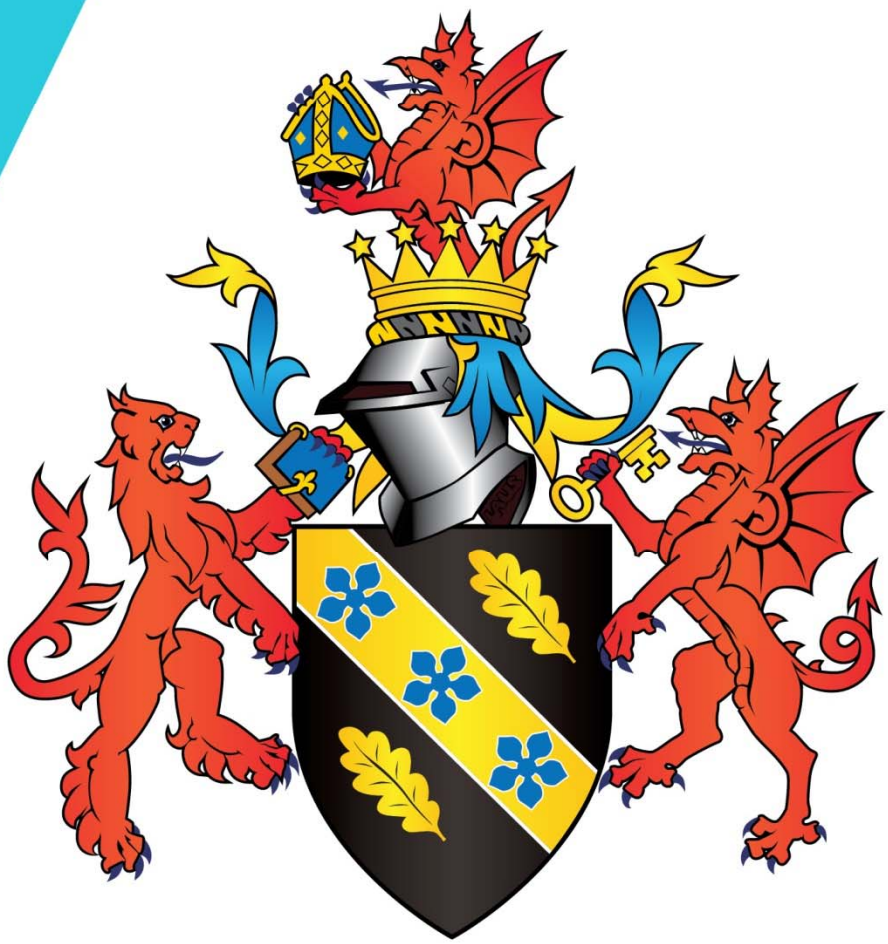
Prifysgol Cymru
Y Drindod Dewi Sant
University of Wales
Trinity Saint David



Academic Misconduct Policy

Contents

1. Introduction

1.1. This policy covers the University's procedures in relation to Academic Misconduct.

1.2. The policy adopts the principles and good practice from a number of sector documents:

- OIA: The Good Practice Framework: Disciplinary Procedures (2018)
- UK Quality Code for Higher Education: Assessment (2018)
- QAA Guidance: Contracting to Cheat in Higher Education (2017)
- QAA Guidance: Plagiarism in Higher Education (2016)

2. Guiding Principles

2.1. The University has a strong commitment to academic integrity which reflects the University's core mission.

2.2. Academic misconduct threatens the standards of awards, and as such will be treated extremely seriously.

2.3. The policy aims to ensure that academic misconduct procedures are conducted in a fair and transparent manner, ensuring that any cases are dealt with in a timely manner by appropriately independent staff, with outcomes proportional to the case.

2.4. The standard of proof to be applied is "on the balance of probabilities".

2.5. A claim that Academic Misconduct has been committed unintentionally or accidentally is no defence.

2.6. A claim that Academic Misconduct has been committed due to mitigating circumstances (irrespective of whether or not these circumstances have been acknowledged by the University) is no defence.

3. Definitions

3.1. With regard to Academic Misconduct the following definitions are used:

3.1.1. "**Academic Misconduct**" – Any action by a student which gives or has the potential to give an unfair advantage in an examination or assessment, or might assist someone else to gain an unfair advantage, or any activity likely to undermine the integrity essential to scholarship and research. Examples may include:

3.1.1.1. "**Plagiarism**" – presenting someone else's work or ideas as the student's own;

- Using another author's work;

3.1.1.2. "**Self-plagiarism**" – submitting the same work that the student has already submitted for another assessment when this is not permitted;

3.1.1.3. "**Collusion**" – working with someone else on an assessment which is intended to be the student's own work and leads to the work being submitted that is substantially different from what they originally wrote;

3.1.1.4. Falsifying data, evidence or experimental results

3.1.1.5. "**Contract cheating**" – where someone completes work for a student who then submits it as their own, including:

- use of an essay writing service or buying work online;
- arranging for someone else to impersonate a student in relation to an assessment;

3.1.1.6. **"Cheating in examinations"** (or other formal assessment), including possession of unauthorised material or technology during an examination, and attempting to access unseen assessment materials in an advance of an examination;

3.1.1.7. Submitting fraudulent mitigating circumstances claims or falsifying evidence in support of mitigating circumstances claims (which may be dealt with under the Student Non-Academic Misconduct Policy);

3.1.1.8. Breaches of research and ethics policies – e.g. carrying out research without appropriate permission.

3.1.2. "**Poor Academic Practice**" – is judged to be a minor breach of standard academic conventions, such as poorly attributed or incorrect referencing to a limited extent, or over-reliance on referenced material. This also includes failure to adequately understand and follow assessment instructions.

