



University of
Salford
MANCHESTER

Academic Misconduct Procedure

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Quality & Enhancement Office

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1.0 Purpose

- 1.1.1 The purpose is to outline the Academic Misconduct Procedure and inform staff and students what types of activity constitute academic misconduct and how such matters will be dealt with by the University.

2.0 Scope

2.1 Who does the Procedure apply to?

- 2.1.1 The document applies to all students registered on programmes or modules which lead to University of Salford award or credit, including those following programmes of study at partner institutions which lead to University of Salford credit or award. It applies to students on undergraduate and postgraduate taught programmes as well as postgraduate research programmes.
- 2.1.2 The Procedure can also apply to work previously submitted, where a credit and/or award have already been given.
- 2.1.3 For students on registered on programmes at collaborative partners which lead to the University's qualifications, the procedure maybe subject to agreed and approved changes which reflect the organisational structure in place at these colleges.
- 2.1.4 Should a student withdraw partway through the process, prior to any final outcome, then the Dean of School (or nominee) on the advice of the Quality & Enhancement Office may choose not to proceed with any future hearing. Any such cases must be reported for information to the Quality & Enhancement Office and a note made on the student's record.
- 2.1.5 Any student found to have aided others to commit any act of academic misconduct, will be considered to have breached the University Student Disciplinary Procedure, such actions may include:
- a. being party to impersonation where another person sits an examination or other assignment in the place of the actual student;
 - b. provision, or assistance in the provision, of evidence or knowledge or understanding in examination or other assignment;
 - c. provision of work, such as assignments, to external websites which could be used for academic misconduct.

2.2 What is academic misconduct?

- 2.2.1 In all cases it is the action, not the intention that is of concern (see section 3.1).

- 2.2.2 Acts of academic misconduct can take many forms. These are likely to fall into, but are not restricted to, one or more of the following categories:

i) *Plagiarism*

Plagiarism involves taking the work of another person or source and using it as if it were one's own. The source of the original material is hidden from the marker by not referencing it properly or by paraphrasing it without acknowledgement or by not mentioning it at all.

Work includes, but is not restricted to, written work, ideas, musical compositions, computer programs, laboratory or survey results, diagrams, graphs, drawings and designs.

Plagiarism may occur in all forms of assessment, including written examinations.

Where one student takes the work of another (without proper acknowledgement) this is also potentially an act of collusion (see iii) below)

ii) *Self-plagiarism (or double submission)*

Self-plagiarism (or double submission) is resubmitting previously submitted work on one or more occasions (without proper acknowledgement) for separate blocks of credit. This may include the re-use of text, research data, or, other information, without specific reference between one assessment and another. It will not normally include work submitted for reassessment/re-take within the same assessment.

iii) *Collusion*

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

Collusion also occurs where there is unauthorised co-operation between a student and another person in the preparation and production of work which is presented as the student's own. The act of one student allowing another access to their own work is considered an act of collusion by both parties, regardless of intent.

Where one student takes the work of another (without proper acknowledgement) this is also potentially an act of plagiarism (see i) above)

iv) *Falsifying experimental or other investigative results*

This could involve a range of things that make it appear that information has been collected by scientific investigation, the compilation of questionnaire results, interviews etc. whereas in reality it has been made up or altered.

v) *Taking unauthorised material (including electronic devices) into an examination*

This involves taking materials or electronic devices of any sort, other than those specifically permitted, into any examination whether or not they could be used to gain advantage and whether used or not.

It includes any 'smart' devices or devices with a 'memory' function and any written material, not previously and specifically exempted, which could be used to give an unfair advantage during the examination. It is not dependent on the actual use of, or an intention to use, any material or device that may have been taken into an examination.

vi) *Contracting another to write a piece of assessed work / Writing a piece of assessed work for another*

This involves any means whereby a person does work (in whole or in part) on behalf of another which is submitted for assessment. It includes assessments

done for someone else in full or in part by a fellow student, a friend or family member.

It includes sitting an examination for someone else.

It also covers obtaining material from internet 'cheat sites' or other sources of work.

In cases where one student of the University undertakes work for another, sanctions will normally apply to both students.

The contracting of another to produce work, or producing work for another, may be considered an act of misconduct under the Student Disciplinary Procedure/Fitness to Practise Panel whether or not the work is submitted for assessment.

- vii) *Copying from, or communicating with, another examination candidate during an examination.*

A student must not communicate in any way with another student during an examination, must not disturb other students, nor copy from them during an examination.

- viii) *Bribery*

A student must not offer or give any member of academic or professional service staff money, gifts or any other advantage which is intended to induce or reward impropriety in the marking and/or processing of the student's examination or assessment.

