



# ACADEMIC MISCONDUCT REGULATIONS AND PROCEDURE 2021/2022

<b>Title:</b> Academic Misconduct Regulations					
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## PART A: REGULATIONS

### SECTION A1: INTRODUCTION

- 1.1 The University's Academic Misconduct Regulations should be read in conjunction with Part B: Academic Misconduct Procedure.
- 1.2 The University's Academic Misconduct Regulations apply to:
- Students studying with the University of South Wales.
  - 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.
  - Apprentices.  
*(NB Any reference to 'student(s)' should also be read as 'apprentice(s)'. Information on the receipt, progress and outcome of allegations of academic misconduct against apprentices will be provided to the Dean of Faculty (or nominee), who will inform the apprentice's employer.)*
  - Research Students.  
*(NB Sections A 6.2 – 6.3 of the Academic Misconduct Regulations apply to research students throughout their studies up until thesis submission. Allegations of academic misconduct against research students are always considered by an Academic Misconduct Panel. Following submission of a thesis the Research Degree Regulations and Procedure will apply. Please note that this section also relates to Master of Research Students who are governed by the University's Research Regulations.)*
  - Former students of the University, where an allegation is made regarding an assessment, which was completed by them during their time as an active student at the University.
- 1.3 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.
- 1.4 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.
- 1.5 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 A6 of the Academic Misconduct Regulations should be considered with this in mind.

## SECTION A2: GENERAL PRINCIPLES

### Key principles

- 2.1 If it is suspected that students have committed academic misconduct, as defined in section A4, the case will be investigated. Potential cases of poor academic practice, as referenced under A3, are also investigated and recorded centrally within the University.
- 2.2 Suspected cases of academic misconduct or poor academic practice must be raised immediately once they have been identified, and no later than 20 working days after identification.
- 2.3 If students believe that another student has used any of the academic misconduct practices defined in section A4, they should speak to the Module Leader. The conversation will be in confidence and the identity of students raising concerns 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.
- 2.4 It is good practice for the academic who suspects cases of poor academic practice or academic misconduct to meet with the student first to explain that concerns have been raised about their work or behaviour. This can be particularly important for cases of poor academic practice during a student's first year of study, where additional support may be required. These meetings are specifically expected to take place when complex cases such as collusion or contract cheating are suspected. Notes from such meetings should be provided as part of the evidence when allegations of poor academic practice or academic misconduct are submitted.
- 2.5 Students are encouraged to seek confidential advice and support from the Students' Union or the Advice Zone, and will have the opportunity to put their case forward, if it is suspected that they have committed academic misconduct.
- 2.6 Extenuating circumstances cannot be used as justification for committing academic misconduct.
- 2.7 Where professional body requirements govern courses, or a student is registered on a degree apprenticeship course, the University may be required to inform the relevant body or employer, either once an investigation is instigated, during, or following an investigation, if it is suspected or concluded that academic misconduct has taken place. The requirements may vary depending on the corresponding professional body or degree apprenticeship course.
- 2.8 In cases of multiple allegations of academic misconduct arising at the same time, the Academic Misconduct Officer or Academic Misconduct Panel will normally consider the allegations as being concurrent if:
  - a) the student has not previously been found guilty of academic misconduct;and/ or
  - b) it is determined there would have been insufficient time for the student to benefit from appropriate academic guidance in the period between the identification of academic misconduct in one piece of work and the submission of another.

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## **Dealing with Academic Misconduct**