3.1.3. "**Student**" - any person enrolled or registered to follow a Programme of Study or module(s) offered by the University.

3.1.4. "**Assessment**" - any assessment leading to credit which counts towards a student's overall result.

4. Scope

4.1. This policy applies to all students, at any level of study, registered for University of Wales Trinity Saint David's awards.

4.2. This policy applies to all staff and researchers at the University of Wales Trinity Saint David.

4.3. This policy may be applied to former students of the University of Wales Trinity Saint David if it becomes clear that academic misconduct took place in the pursuit of their award.[1]

5. Relationship and interface with other policies and procedures

5.1. There are a number of policies and procedures that are connected to the Academic Misconduct Policy, including:

- Bullying and Harassment Policy
- Dignity at Work Procedure
- Fitness to Practise Policy
- Fitness to Study Policy
- Mitigating Circumstances Policy
- Professional Relationship Policy
- Strategic Equality Plan
- Student Non-Academic Misconduct Policy

5.2. As part of the initial assessment of any case, the University will consider which policy/ies is/are the most appropriate to be used

[1] Formal notification of a decision made in relation to progression, assessment and award = the date on the correspondence from the University.

5.3. The University will reassess this as appropriate and may change or add procedures as appropriate. It may be the case that two policies are run in parallel or it could be the case that one procedure follows the other where a case contains elements belonging to more than one policy (e.g. Academic and Non-Academic Misconduct).

5.4. Where two or more policies or procedures are applicable at the same time, normally one policy will be the primary policy in terms of process.

5.5. Students will be informed which policy, policies and /or procedures are used in their case and in which order they will be applied.

6. Responsibilities

6.1. University Responsibilities:

6.1.1. The sanctions against Academic Misconduct are overseen by Senate.

6.1.2. The policy and procedural framework are overseen on behalf of Senate by the Associate Pro Vice-Chancellor (Academic Experience).

6.1.3. Academic Misconduct Co-ordinators undertake a number of roles including:

6.1.3.1. completing an initial investigation;

6.1.3.2. making a recommendation as to whether a case needs to proceed to a Case Officer;

6.1.3.3. providing advice and guidance to colleagues and students in relation to academic integrity.

6.1.4. Case Officers fulfil a range of roles in relation to academic misconduct, including undertaking an initial assessment, and making a recommendation relating to an outcome. A case may have more than one Case Officer, each with a specific role in relation to the case.

6.1.5. A Senior Officer, not involved at any previous stage, will undertake the review of an appeal.

6.1.6. Deans of Institutes and Directors / Heads of Professional Units or equivalent at Collaborative Partnership Institutions are responsible for ensuring that the procedures outlined in this policy are used appropriately.

6.1.7. Programme Managers are responsible for dealing appropriately and in line with the policy with informal concerns.

6.2. Student or Researcher Responsibilities:

6.2.1. Awareness of University regulations and a commitment to academic integrity

6.2.2. Avoiding academic misconduct

6.2.3. Regularly checking their University email and the information provided through the student portal or equivalent at Collaborative Partnership Institutions.

7. Reasonable adjustments

7.1. If you have registered a disability or learning difficulty with the University, then you may find it beneficial to receive additional support to help you with the process. If so, please contact Student Services or equivalent at the Collaborative Partnership Institution at which you are studying, which is a useful source of advice and can assist with supplying the relevant documentation in an alternative format.

7.2. If you expect to find it difficult to meet the deadlines expressed in this Policy because of a registered disability or learning difficulty, you should inform the University of this, ideally before the relevant deadline elapses. Additional time may be granted for submissions that meet these grounds.

7.3. Where students have not already formally declared a disability to the University prior to the start of an academic misconduct process, they are advised to make such a declaration as soon as possible during the formal processes so that it is possible to make reasonable adjustments as appropriate.

7.4. The Student Services Department or equivalent at Collaborative Partnership Institutions will make the decision in relation to the exact nature of any reasonable adjustments needed, in consultation with the student and ensuring external advice is taken as appropriate. The Academic Misconduct process may be suspended until reasonable adjustments have been put in place.

7.5. Reasonable adjustments will be made as appropriate in relation to the Academic Misconduct process and communicating the outcome for all students who have a declared disability or other health issues.

7.6. All students will have the right to be accompanied by a person of their choosing at any meeting associated with the Academic Misconduct process and are required to inform the University in writing in advance of any meeting or hearing whether they intend to be accompanied. Legal representation is only allowed in exceptional circumstances. Such a request for legal representation needs to be made in writing to the Office of the Associate Pro Vice-Chancellor (Academic Experience). The accompanying person shall not normally contribute to the discussions.