Bribery is morally wrong and a criminal offence. It exposes the University and its employees to the risk of prosecution, fines and imprisonment as well as endangering the University's reputation. As such all cases will involve a disciplinary element and must be considered by a Student Disciplinary Panel/Fitness to Practise Panel.

2.3 Preventative Measures Against Academic Misconduct

2.3.1 Students are advised to take particular care in respect of the following:

- i) *Getting help from others / helping others*

Students are encouraged to discuss and share ideas and information, however those who assist others to commit academic misconduct whether or not for payment (e.g. by giving another student the opportunity to copy part or all of a piece of work, by providing copies of assessments or by providing bespoke assignments to another student) will be subject to the same sanctions as those who use unfair means.

Students are personally responsible for ensuring that they protect their own work, submit it themselves and do not allow other students to use their work e.g. by having access to a memory stick and/or printing off work on their behalf.

- ii) *Use of Readers/Note Takers*

Students with individual needs who require the services of readers or note takers are advised to use appropriately trained individuals. Further advice can be obtained from the Disability and Learner Support.

<http://www.askus.salford.ac.uk/disability>.

iii) *Referencing*

Students using work which has been produced by other people within an assignment will need to ensure that they acknowledge or reference the source of the work. Students should check with their Schools for particular requirements. Marks may be deducted for poor referencing. If poor referencing is extensive throughout a piece of work it could appear that the student is trying to claim credit for the work of others and the student may be deemed to have committed plagiarism. Guidance on good referencing practice is available from schools or may be provided through research training programmes. The Library provides detailed information on referencing and broader information literacy:

Skills for Learning <http://www.salford.ac.uk/skills-for-learning>.

- 2.3.2 The Assessment Handbook provides guidance for academic staff on how to develop types of assessment which minimise the opportunity for academic misconduct.

http://www.salford.ac.uk/data/assets/pdf_file/0006/1146687/Jisc-tip-sheet.pdf

2.4 Repeat offences

- 2.4.1 Previous offences are not considered in the finding of academic misconduct, but are used in deciding upon a sanction once academic misconduct is established.
- 2.4.2 Where students have been found to have committed repeat offences, then later offences will be treated more severely than the first offence when sanctions are applied.
- 2.4.3 A second offence can only be described as such when any previous case has been considered at a School Hearing/Student Disciplinary Panel/Fitness to Practise Panel and the formal outcome notified to the student. Where this is not the case, such an offence should be considered to be a possible concurrent offence i.e. where a student submits two assignments at the same time and has no prior offences.
- 2.4.4 Repeat offences may be considered at University level, at a student Disciplinary Panel/ Fitness to Practise Panel) and students subject to the full range of sanctions available to those panels.

3.0 Policy Statements

3.1 Dealing with Academic Misconduct: Preliminary Stage

- 3.1.1 All case of suspected academic misconduct must be supported by evidence documented by the person who suspects the academic misconduct. For example, in a case of possible plagiarism, the marker of the assignment should highlight those passages which are unattributed, should provide a note of the sources from which these passages come and should indicate the extent of plagiarism as a percentage of the assessment in question. Those reporting suspected cases must use the Notification proforma - for cases of suspected academic misconduct (<http://www.salford.ac.uk/qeo/StudentPolicies/academic-misconduct-procedure>) or the Examinations Academic Misconduct form to do so.
- 3.1.2 Where there are possibilities of more than one type of academic misconduct being an outcome, for instance in some alleged collusion cases a decision of plagiarism may be found against a student, then all possible outcomes should be identified.