- 2.9 The Academic Misconduct Officer and the Academic Misconduct Panel will have the following responsibilities:
- a) To ensure that every student suspected of academic misconduct is given a full and fair hearing;
  - b) To establish, as far as possible, the facts of the case and to decide whether or not the allegation is substantiated, and its severity;
  - c) To determine an appropriate penalty and signpost the student to appropriate academic support;
  - d) To report the decision to the appropriate subject assessment board(s).
- 2.10 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 (ie, the student is more likely to have committed academic misconduct than not).
- 2.11 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 be heard separately.
- 2.12 When a case is referred to the Academic Misconduct Panel, all questions to the member of staff raising the allegation and/or any witnesses, must relate directly to the allegation and the evidence supplied. Witnesses will normally withdraw after questioning by the Academic Misconduct Panel, but in any event will not remain in attendance at the meeting after the student has left. 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 or the member of staff raising the allegation for meetings with an Academic Misconduct Officer, however, the Academic Misconduct Officer reserves the right to meet with them should they deem this necessary for informing their investigation.
- 2.13 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. Should a student not wish to attend a meeting with the Academic Misconduct Officer/Academic Misconduct Panel, they are permitted to submit a supporting written statement to be considered during the meeting.
- 2.14 The Academic Misconduct Officer/Chair of the Academic Misconduct Panel is required to seek guidance from relevant faculty members as to whether a case should be considered under the Fitness to Practise Procedure, or other professional body or employer requirements, and refer on as appropriate. This is particularly relevant to students studying professionally regulated courses/modules or who are already a registered professional.
- 2.15 Students may be referred through other University regulations following the conclusion of a case, where this is deemed appropriate. Apprentices may also be subject to an internal investigation by their employer in concurrence with, or subsequent to the University's own procedure.

### **SECTION A3: POOR ACADEMIC PRACTICE**

- 3.1 The University acknowledges that students may unintentionally commit academic misconduct through poor academic practice. Poor academic practice occurs when students poorly prepare a piece of work for assessment. If a student is found to have committed poor academic practice, they will be referred to an appropriate referencing workshop or individual tutorial at the Student Development and Study Skills Service. The student's personal academic coach will be notified of the outcome and referral, where appropriate.
- 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 A4 unless the circumstances are concurrent.

### **SECTION A4: DEFINITIONS OF ACADEMIC MISCONDUCT**

#### **Plagiarism**

- 4.1 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/>

#### **Cheating**

- 4.2 Cheating is when students act dishonestly or unfairly before, during, or after an examination or a summative 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/>

#### **Contract cheating**

- 4.3 Contract cheating is when students seek other persons to produce work 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/>
- 4.4 If an allegation is raised against a student involving the selling of work to other students or third parties, regardless of whether or not that work is submitted for assessment, the allegation will be dealt with through the University's Student Conduct or Fitness to Practise Procedures.

#### **Falsification**

- 4.5 Falsification is when students attempt to present fabricated or distorted data, evidences, references, citations or experimental results and/or knowingly make use of such material as part of an assessment. Detailed examples of falsification can be found at: <https://registry.southwales.ac.uk/student-regulations/academic-misconduct/>
- 4.6 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

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and escalation to the relevant professional body (for further information see the Fitness to Practise Procedure).

### **Recycling**

- 4.7 Recycling, sometimes referred to as self-plagiarism, is when students submit work which has already been used in one context (eg, in an assignment) and is then used again in another. Detailed examples of recycling can be found at: <https://registry.southwales.ac.uk/student-regulations/academic-misconduct/>
- 4.8 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.

### **Collusion**

- 4.9 Sometimes, students will be required to work collaboratively, preparing and submitting assignments together, and in this case 'joint work' is entirely appropriate. Collusion occurs when, unless with official approval (eg, in the case of some forms of group projects), two or more students collaborate in the production of work and they submit work, which is unreasonably similar and/or is represented by the students to be the product of their individual efforts. One student sharing their own work with another student, resulting in similar pieces of work being submitted, 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/>
- 4.10 In some cases, collusion may not be identified until an investigation is underway into an allegation of a different type of academic misconduct. In which case, the Academic Misconduct Officer/Chair of the Academic Misconduct Panel will notify the tutor who submitted the original allegation, who will discuss with the Course Leader whether further investigation should take place/ further allegations need to be submitted. This may cause a delay in the University's usual timeframes.