8. Support

8.1. Students are able to approach a member of staff, e.g. their Programme Manager, Lecturer, or Academic Misconduct Co-ordinator, to discuss informally any concerns that they have in relation to academic integrity or academic misconduct.

8.2. Once an Academic Misconduct allegation has been made, advice and guidance can be sought from an Academic Quality Officer.

8.3. In addition, the Students' Union offers students help and support in navigating University policies and procedures and resolving issues and problems.

8.4. Students are also able to seek support from Student Services or equivalent at Collaborative Partnership Institutions throughout the process.

9. Procedures: general principles

9.1. All Academic Misconduct cases will be handled by an appropriately independent member of the University.

9.2. References in this policy to steps or actions by specific University post holders shall be read as including reference to their nominees. In addition, in order to avoid delays or potential conflicts of responsibilities, other staff members may undertake tasks allocated to specific post holders.

9.3. Procedures for Academic Misconduct, outlined in this policy, describe the University's internal processes. Whilst seeking to ensure consistency of approach and application, the University reserves the right to vary the precise details of the procedure applied to the circumstances of a particular case and will inform student where this is the case

9.4. The University will wherever possible seek to adhere to the time limits outlined within these procedures, but in cases where there are special circumstances which require variance from specified time limits, the student will be advised of the reasons for this.

9.5. Where additional or alternative allegations are made against the student/staff during the process, the student will be told about the new or amended allegations and will be offered an opportunity to respond.

9.6. During the application of this policy the University reserves the right to adjourn any investigation or hearing and reconvene at a later date.

9.7. It is expected that students, their representatives and staff will act reasonably and fairly towards each other and will treat the appeal process with respect. Where students or staff contravene Dignity at Work principles, the University may take disciplinary action.

9.8. Where the Academic Misconduct process includes a meeting with the student, the student will be invited to such a meeting, normally at least two days before the meeting.

9.9. Where a student is invited to a meeting, the University reserves the right to proceed with such a meeting in the absence of the student, subject to the student having been properly notified of the date and time of the meeting. If the student either does not respond to the first invitation or responds that they are unable to attend on that date, they should be offered one additional date or reminder as appropriate. Where the student decides to leave any meeting associated with the process the University reserves the right to continue with such a meeting. Where appropriate, students will be offered the opportunity to attend meetings electronically if attendance in person is not possible.

9.10. The University does not allow for any meetings to be recorded covertly. Notes, minutes or pre-agreed recordings will be provided for each meeting held.

9.11. Where a meeting is recorded the student should be asked for their permission to do so

9.12. Students will be supplied with a copy of this policy and procedures and will be made aware of the identity of the Case Officer(s).

9.13. The University will ensure that all written records related to the case are clear, accurate, and appropriate and will be stored in accordance with relevant data protection legislation.

10. Identifying allegations of Academic Misconduct

10.1. Deans of Institute or equivalent at Collaborative Partnership Institutions should identify an Academic Misconduct Co-ordinator to take responsibility for recording and co-ordinating allegations of academic misconduct within each Institute or Collaborative Partnership Institution.

10.2. In examinations:

10.2.1. An invigilator who considers, or suspects, that a student is engaging in academic misconduct during an examination shall inform the student, preferably in the presence of a witness, that the circumstances will be reported.

10.2.2. Failure to give such a warning shall not however prejudice subsequent proceedings.

10.2.3. The invigilator will also inform the student that they may continue with their current, and any subsequent, examination(s) without prejudice to any decision which may be taken.

10.2.4. Where appropriate, the invigilator shall confiscate and retain evidence relating to the alleged academic misconduct, so that it is available to any subsequent investigation.

10.2.5. The invigilator shall report the circumstances to the Academic Misconduct Co-ordinator for further investigation as soon as possible using the Academic Misconduct Investigation Form, including any confiscated evidence.

10.3. Other than in examinations

10.3.1. When a Module Tutor suspects academic misconduct other than in an examination - in relation, for example, to assessed coursework, dissertations or theses - the Tutor shall seek to document the evidence of academic misconduct as thoroughly as possible.

10.3.2. The Module Tutor shall complete the Academic Misconduct Investigation Form and submit it to the Academic Misconduct Co-ordinator for further investigation as soon as possible, along with a copy of all relevant evidence.

10.4. During or subsequent to the marking period:

10.4.1. An internal or external examiner who, whether in the course of the marking period or subsequently, considers or suspects that a student has engaged in academic misconduct, shall report the matter in writing to the Academic Misconduct Co-ordinator for further investigation at the earliest possible opportunity.

11. Initial investigation of allegations of academic misconduct

11.1. The Academic Misconduct Co-ordinator shall undertake an investigation into the allegation to determine whether or not there is sufficient evidence of academic misconduct to proceed with the allegation.

11.2. Academic Misconduct Co-ordinators should refer to the Academic Misconduct Policy in determining the type and extent of any alleged academic misconduct.