- 3.1.3 A matching report from a text matching service (e.g. Turnitin) is not, on its own, evidence of academic misconduct even if the proportion of matching text is high. Original sources must be referred to and the nature of the assignment and the detail of the matched text (e.g. the number of sources and the need for extensive quotation) must also be considered. A finding of academic misconduct may be made even if there is an absence of matching text, for example where a student has changed certain words to avoid being detected by a text matching service.
- 3.1.4 Where submission via the text matching tool is not required, in cases of suspected academic misconduct the University may submit such work through the text matching tool to aid any investigation.
- 3.1.5 When an academic member of staff suspects academic misconduct in a piece of assessed work (e.g. an essay bought from a cheat site which has not been detected via detection software), a student may be interviewed by an appropriate member of academic staff other than the marker using the “Guidance on Bought Work” (<http://www.salford.ac.uk/qeo/StudentPolicies/academic-misconduct-procedure>).
- 3.1.6 The Dean of each School must appoint at least one member of staff to act as the School’s Academic Misconduct Officer (AMO). **All** cases of **suspected** academic misconduct must be reported to the AMO.
- 3.1.7 The AMO has responsibility for preliminary consideration of such cases. In determining whether there is a case to answer the AMO should refer to the guidance available from the Quality & Enhancement Office webpage (Preventative Measures Against Academic Misconduct <http://www.salford.ac.uk/qeo/StudentPolicies/academic-misconduct-procedure>).
- 3.1.8 All cases **must** be treated as strict liability offences – that is to say, it is the action (academic misconduct) which must be considered, not the intention of a student to deceive or gain an unfair advantage.
- 3.1.9 In the case of suspected academic misconduct in an examination, the Senior Invigilator should follow the procedure set out in the “Essential Information for Invigilators” handbook and **must** report the incident to the Timetabling and Examinations in Student Administration by completing an academic misconduct report form. Timetabling and Examinations will forward the details of the incident to the relevant AMO. Where appropriate, any evidence of alleged misconduct should be recorded with relevant documentation at the time of the examination.
- 3.1.10 The AMO will take into account the extent of the alleged academic misconduct, the level and prior experience of the student and the conventions of the discipline and, using their academic judgement, will decide on one of the following steps:
- there is no case to answer (in which case, notification will be provided to Quality & Enhancement Office to enable University wide statistics about cases to be compiled, beyond this all records relating to the case must be destroyed);
 - it is a matter of poor academic practice;
 - there is evidence to indicate that academic misconduct may have occurred which requires further investigation.

- 3.1.11 Poor academic practice is a term used when students badly prepare a piece of work for assessment. It often involves bad referencing where the work may be referenced and cited, but not using the correct format or system. It may include a paraphrase which only slightly alters the original source or incorporate so many reference texts that there is very little evidence that the student has engaged with the topic in question. Whilst such scenarios might not reflect plagiarism they do show a lack of individual thinking based on the teaching a student has received and should therefore be sanctioned by using the normal assessment criteria.
- 3.1.12 Where the preliminary consideration finds poor academic practice, the student should be informed of this in writing and be invited to discuss this with an appropriate member of academic staff (normally the Personal Tutor) at the earliest possible opportunity. The student should be given clear advice on the steps they must take to prevent a recurrence of this poor practice. A note of this discussion should be given to the student within 5 working days of the meeting and a copy kept on the student record, so that students who are referred repeatedly can be identified. Any student who without good reason refuses or fails to attend a meeting will still be provided with written advice, but such a refusal or failure to attend will be noted on the student's record.
- 3.1.13 Where the preliminary consideration finds that academic misconduct may have occurred, the student will be informed of this in writing and will be advised that the matter is referred either to the School's Associate Dean Academic (ADA) or, in the most serious cases, the University's Student Disciplinary Panel or Fitness to Practise Panel. See Section 3.2 below and Appendix B.
- 3.1.14 Given the level of study and the application of appropriate sanctions all suspected cases of academic misconduct in postgraduate research awards must be reported to the University's Student Disciplinary Panel.
- 3.1.15 Except where any alleged academic misconduct is referred to the Student Disciplinary Panel or Fitness to Practise Panel, each instance of alleged academic misconduct will be considered by the home School for the module where such alleged misconduct has occurred. Where an individual student faces multiple concurrent cases of academic misconduct from modules across more than one school then normally all the concurrent cases should be considered by a single school (the choice of school to be determined by the University).
- 3.1.16 In all instances the AMO must complete the relevant section of the Notification proforma for cases of suspected academic misconduct (<http://www.salford.ac.uk/qeo/StudentPolicies/academic-misconduct-procedure>).

3.2 Dealing with Academic Misconduct: Formal Stage – referral to University level

- 3.2.1 In the most serious cases where the AMO considers that the sanctions available to the AMP are insufficient, the AMO will refer such cases to be considered either under the Fitness to Practise Procedure (where the student is studying a programme that is subject to the Procedure), or to the University's Student Disciplinary Panel (see the Fitness to Practise Procedure and Student Disciplinary Procedure at <http://www.salford.ac.uk/university/governance/policies-and-procedures/browse-by-theme/2>) on **one or more** of the following grounds:
- there is a prior proven offence of academic misconduct;

- there are concurrent allegations of more than one offence of academic misconduct involving substantial amounts of total the programme of study;
- the offence is at an advanced level of study (e.g. the offence has been committed at Level 7 or 8);
- the academic misconduct is compounded by deliberate deception or lying (e.g. purchasing an essay from a cheat site; stealing work from another student);
- other students' assessment has been disrupted or affected in some way by the student's academic misconduct;
- there is an allegation of bribery or serious aggravating factor;
- any combination of matters listed above.

3.2.2 In line with the principles of natural justice and the avoidance of instances of 'double jeopardy', a case considered by an ADA should not be reheard by a University Student Disciplinary Panel or via the Fitness to Practise Procedure.