### **Other types of academic misconduct**

- 4.11 There may be other types of academic misconduct that are not included above. Examples include 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 when required, or the unauthorised use of information that has been confidentially acquired.
- 4.12 Cases may fall into more than one category.
- 4.13 Where a member of staff is concerned that a student has submitted work that is substantially different in standard or style to other work they have submitted previously, the faculty (ie, the member of academic staff who identified a concern) may investigate before deciding whether to refer the case to an Academic Misconduct Officer/Academic Misconduct Panel. This may include an exploratory meeting with the student, the notes of which should be submitted as evidence along with the allegation of academic misconduct. Examples of the student's previous academic work should also be submitted as evidence of the substantial difference.

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The relevant procedures and guidance can be found at:

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

- 4.14 Where there is any ambiguity concerning which procedure should be applied due to the nature of an allegation, the Head of Student Casework (or nominee) will liaise with the Dean of Faculty (or nominee) before deciding on the appropriate procedure. An example of this may be when there are elements in the allegation which would be more appropriately considered under the Student Conduct Procedure, as well as elements of academic misconduct. If more than one procedure applies and it is necessary to follow one before the other, the outcome of the first may be used to inform the subsequent procedure(s).

## **SECTION A5: STAGES IN THE HANDLING OF ACADEMIC MISCONDUCT ALLEGATIONS**

The University has three stages to its Academic Misconduct Procedure:

### **Faculty Level**

- 5.1 A nominee of the Dean of Faculty where the course resides will manage academic misconduct cases within that faculty. For any cases relating to cross-faculty modules, the faculty where the course resides will deal with the academic misconduct allegation.
- 5.2 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, 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. In certain instances, Academic Misconduct Officers from outside of the faculty where the course resides may be required to consider a case.

### **University Level**

- 5.3 The University has established an Academic Misconduct Board from which the members of an Academic Misconduct Panel will be drawn to hear cases that are either complex or where it is possible the penalty may exceed A6 6.1 c).

### **Review**

- 5.4 The Academic Registrar (or nominee) will determine if there is a demonstrable case for review. If there is a basis for review, a Review Panel will be convened to consider the case.

Details of the process at each stage can be found in Part B: Procedure for Academic Misconduct.

## **SECTION A6: POSSIBLE PENALTIES FOLLOWING PROVEN CASES OF ACADEMIC MISCONDUCT**

### **Students on taught programmes**

- 6.1 The following are the options available to an Academic Misconduct Officer (up to and including c)) or Academic Misconduct Panel (all penalties) 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 mark<sup>1</sup>, 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 whole 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 stage<sup>2</sup> are capped at the base pass mark.
  - e) Cancel all module marks for current stage<sup>3</sup> – 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.
- 6.2 Please refer to the Tariff of Penalties, found under Appendix 1, for further information on how these penalties may affect a student's academic studies depending on their academic status.
- 6.3 Evidence of extenuating circumstances may be taken into account when determining an appropriate penalty, but not when determining whether there is a case to answer or not (please see A2 2.6).
- 6.4 In addition to any decision made under a) to d) a student will be referred to an appropriate referencing workshop or individual tutorial at the Student Development and Study Skills Service.

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<sup>1</sup> 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.

<sup>2</sup> Modules within a stage are the modules being studied by a student in that particular academic year.

<sup>3</sup> Modules within a stage are the modules being studied by a student in that particular academic year.

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

#### **Research students – pre submission of thesis**

- 6.6 The following are the options available to an 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 on the course on which they are enrolled; no further study at the University is allowed. 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.

#### **Research students – post submission of thesis**

- 6.7 The following are the penalties available to the Research Degrees 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; no further study at the University is allowed. 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.
- 6.8 The University reserves the right to revoke an award if it is discovered that academic misconduct was committed in order to gain the award.

### **SECTION A7: GRADUATION**

- 7.1 If a student is eligible for an intermediate award following expulsion with credit, they will be permitted to attend a graduation ceremony at the discretion of the Vice Chancellor (or nominee).

### **SECTION A8: INTERNATIONAL STUDENTS**

- 8.1 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.

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- 8.2 The student should be signposted to the Immigration and Student Advice team for information on the impact that expulsion will have on their Tier 4 visa.