11.3. In cases where it is difficult to document the evidence of academic misconduct (such as when a student is suspected of not having produced the work themselves), the Academic Misconduct Co-ordinator, may convene a Viva Voce examination to determine whether or not there is sufficient evidence of academic misconduct to proceed with the allegation.

11.4. Viva Voce examinations follow the Academic Misconduct Viva Voce Protocol.

11.5. If the finding of the Viva Voce examination is that there is sufficient evidence to support the allegation of academic misconduct, then the findings of the examination will form the basis of the evidence which is presented to any subsequent investigation.

11.6. If it is concluded that there is not sufficient evidence to support the allegation of academic misconduct, then the Module Tutor will be instructed to mark the student's work following normal procedures. A record of all the relevant paperwork will be kept by the Academic Office.

11.7. If it is concluded that there is sufficient evidence to support the allegation of academic misconduct, then the completed Academic Misconduct Investigation Form will be

submitted to the Academic Office which will initiate the next stage of the academic misconduct procedure.

12. For academic misconduct discovered during the examination process, after the submission of a research thesis

12.1. If concerns of academic misconduct are identified while examining the thesis, the Chair of the Examining Board must be notified immediately, and the entire examination process will be put on hold while Academic Misconduct procedures are instigated.

12.2. In the event that academic misconduct issues only arise during the viva the examination process will be put on hold and academic misconduct processes will be instigated.

13. Process for consideration of allegations of Academic Misconduct

13.1. On receipt of an Academic Misconduct allegation, a Case Officer shall be appointed centrally.

13.2. Care will be taken to ensure that the Case Officer appointed is impartial and not implicated. The Case Officer is normally a member of University staff, but could, in exceptional circumstances, be external to the University.

13.3. If there are any concerns in relation to the Case Officer, parties are asked to express those concerns in writing to the Associate Pro Vice-Chancellor (Academic Experience) who will consider any such concerns.

13.4. The Case Officer will establish whether or not there are any concurrent allegations of Academic Misconduct or any previous substantiated allegations of academic misconduct against the student.

13.5. The Case Officer will contact the student to outline:

13.5.1. the allegation of academic misconduct;

13.5.2. the evidence available;

13.5.3. the Academic Misconduct Guidelines and Penalties;

13.5.4. an indication of the penalty which would be applied should the student accept the allegation.

13.6. The student will be asked to respond to the allegation, normally within 14 days, either accepting or denying the allegation of academic misconduct.

13.7. If no response is received within this time, the student will be deemed to have accepted the allegation of academic misconduct.

13.8. If a student accepts the allegation of academic misconduct or is deemed to have accepted the allegation of academic misconduct, then the appropriate penalty will be applied. The student shall be notified formally in writing of the penalty applied.

13.9. Where a student wishes to deny an allegation of academic misconduct, the student must provide a written explanation of the reasons for denying the allegation along with copies of any relevant evidence.

13.9.1. Where a student fails to provide any written explanation or merely states that he/she is denying the allegation, the student will be deemed to have accepted the allegation of academic misconduct.

13.9.2. Where the explanation relies solely on a claim that the academic misconduct was committed unintentionally or accidentally or that the academic misconduct was committed due to mitigating circumstances or a long-term impairment, the student will be deemed to have accepted the allegation of academic misconduct.

13.9.3. In all other cases the allegation of academic misconduct will be referred to the Academic Misconduct Investigation Panel.

13.9.4. In all cases in which the penalty would result in the expulsion of the student from the University will be referred to the Academic Misconduct Investigation Panel.

14. Academic Misconduct Investigation Panel and Formal Panels

14.1. Academic Misconduct Investigation Panels membership consists of all Institute Academic Misconduct Co-ordinators and any other appropriately qualified and experienced staff from across the Institutes and Professional Services as identified by the Academic Office.

14.2. The Academic Office will appoint up to three appropriately qualified and experienced external persons as external members of the Academic Misconduct Investigation Panels.

14.3. Terms of Reference for Formal Panels and Academic Misconduct Investigation Panels:

14.3.1. To consider the evidence submitted in relation to the allegation of academic misconduct.

14.3.2. To determine whether the allegation has been substantiated, normally on the balance of probabilities.

14.3.3. To make a definitive statement on the extent or level of academic misconduct in cases where an allegation has been substantiated.

14.4. The Academic Misconduct Investigation Panel shall normally meet within 30 days of receipt of the allegation. In the event that it takes longer to verify the facts to which the allegation refers, this period may be extended.

14.5. In exceptional circumstances, where the Academic Misconduct Investigation Panel, on considering the evidence, is not able to determine an outcome, the Panel may decide to require the student to attend a Formal Panel meeting in person.

14.6. The date of the meeting of the panel, membership, and format of the Formal Panel will be communicated to the student in advance of the proceedings, normally not less than 10 days in advance of the meeting.

14.7. Membership of running of Formal Panels is defined in SE4: Format and Membership of Formal Panels

14.8. Any documentation for the meeting of the panel will be circulated to the members of the Formal Panel, the student, the Academic Misconduct Co-ordinator and the Case Officer, normally not less than five days in advance of the meeting.

