.2Thecomposition of the Academic Misconduct Board will be:

* Ten members at academic subject manager level or above from across the institution, nominated by the deans of faculty/principal of college (or their nominees).

5.4.3 The composition of the Academic Misconduct Panelwill 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:

1. To ensure that a student suspected of academic misconduct is given a full and fair hearing.
2. 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.
3. To determine an appropriate penalty.
4. 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.

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:

1. Issue a formal written warning as to future conduct. The warning will be retained on the student’s personal record.
2. Cancel mark for the element of assessment – student must resubmit the work for the element – the whole module is capped at the base pass mark[[1]](#footnote-1), but all other marks achieved in the module remain the same.
3. 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.
4. 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 stage[[2]](#footnote-2) are capped at the base pass mark.
5. Cancel all module marks for current stage[[3]](#footnote-3) – 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.
6. A recommendation is made to the Vice Chancellor (or nominee) that the student concerned be expelled. The student may be:
7. expelled with credit – student is allowed to retain credits already gained; no further study at the University is allowed;
8. 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

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

1. Issue a formal warning - student is allowed to resubmit the work.
2. A recommendation can be made to the Vice Chancellor (or nominee) that the student concerned should be expelled. The student may be:
3. 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.
4. 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:

1. 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.
2. A recommendation can be made to the Vice Chancellor (or nominee) that the student concerned should be expelled. The student may be:
3. 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;
4. expelled without credit – all existing credit is revoked, no further study at the University will be allowed.
5. 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:

1. 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.
2. 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:

1. 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 <https://registry.southwales.ac.uk/student-regulations/academic-misconduct/>

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:

1. it does not meet the grounds above set out in 6.1,
2. 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:

1. 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.

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

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](http://www.oiahe.org.uk). Further information and advice can be obtained from the Student Casework Unit.

1. 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. [↑](#footnote-ref-1)
2. Modules within a stage are the modules being studied by a student in that particular academic year. [↑](#footnote-ref-2)
3. Modules within a stage are the modules being studied by a student in that particular academic year. [↑](#footnote-ref-3)