## **PART B: PROCEDURE**

### **SECTION B1: ADVICE AND SUPPORT**

#### **Advice and support for students**

- 1.1 A guide to Referencing, Plagiarism and Good Academic Practice can be found on UniLife for students at:  
<https://advice.southwales.ac.uk/a2z/referencing-plagiarism-and-good-academic-practice/>
- 1.2 You are encouraged to seek confidential advice and support from the Students' Union or the Advice Zone if you are suspected of having committed academic misconduct.
- 1.3 The Student Casework Unit's Academic Misconduct team provides authoritative, formal guidance to staff and students on the applicability and operation of the Academic Misconduct Regulations and Procedure.
- 1.4 You are allowed to have a support person with you at any discussions, meetings or hearings, for example a representative from the Students' Union or a friend. The role of the support person is to provide support to you during the meeting. Their role is not to represent you, advocate on your behalf or to speak for you, unless this has been agreed as a reasonable adjustment due to a disability. You cannot send any other person to the meeting on your behalf. At least 48 hours before the meeting, you must advise the University of the name and status of the person accompanying you. It is strongly recommended that you seek support from the Students' Union or Chaplaincy, as they are independent and familiar with the regulations and procedures of the University.
- 1.5 The Head of Student Casework (or nominee) reserves the right to accept or refuse a request for a legal representative to attend, depending on whether a good reason is provided and the complexity and seriousness of the case. Any such requests must be sent to the Student Casework Unit. Should such a request be approved, the University reserves the right to also have a legal representative in attendance. Legal representatives will be clearly informed of the nature of the proceedings, ie, that they are not a legal process and will not be conducted as such.
- 1.6 The Head of Student Casework (or nominee) also reserves the right to refuse the attendance of a support person if it is determined that there is a conflict of interest relating to the nominated person, in which case, you will be given the opportunity to nominate a different support person.

### **SECTION B2: GENERAL PRINCIPLES FOR THE OPERATION OF MEETINGS AND HEARINGS**

- 2.1 You will be notified of any meetings by the Academic Misconduct team and will be sent all documentation to be considered at least five working days prior to the meeting taking place.

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- 2.2 Due notice of meetings will be considered to have been given on sending notification to your University and personal email account. Additionally, notification may be sent by the most appropriate postal route to your last recorded address.
- 2.3 You will have the opportunity to provide a statement in support of your case, following receipt of the documentation, and ahead of the meeting. Additional documentary evidence may be presented on the day of the meeting only with the express permission of the Academic Misconduct Officer or Chair of the Academic Misconduct Panel.
- 2.4 If you require a revised date, the meeting will be rearranged only once. You must advise the Academic Misconduct team at least 48 hours in advance of the original meeting if you require a revised date, and are responsible for indicating at this point if you are unable to make any further future dates before the revised date is rearranged. The revised date will take place at least 48 hours after the date of the original meeting. If you do not request a revised date, and do not attend the meeting, it will take place in your absence. If you are unable to attend a meeting, you are strongly advised to provide a written statement to support your case.
- 2.5 You are expected to attend a meeting in person. Meetings may be held virtually or physically on campus. The Academic Misconduct team will confirm the online link or venue.
- 2.6 You will be notified officially in writing of the outcome at each stage of the process within five working days, together with the rationale for not applying a lesser outcome/ penalty. In some cases, an Academic Misconduct Officer may also choose to give an outcome verbally during the meeting if they believe that the case is straightforward and there is no need for further consideration. This is at the Academic Misconduct Officer's discretion.
- 2.7 All outcomes will be reported to the assessment boards via the Student Administration teams. The Subject Assessment Board will record the outcome in relation to the module. The Award and Progression Assessment Board will record and ratify the decision, subject to your academic profile.
- 2.8 Compensation is not allowed where a module has been subject to academic misconduct and a penalty under 6.1 b) to d) of the Tariff of Penalties has been applied. However, an Award and Progression Assessment Board may at their discretion, consider allowing compensation at the point at which the re-submitted assessment(s), as a result of an academic misconduct penalty, is considered.