14.9. Following the meeting the student will be formally notified of the outcome in writing within 14 days of the meeting of the Formal Panel.

14.10. Where a Formal Panel requires the advice of an expert to deal with a question of fact or special difficulty, such an expert may provide a written report in advance of the panel and, where appropriate, may be invited to the panel to provide expert evidence and advice to the Panel.

15. Panel Outcomes

15.1. The Panel shall be empowered to take one of the following decisions:

15.1.1. To substantiate the allegation of academic misconduct;

15.1.2. To reject the allegation of academic misconduct.

15.2. If the allegation has been substantiated, the panel must determine the extent of the academic misconduct and the appropriate penalty.

15.3. If the finding of the Panel is that the allegation has not been substantiated, the student shall be notified formally in writing of the Panel's decision and that the matter is therefore closed, normally within 14 days of the meeting of the Panel.

15.4. If the finding of the Panel is that the allegation has been substantiated, the student shall be notified formally in writing of the Panel's decision and of the penalty applied, normally within 14 days of the meeting of the Panel.

15.5. In the event that the allegation has been substantiated, the appropriate Examining Board will be informed of the decision and the penalty to be applied.

15.6. The Panel may make recommendations for consideration through the University's committee structure as appropriate on any matter arising from the consideration of academic misconduct cases.

16. Review of Academic Misconduct Outcome

16.1. If the student is dissatisfied with the outcome of the formal stage, they may be able to request a review.

16.1.1. A request for a review may only be made on one or more of the following grounds:

16.1.1.1. irregularities in the conduct of the academic misconduct procedure, which are of such a nature as to cause reasonable doubt whether the same decision would have been reached had they not occurred;

16.1.1.2. the existence of new material evidence which the student was unable, for compelling reasons, to provide earlier in the process.

16.1.1.3. that the outcome was not permitted under the procedures.

16.2. A request for review of the Academic Misconduct outcome must be received on the required form not later than 20 days after the notification of the outcome.

16.3. Simple notice of a desire to request a review by a student within the above deadline shall not be deemed to constitute a formal request for review and shall not be accepted.

16.4. A request for review received after the above deadline will be deemed to be out of time and will not be considered unless there is independent evidence to show compelling reasons as to why the request for review was not submitted in a timely manner.

16.5. Where a request for review is deemed out of time, the University will issue a Completion of Procedures Letter on request, noting the reason why the request for review was not considered and advising the student that he/she may be able to take his/her complaint to the Office of the Independent Adjudicator (OIA) for Higher Education.

16.6. If no request for review is received within 20 days, the University will assume that the student does not wish to request a review. Where the student subsequently

requests a Completion of Procedures Letter, the University will issue a Completion of Procedures Letter, noting that the student did not engage with the request for review procedures in a timely manner and advising the student that they may be able to take his/her complaint to the Office of the Independent Adjudicator (OIA) for Higher Education.

16.7. A suitable senior officer shall review the request to ascertain if the request has been made on permissible grounds and if a clear case has been made. They may refuse any request which is not based on the grounds stated above or in which it is apparent that no clear case to review the outcome has been made. The student shall be informed by means of a Completion of Procedures Letter that the request for review has been rejected and that the original outcome stands. The student will be advised that he/she may be able to take his/her complaint to the Office of the Independent Adjudicator (OIA) for Higher Education.

16.8. If it is determined that the request has been made on permissible grounds and that a clear case for reviewing the appeal outcome has been made, the senior officer shall consider the request.

16.9. In reaching a decision, the senior officer shall base his/her decision on the evidence of the student's submission together with any further evidence which he/she considers relevant. This review stage will not usually consider the issues afresh or involve a further investigation. No hearing will be held as part of the review process. A hearing can only be held if the matter has been referred back to the formal stage for reconsideration

16.10. The senior officer shall be empowered to take one of the following decisions:

16.10.1. to reject the review and uphold the original outcome;

16.10.2. to uphold the review and refer the matter back to the Academic Misconduct Panel;

16.10.3. to instruct that appropriate action be taken to remedy the situation.

16.11. The decision of the senior officer shall be final, and the matter shall, therefore, be regarded as closed. There shall be no further discussion of the decision of the senior officer with the student or any other person. There shall be no right to request a further review of the appeal outcome.

16.12. The decision of the senior officer shall be communicated to the student, normally within 30 days of receipt of the request for review by a Review Outcome letter. If the review of outcome is rejected, the student will be advised, by means of a Completion of Procedures letter, that they may be able to take their complaint to the Office of the Independent Adjudicator (OIA) for Higher Education.

16.13. If on receipt of the Review Outcome Letter, the student is dissatisfied with the outcome, the appellant may request a Completion of Procedures Letter be issued which will advise the appellant that he/she may be able to take his/her complaint to the Office of the Independent Adjudicator (OIA) for Higher Education.

17. Status of students who have submitted requests for review

17.1. Where a request for review has been submitted, the original decision shall stand until the final outcome of the review procedure is known.

18. Reconsideration of the same offence

18.1. The University may reconsider an allegation if new evidence emerges which, for good reason, could not have been obtained by the University at the time.

18.2. In deciding whether it is appropriate to consider an allegation for the second time, the University will consider:

18.2.1. whether the outcome of the first process has been called into question, and if so why;

18.2.2. the length of time that has elapsed and the effect of this on the reliability of any evidence to be considered;

18.2.3. the severity of the alleged offence;

18.2.4. the impact on the student of undergoing a second Academic Misconduct procedure;

18.2.5. whether leaving the matter unaddressed would impact on matters of fitness to practise or on any obligations the University has to professional or regulatory bodies in respect of a particular student's character.

19. Completion of Procedures and Independent Review

19.1. Complaints to the Office of the Independent Adjudicator (OIA) for Higher Education must be made within 12 months of the effective date of the Completion of Procedures Letter. The effective date of a Completion of Procedures Letter will normally be the date on which it is issued. Where a request for review is deemed out of time or where a Completion of Procedures Letter is requested more than 30 days after the notification of the final decision, the effective date of any Completion of Procedures Letter will normally be the date upon which the final decision was made. Full details of the procedure will be available from the OIA website: www.oiahe.org.uk.

20. Confidentiality parameters

20.1. The University will be mindful of its obligations under relevant data protection regulations and the Equality Act 2010 in relation to any information shared about the appeal.

20.2. All parties will be reminded of the confidentiality associated with the procedures outlined above. Information associated with the case will be disclosed to as few people as possible.

21. Standard timelines

21.1. Throughout the policy standard timelines are mentioned for key stages of the process. The University will wherever possible seek to adhere to the time limits outlined within these procedures, but in cases where there are special circumstances which require variance from specified time limits, the student and any other relevant parties will be advised of the reasons for this. Processes may need to be suspended.

Key stage	Standard timeline
Invitation to meetings with Case Officers	Notice provided not less than 2 days
Completion of investigative process	Within 20 days

Key stage	Standard timeline
Information about the format of the formal panel, membership, date and venue	Notice provided not less than 10 days in advance of the meeting
Circulation of any documentation associated with the meeting of the panel	Notice provided not less than 5 days in advance of the meeting
Notification in writing of the outcome following an Academic Misconduct panel meeting	Within 14 days
Completion of the formal process	Within 40 days
Review of outcome request	Within 21 days of the date of the notification of the outcome
Completion of the review of outcome process	Within 30 days of the request for review being received

22. Monitoring

22.1. A student case overview report will be submitted annually to Senate and the relevant Council Committee by the Associate Pro Vice-Chancellor (Academic Experience). This report will also monitor the effectiveness of the policy.

23. Resource implications

Implication	Detail
Finance	*Training for all University members of staff involved in academic misconduct procedures (e.g. Case Officers, Chairs and members of Academic Misconduct Panels, staff providing support to students, Senior Officers, minute takers)*
Staff	*No additional resource anticipated.*
Assets	*There are no identified asset costs.*
Partners	*Consideration will be given to the application of this policy across the dual-sector group.*
Timescales	*Once approved the policy will be implemented immediately. The policy will be regularly monitored to ensure ongoing compliance with relevant legislation.*
Leadership	*APVC (Academic Experience)*

24. Impact Assessment

Implication	Impact considered (Yes/No)	Impact Identified

Legal		*The policy conforms with:* *Contract and consumer law* *The Human Rights Act 1998* *The Equality Act 2010* *Natural Justice (fairness)* *Data Protection Act 2018 (and GDPR)*
Contribution to the Strategic Plan		*The policy aligns with the values expressed in the Strategic Plan.*
Risk analysis		*Policy compliance mitigates against complaints to the OIA and complaints to the ICO.*
Equality		*The policy will ensure adherence to provisions of the Equality Act.*
Welsh language		*The policy aligns with principles expressed by the Welsh Language Act.*
Environmental and sustainability		*None identified.*
Communication / Media / Marketing		*The policy will be made available to staff and students via Hwb*

25. Policy author:

25.1. Dr Mirjam Plantinga, APVC (Academic Experience)

26. Document version control

Version No.	Reason for change	Author	Date of Change
0.1	Draft policy	MP	08.08.2019
0.2	Final approved policy	MP	16.10.2019
1.0	Annual Update	KE	20.08.2020

Current status of Policy: approved

Is the Policy applicable to: HE

Date ratified by Academic Standards Committee: 16/10/2019

Date effective from: 01/09/2019

Policy review date: 01/06/2020

For publication: on UWTSD website

27. Academic Misconduct Penalties

27.1. In all cases where the allegation of Academic Misconduct is substantiated (either by the student's own admission or by the findings of an Academic Misconduct), the outcome is noted on the student's record and the student may be placed on a monitoring system such as Academic Probation.