### **SECTION B3: TIMESCALES**

- 3.1 The Academic Misconduct Officer has 20 working days to meet with students (if a meeting is required) to determine an appropriate outcome from the date the suspected academic misconduct is raised with the Student Casework Unit's Academic Misconduct team. However, if the Award and Progression Assessment Board is due to meet before the end of the 20 working days the outcome should, where possible, be determined before that board.
- 3.2 The University has a further 20 working days to meet with students to determine an outcome once a case has been referred from an Academic Misconduct Officer to an Academic Misconduct Panel.

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- 3.3 Where it is not possible to adhere to the timescales set out in sections B3 3.1 and B3 3.2, 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.

#### **SECTION B4: FACULTY LEVEL**

- 4.1 An Academic Misconduct Officer will review your case upon receipt to determine whether there is a case to answer, or whether poor academic practice has taken place. If the Academic Misconduct Officer determines there is a case to answer, they will either consider your case directly or determine that it should be escalated to an Academic Misconduct Panel.
- 4.2 Where a case of poor academic practice is suspected during the initial consideration of your case by an Academic Misconduct Officer, you will be notified of their judgement and rationale in writing, along with a referral to attend a session with the Student Development and Study Skills Service. Please note that this step may not be appropriate in some instances, such as if there is previous history of academic misconduct.
- 4.3 If the Academic Misconduct Officer considers that a discussion with you is required, you will be invited to a meeting, and/ or alternatively given the option to submit a written statement. It may be appropriate to arrange meetings via video conference if you will find it difficult to attend in person. Meetings are usually held at your campus, but you can request to attend a meeting at a different campus/ location should you wish.
- 4.4 Present at the meeting with you and your support person (should you wish to bring one) will be the Academic Misconduct Officer and a member of the Academic Misconduct team to take notes. If you are an apprentice, your employer may be notified of the meeting via the Dean of Faculty's nominee, and may be invited to attend as an observer only, depending on the requirements of your course/ employer. This does not preclude the employer from continuing with their own procedure, should they deem that is necessary.
- 4.5 Following discussion between you and the Academic Misconduct Officer, one of the following actions will be taken:
- a) 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.
  - b) If it is concluded that poor academic practice has taken place you will be referred to attend a session with the Student Development and Study Skills Service. You will be given clear advice on the steps you must take to prevent a recurrence of this poor practice. A copy of the outcome will be kept on your record to identify repeat referrals through this Procedure.
  - c) If it is concluded, on the balance of probabilities, that academic misconduct has taken place, the Academic Misconduct Officer will determine a penalty from the list in section A6 of the Academic Misconduct Regulations. Academic Misconduct Officers may only issue penalties up to and including A6 6.1 c). Previous proven history of academic misconduct will be made known to the Academic Misconduct Officer after a case has been

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determined, and will be taken account of when deciding on an appropriate penalty.

- d) Serious and complex cases will be referred to the Academic Misconduct Panel.

## **SECTION B5: UNIVERSITY LEVEL**

- 5.1 When a case is referred to the Academic Misconduct Panel for further consideration, the Academic Misconduct team will arrange a meeting of the Panel.
- 5.2 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 A6 6.1 c).
- 5.3 The composition of the Academic Misconduct Board will be:
- Twenty 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 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 the Academic Misconduct team will provide administrative support.

The Academic Registrar (or nominee) will have responsibility for authorising any amendments to the constitution of committees/panels as required.

Members of the Academic Misconduct Panel will be independent and will not have been a member of an assessment board associated with the allegation, will not be connected with the course, and will have no prior knowledge of the allegation. In the case of the Students' Union representative, they will not have previously supported the student during the case.

If you are an apprentice, your employer will be informed and an invitation extended to them to attend the Panel as an observer only. This does not preclude the employer from continuing with their own procedure, should they deem that is necessary. The observer will not be included in any discussions concerning penalties.

- 5.5 Both you 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 also attends the meeting, if appropriate.
- 5.6 The Panel will establish the facts of the case as far as is possible, which will include consideration of evidence provided by the tutor raising the allegation, and/ or the Academic Misconduct Officer's investigation. Where an allegation is proven the Panel will, if necessary, seek advice in determining a penalty to ensure it is

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appropriate to the course. Any previous proven academic offence or admission on your part will also be taken into account when determining the penalty.