27.2. Assessed work (non-research degree)

If an allegation has been substantiated, then the following will be used to calculate the penalty imposed:

27.2.1. Level of student:

Level 3	50 points
Level 4	70 points
Level 5	115 points
Level 6	140 points
Level 7	175 points

27.2.2. History of Academic Misconduct

Second Substantiated Offence	50 points
Third Substantiated Offence	150 points
For second and third offences – if extent of previous offences was at least "moderate" and resulted in a penalty of all components in module awarded 0%	50 points
Fourth Substantiated Offence	Automatic penalty: Student expelled from University (loses all credit from current level of study on the programme)

27.2.3. Number of allegations under consideration

One	0 points
Two	50 points
Three or more	100 points

27.2.4. Value of individual component

8 credits or less	-30 points
30 credits or more	30 points

27.2.5. Extent of Academic Misconduct (Relevant percentage of report subject to academic misconduct, which may be lower or higher than the percentage indicated by Turnitin)

Minimal (<5%)	210
Minor (5%-20%)	235

Moderate (21%-50%)	260
Serious (51%-85%)	290
Severe (>86%)	355

27.2.6. Academic Misconduct (Formal Examination)

Unauthorised information (general)	260 points
Communicate with any other person	290 points
Unauthorised information (specific)	355 points
Impersonate student or be impersonated	375 points

27.2.7. Mitigation

Student Accepts	-40 points

27.2.8. Calculation of Penalty Tariff

Points **Penalty**

190 – 329 Formal warning letter (further offences will be repeat offences)

330 – 424 Component awarded mark of 0% (fail)

425 – 524 All components in module awarded mark of 0% (fail)

525 – 559 Student expelled from University and is disqualified from any further study at the University (retains credit previously gained)

560+ Student expelled from University and is disqualified from any further study at the University (loses all credit from current level of study on the programme)

27.2.9. Panel Discretion

27.2.9.1. A decision about a penalty will take into account as appropriate a student's particular circumstances (e.g. mitigating circumstances and declared disabilities) as well as unintended impacts (e.g. in relation to a declared disability or an international student's visa status).

27.2.9.2. For students in the highest band, Panels may request that the student's previous work be investigated for academic misconduct. If it is subsequently substantiated that there has been previous academic misconduct, the Panel has discretion to decide that the student will lose all credit from the programme of study.

27.3. Research Degree

27.3.1. A panel considering academic misconduct in the examination of a research degree, will have the following outcomes available:

27.3.1.1. A determination that the allegation of academic misconduct is unsubstantiated;

27.3.1.2. A recommendation to the Examining Board concerning the level of academic misconduct and that the examination should proceed with the Examining Board arriving at a result in the light of the academic merit of the thesis and in the light of the Academic Misconduct Panel's findings;

27.3.1.3. Termination of candidature on the grounds of gross misconduct with no examination of the thesis.

28. Academic Misconduct Guidelines

28.1. Programme teams will take responsibility for identifying poor referencing, embedding academic skill development within programmes, and signposting students to Student Support and the LLR as appropriate.

28.2. Academic Disciplines will ensure that a probation programme is set up for students, who have had a substantiated allegation of academic misconduct, as appropriate.

28.3. Module Tutors must ensure that academic misconduct is not overlooked.

28.3.1. There must be a zero tolerance to academic misconduct - however, the earlier points ensure that there is differentiation between poor practice and academic misconduct.

28.3.2. Each programme team is asked to work together to ensure that: Occasional poor referencing is not identified as academic misconduct but "poor referencing" becomes academic misconduct if this occurs consistently throughout an essay.

28.4. Identifying Academic Misconduct

28.4.1. In identifying academic misconduct, it is important to use academic judgement appropriately, and that where academic judgement is made it must be evidence-based.

28.4.2. The interpretation of Turnitin requires academic judgement. Tutors must recognise that the % similarity score is not an absolute identifier of academic misconduct.

28.4.3. Use professional judgement in determining the difference between poor referencing and academic misconduct.

28.4.4. Use the 'Three Point Rule' (i.e. If 3 of the following 4 have been used when another's work is included, the work is poorly referenced not plagiarised: quotation marks; surname; year; page number).

28.4.5. Refer to each student's Level of study (4, 5, 6 or 7).

28.4.6. It is good practice for programme teams to make students aware of the academic misconduct allegation prior to students receiving the written letter from academic office.

28.4.7. Ensure that everything goes through Turnitin. This includes reference lists, PowerPoint slides, presentation notes and RPELs (professional practice discipline).

28.4.8. Tutors should apply necessary, subject specific plagiarism checks, e.g. codequiry.

28.4.9. All documents are to be submitted in Microsoft Office (excluding Publisher) or PDF format.

28.4.10. If the document is not in this format it needs to be converted to this format before submitting via Turnitin.

28.4.11. It is important that students do not submit work as an image file.

28.4.12. Ensure that a 'draft' submission tile is available on Turnitin for every submission.

28.4.13. Students will be permitted to upload at least one draft copy of their assignment.

28.4.14. Draft versions should be stored as 'no repository' in the originality report options when setting up a Turnitin assignment submission.

28.4.15. 'Draft' and 'final' submissions on Turnitin must be signposted clearly.

28.4.16. Requests by students to resubmit to the 'final' section before the submission deadline should only be allowed in exceptional cases, based on individual circumstances.

28.4.17. The Academic Misconduct Co-ordinator has the authority to determine the trajectory of any piece of work; once work has been sent to the Academic Misconduct Co-ordinator, the allegation cannot be retracted.