## **SECTION B6: REVIEW PROCEDURE**

- 6.1 You are entitled to submit a request for review following notification of the penalty by the Academic Misconduct Officer or Academic Misconduct Panel on the following grounds:
- a) You have 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 your record).
  - c) You can demonstrate that the penalty was disproportionate.
- 6.2 University staff cannot request a review of the outcome, only you are able to request a review.
- 6.3 You cannot request a review on the basis of disagreeing with the academic or professional judgement of the penalty issued by the Academic Misconduct Officer/ Academic Misconduct Panel, unless it forms part of the argument for ground c) mentioned above in cases of expulsion only.
- 6.4 You are strongly advised to seek advice from the Students' Union or the Advice Zone before you seek to progress to the review stage.
- 6.5 You must submit your request for review 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.
- 6.6 Requests for review will be initially considered by the Academic Registrar (or nominee) to determine whether there is a case for review, within five working days of submission of the request.
- 6.7 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 B6 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. You will be issued with a University Completion of Procedures Letter within five working days.

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- 6.8 If there has been a clear administrative error, the Academic Registrar (or nominee) will direct the Student Administration team to amend your record. In such cases, the Review Panel will not be required to meet.
- 6.9 Otherwise, if it is decided by the Academic Registrar (or nominee) that the request for review meets one or both of the grounds above, arrangements will be made by the Student Casework Unit to set up a Review Panel within 20 working days, drawn from a Review Board and the President of the Students' Union (or nominee).
- 6.10 The Review Board will consist of:
- Three members appointed by Academic Board;
  - Four academic representatives of each faculty (as a minimum).
- 6.11 The Review Panel will consist of:
- One of the members of the Review Board appointed by Academic Board (Chair);
  - One of the academic representatives on the Review Board, drawn from faculties unconnected with the case under consideration;
  - President of the Students' Union (or nominee) who must not have been involved with the original case at faculty nor University level (whether in a supporting capacity or as a member of an Academic Misconduct Panel).

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

If you are an apprentice, your employer will be informed and an invitation extended to them to attend the Panel as an observer only. This does not preclude the employer from continuing with their own procedure, should they deem that is necessary. The observer will not be included in any discussions concerning penalties.

- 6.12 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/or supporting staff, and not to rehear the case. Both you and the Academic Misconduct Officer and/or the Chair of the relevant Academic Misconduct Panel will have an opportunity to provide information in writing.
- 6.13 The Review Panel will make one of the following decisions:
- a) That the request for review 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 and suggest a rationale for an appropriate alternative outcome.

## **SECTION B7: MONITORING**

- 7.1 The University has established an Academic Integrity Committee, to review its activities and ensure consistency of practice and decision-making across Academic Misconduct Officers and Academic Misconduct Panels.
- 7.2 The Academic Integrity Committee will consist of:

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- Academic Registrar or nominee (Chair)
- Two representatives from each academic faculty and the Royal Welsh College of Music and Drama nominated by the Dean/Principal
- A representative from USW partner institutions
- A representative from CELT
- A representative from SDSS
- A representative from the Student Casework Unit's Academic Misconduct team
- A representative from the Students' Union
- A representative from IT Services
- Head of Student Casework
- Nominee of the Head of Student Casework (Secretary)

7.3 The Student Casework Group will receive the annual report on academic misconduct and the minutes of the meeting of the Academic Integrity Committee. 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 academic misconduct cases that require amendments to regulations and procedures.

## **SECTION B8: OFFICE OF THE INDEPENDENT ADJUDICATOR**

- 8.1 If you are unhappy with the outcome in respect of this Procedure you may, following issue of a University Completion of Procedures Letter, lodge a complaint with the Office of the Independent Adjudicator (OIA).
- 8.2 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.

## Appendix 1

### Tariff of Penalties for Academic Misconduct for use by AMOs and AMPs

**NB** The outcome and penalties are as contained in the regulations and are the only outcomes and penalties which the regulations allow.

AMOs may only issue up to penalty A6 6.1 c). AMPs have the full range of outcomes and penalties available to them.

Please note that any approved extenuating circumstances claims which have affected previous assessment sittings prior to the academic misconduct allegation taking place will be taken into consideration by the relevant Subject Assessment Board and/ or Award and Progression Board.

Reg	Poor academic practice or Academic Misconduct	Outcome/ Penalty	First/second sitting implementation & impact of the penalty
A3	Poor academic practice	The student will be referred to a study skills workshop.  Meeting with the student's Personal Academic Coach.	This may be used at the first or second submission. <ul style="list-style-type: none"> <li>• In this case, the entirety of the student's work is marked, taking account of the poor scholarship appropriately and proportionally, according to the marking tutor's academic judgement.</li> <li>• A note is recorded<sup>4</sup> electronically on the student record system.</li> </ul>
6.1 a)	Academic misconduct	Issue a formal written warning as to future conduct. The warning will be retained on the student's personal record.  The student will be referred to a study skills workshop.  It is advisable that the student arranges a meeting with an appropriate academic member of staff to discuss and receive support for this outcome and	This penalty may be used at the first or second submission. <ul style="list-style-type: none"> <li>• In this case, the student's work is marked not taking into account the elements identified as including academic misconduct. This will be the decision of the marking tutor, who may liaise with the Academic Misconduct Officer should they wish.</li> </ul>

<sup>4</sup> Offences are recorded at all stages and levels of severity. Failing to record offences will not allow the Academic Misconduct Officer or Academic Misconduct Panel to decide appropriate penalties in future cases.

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		penalty. This would normally be the member of staff who raised the allegation or Module Leader, or the student's Personal Academic Coach.	<ul style="list-style-type: none"> <li>The Subject Assessment Board will record the mark imposed in relation to the module. The Award and Progression Board will record and ratify the decision, subject to your academic profile, and according to the Regulations for Taught Courses.</li> </ul>
6.1 b)	Academic misconduct	<p>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<sup>5</sup>, but all other marks achieved in the module remain the same.</p> <p>The student will be referred to a study skills workshop.</p> <p>It is advisable that the student arranges a meeting with an appropriate academic member of staff to discuss and receive support for this outcome and penalty. This would normally be the member of staff who raised the allegation or Module Leader, or the student's Personal Academic Coach.</p>	<p>First submission - the student would normally be required to resubmit the element at the next assessment point. However, there may be instances where the student may be required to repeat the module, depending on their academic profile at the time.</p> <p>Second submission - the student must resubmit the element at the next assessment point. This may result in having to repeat the module, depending on their academic profile at the time.</p> <ul style="list-style-type: none"> <li>The Subject Assessment Board will record the mark imposed in relation to the module. The Award and Progression Board will record and ratify the decision, subject to your academic profile, and according to the Regulations for Taught Courses.</li> <li>Honours classifications may be affected. Postgraduate award grade may be affected.</li> <li>The offence is recorded<sup>6</sup> electronically on the student record system.</li> </ul>
6.1 c)	Academic misconduct	Cancel marks for the whole module – student must resubmit the work for all elements of assessment in	First submission – the student must resubmit all elements for the whole module at the next assessment point. However, there may be instances where the student may

<sup>5</sup> 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.

<sup>6</sup> Offences are recorded at all stages and levels of severity. Failing to record offences will not allow the Academic Misconduct Officer or Academic Misconduct Panel to decide appropriate penalties in future cases.