28.4.18. Markers should use the SC05 form guidance and complete the SC05 Academic Misconduct Investigation form themselves before sending the form to the Academic Misconduct Co-ordinator.

28.4.19. All students will need to submit written work via Turnitin unless otherwise specified by the module tutor.

28.4.20. In cases where it is difficult to document evidence of academic misconduct a viva voce examination will be convened by the Academic Misconduct Co-ordinator.

28.4.21. This viva must follow the guidelines set out in Academic Misconduct protocol for viva voce examinations.

28.5. Poor Academic Practice

28.5.1. The marking tutor(s) should assess and grade the work according to normal marking criteria, taking the poor academic practice into consideration when determining the appropriate grade.

28.5.2. Feedback on the poor academic practice should be provided, with appropriate referral to guidelines (for example in the assessment brief or module/course handbook).

28.5.3. Advice may also be given as to whether the student may benefit from advice and support that is offered by the University.

29. Academic Misconduct protocol for viva voce examinations

29.1. The purpose of the viva examination is to provide the student with the opportunity to critically reflect upon their work, and defend its content and demonstrate that it is their own, as set out in Academic Misconduct Policy.

29.2. The viva examination is convened by the Academic Misconduct Co-ordinator, in situations where it is difficult to document evidence of academic misconduct and to decide whether or not there is sufficient evidence to proceed with an allegation.

29.3. Viva examinations will consist of the student, a senior academic for the student`s discipline, the module tutor and a note taker.

29.4. The student can be accompanied by a non-contributory person of their choosing; however legal representation is not allowed.

29.5. Students should be informed that they are required to attend and provided with a specific date, time and location.

29.6. Video/audio links are acceptable.

29.7. At the beginning of the viva, the senior academic will act as Chair, confirm the purpose of the meeting and invite individuals to introduce themselves.

29.8. If the viva will be recorded, the student should be asked for their permission to do so.

29.9. Questions can be posed from either the Chair or the Module Tutor.

29.10. The phrasing and tone of questions should be such that the student is able to offer helpful clarification and elaboration of their work.

29.11. The focus of the Viva should contain five basic questions that can be asked irrespective of topic content:

29.11.1. Would you like to briefly summarise what your work/assignment is about?

29.11.2. Could you tell me how you planned and conducted your research for this assignment?

29.11.3. How did your thinking and learning develop as you were writing this assignment?

29.11.4. What were the main conclusions at the end of your work?

29.11.5. What was the most important/useful/interesting aspect of writing this assignment?

29.12. If the student provides only a superficial response, subject-specific prompts may be utilised to encourage the student to elaborate.

29.13. Following the Viva, if there is sufficient evidence to support an allegation of academic misconduct, the GA6 Academic Misconduct Investigation Form, along with the evidence from the viva examination, will be submitted to the Academic Office.

29.14. If there is insufficient evidence to support an allegation of academic misconduct, the student's work will be marked as normal by the Module Tutor.

29.15. All paperwork should be forwarded to the Academic Office.

30. Guidelines on third-party proofreading

30.1. Third-party proofreading is allowed for any piece of academic writing unless stated otherwise. If proofreading is not permitted, information about this will be included in the module handbook.

30.2. A proofreader may check for, identify and suggest corrections for errors in the text. In no circumstances should a proofreader edit a student's writing (for example, amend ideas, arguments or structure) as this will compromise the authorship of the work.

30.3. A third-party proofreader may:

30.3.1. Identify punctuation, spelling and typographical errors

30.3.2. Identify grammatical and syntactical errors and anomalies

30.3.3. Identify formatting and layout errors and inconsistencies (e.g. page numbers, font size, line spacing, headers and footers)

30.3.4. Identify errors in labelling of diagrams, charts or figures

30.3.5. Highlight overly-long or complex sentences or paragraphs, especially where meaning is ambiguous

30.3.6. Draw attention to repeated phrases or omitted words

30.3.7. Draw attention to inaccurate or inconsistent referencing

30.4. A proofreader may not:

30.4.1. Add content in any way

30.4.2. Rewrite passages of text to clarify the meaning

30.4.3. Rearrange or re-order paragraphs to enhance structure or argument

30.4.4. Change any words or figures, except to correct spelling

30.4.5. Check or correct facts, data, calculations, formulae, equations or computer code

30.4.6. Implement or alter the referencing system

30.4.7. Re-label diagrams, charts or figures

30.4.8. Reduce content so as to comply with a specified word limit

30.4.9. Make grammatical, syntactical or stylistic corrections

30.4.10. Translate any part of the work into English

30.5. Failure to adhere to the above requirements may result in an investigation under the Academic Misconduct Policy.

30.6. Students have overall responsibility for their work. The third-party proofreader shall give advice by means of tracked changes on an electronic copy or handwritten annotations on a paper copy or other similar devices. The student must take responsibility for choosing what advice to accept, and must make the changes to the master copy of the work him/herself.

30.7. Furthermore, it is the student's responsibility to prove that a proofreader has adhered to these third party proofreading guidelines. Students are therefore advised to keep the original copy of their written work as well as the copy they have submitted for assessment.