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		<p>order to pass the module – the module is capped at the base pass mark<sup>7</sup>.</p> <p>The student will be referred to a study skills workshop.</p> <p>It is advisable that the student arranges a meeting with an appropriate academic member of staff to discuss and receive support for this outcome and penalty. This would normally be the member of staff who raised the allegation or Module Leader, or the student's Personal Academic Coach.</p>	<p>be required to repeat the module, depending on their academic profile at the time.</p> <p>Second submission – the student must repeat the module at the earliest opportunity, depending on their academic profile at the time.</p> <ul style="list-style-type: none"> <li>• The Subject Assessment Board will record the mark imposed in relation to the module. The Award and Progression Board will record and ratify the decision, subject to your academic profile, and according to the Regulations for Taught Courses.</li> <li>• Honours classifications may be affected. Postgraduate award grade may be affected.</li> <li>• The offence is recorded<sup>8</sup> electronically on the student record system.</li> </ul>
6.1 d)	Academic misconduct	<p>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<sup>9</sup>. All module marks for the stage<sup>10</sup> are capped at the base pass mark.</p> <p>The student will be referred to a study skills workshop.</p> <p>It is advisable that the student arranges a meeting with an appropriate academic member of staff to discuss and receive support for this outcome and penalty. This would normally be the member of staff</p>	<p>First submission – the student must resubmit all elements for the whole module at the next assessment point. This may result in having to repeat the module, depending on their academic profile at the time.</p> <p>Second submission – the student must repeat the module at the earliest opportunity, depending on their academic profile at the time.</p> <ul style="list-style-type: none"> <li>• Honours classifications may be affected. Postgraduate award grade may be affected.</li> <li>• The offence is recorded<sup>11</sup> electronically on the student record system.</li> </ul>

<sup>7</sup> 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.

<sup>8</sup> Offences are recorded at all stages and levels of severity. Failing to record offences will not allow the Academic Misconduct Officer or Academic Misconduct Panel to decide appropriate penalties in future cases.

<sup>9</sup> 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.

<sup>10</sup> Modules within a stage are the modules being studied by a student in that particular academic year.

<sup>11</sup> Offences are recorded at all stages and levels of severity. Failing to record offences will not allow the Academic Misconduct Officer or Academic Misconduct Panel to decide appropriate penalties in future cases.

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		who raised the allegation or Module Leader, or the student's Personal Academic Coach.	
6.1 e)	Academic misconduct	Cancel all module marks for current stage – student is not allowed to repeat the year. The student is allowed to retain the credits already gained.	<p>No difference in penalty implementation between first and second sitting.</p> <ul style="list-style-type: none"> <li>• Student cannot continue on the same course. Student may be allowed to enrol on a new course. Student may exit with an intermediate award, in which case, they will be permitted to attend a graduation ceremony at the discretion of the Vice Chancellor (or nominee).</li> </ul>
6.1 f)	Academic misconduct	<p>A recommendation<sup>12</sup> is made to the Vice Chancellor (or nominee) that the student concerned be expelled. The student may be:</p> <p>i) Expelled with credit – student is allowed to retain credits already gained; no further study at the University is allowed.</p>	<p>No difference in penalty implementation between first and second sitting.</p> <ul style="list-style-type: none"> <li>• Student is expelled from the University. Student can retain any credit gained and use it to enrol at another institution. Student may exit with an intermediate award, in which case, they will be permitted to attend a graduation ceremony at the discretion of the Vice Chancellor (or nominee).</li> </ul>
6.1 f)	Academic misconduct	<p>A recommendation<sup>13</sup> is made to the Vice Chancellor (or nominee) that the student concerned be expelled. The student may be:</p> <p>ii) Expelled without credit – all existing credit is revoked; no further study at the University is allowed.</p>	<p>No difference in penalty implementation between first and second sitting.</p> <ul style="list-style-type: none"> <li>• Student is expelled from the University. Student cannot retain any credit gained or exit with an intermediate award.</li> </ul>

<sup>12</sup> The Secretary, in liaison with the Chair of the AMP, will prepare the recommendation statement based on the discussions at the Panel. This should be sent to the Student Casework Unit to be forwarded on to the Academic Registrar for approval, as the Vice Chancellor's nominee.

<sup>13</sup> The Secretary, in liaison with the Chair of the AMP, will prepare the recommendation statement based on the discussions at the Panel. This should be sent to the Student Casework Unit to be forwarded on to the Academic Registrar for approval, as the Vice Chancellor's nominee.