3.2.3 In the event of an allegation of academic misconduct in the taught element of a research award (e.g. DProf), the matter will be referred to the Student Disciplinary Panel. The decision to refer the matter will be made by the AMO. Students on research awards examined by thesis (or folios of composition, folio of films and/or videos) alleged to have engaged in academic misconduct will have their cases referred to the University Student Disciplinary Panel.

3.2.4 In cases deemed **most serious**, the Student Disciplinary Panel and the Fitness to Practise Panel will have recourse to the range of academic sanctions available from this procedure **in addition** to their normal range of sanctions.

3.3 Dealing with Academic Misconduct: Formal Stage – referral to School level

3.3.1 In all other cases where there is evidence to indicate that academic misconduct may have occurred, the cases should be heard by the ADA. The student will be given a minimum of 10 working days' notice in writing by an e-mail to a University email address (where one is available) before the meeting of the Panel except where the student has agreed in writing that a shorter notice is acceptable. The 10 working days will be counted from the date of the notification. The student will be informed, in writing, of the nature of the allegations and be provided with all the evidence to be considered.

3.3.2 The AMO will compile the paperwork and forward to the Secretary.

3.3.3 The Notification form must include details of any previous proven cases of academic misconduct made against the student. These must be separated by the Secretary prior to referral to the ADA hearing the case.

3.4 School hearing

3.4.1 The purpose of the School hearing is to determine whether an offence of academic misconduct has been committed and to determine and impose sanctions.

3.4.2 Where the ADA has been involved in the assessment of student whose case is being heard, the Dean of School will identify a substitute member of staff.

- 3.4.3 The School will provide secretarial support for the hearing and a Record of Consideration will be kept of the meeting and forwarded to the Quality & Enhancement Office. Further details on the School level hearing can be found at Appendix C.

3.5 Attendance at School hearings

- 3.5.1 A student may be accompanied by one person of their choosing at any stage in the Academic Misconduct Procedure, subject to the requirements of section 3.6.
- 3.5.2 The student may submit written evidence to the School hearing and this should be received at least 5 working days before the date of the Panel meeting. The ADA may choose to discount any documentation received after this point.
- 3.5.3 The AMO will be expected to attend to represent the School at the meeting.
- 3.5.4 If a student is unable to attend the School hearing, and notifies the Secretary at least 5 working days in advance, they will be permitted to submit written representation in support of their case. In this instance, the AMO shall not be invited to attend the meeting to present the case and the ADA's decision shall be based on the paper evidence only. In such circumstances the AMO may be asked to provide answers on specific technical questions, for instance relating to the operation of the assessment.
- 3.5.5 A student may request to attend the hearing via "video conference" or similar, again in such cases the student must make the request in writing at least 5 working days prior to the hearing. The student is responsible for ensuring that they, the student, have access to appropriate technology.
- 3.5.6 If the student or the AMO, to whom proper notice of a meeting has been given does not appear at the meeting, the ADA may proceed to consider the case in their absence. However, if reasonable grounds for non-attendance have been provided (e.g. sickness absence) the ADA has the discretion to adjourn. If the student's chosen companion is unable to accompany the student at the hearing for any reason, the meeting will not normally be adjourned; a substitute may need to be found by the student.
- 3.5.7 Where there is no previous notification of non-attendance by the student the AMO may remain to present the case and answer questions as required by the ADA.
- 3.5.8 The ADA shall reach a decision on every case presented to it, save only where the ADA considers it would be contrary to the interests of natural justice to reach a decision, in which case the ADA shall adjourn the case to a future meeting clearly recording the reasons for its decision and report this decision in writing to the student, AMO and the Quality & Enhancement Office.
- 3.5.9 The student will be responsible for paying the costs of their attendance and costs of any representative and the University will not reimburse these.
- 3.5.10 The AMO and the student may call witnesses. The University must notify the student of any witnesses called at least 10 working days before the hearing. A student must notify the University, via the Secretary, of any witnesses they intend to call at least 5 working days before the hearing.

3.6 Representation at Meetings and Hearings

- 3.6.1 Where a representative is attending a hearing on the student's behalf:

- a) the representative must not be someone who has been suspended or excluded from the University for any reason;
- b) the student must provide the name of the representative to the University, via the Secretary, before the hearing, and at least before 4.00 p.m. on the previous working day.

3.7 Legal Representation

There is no automatic right for a student to have legal representation at meetings and legal representation is only allowed for certain meetings or hearings where the student has been granted permission as set out below in the guidance on the Quality & Enhancement Office webpages - http://www.salford.ac.uk/_data/assets/pdf_file/0007/1416823/Legal-Representation.pdf

3.7.1 Legal Representation will not normally be approved for School level hearings.

3.8 Recording of Proceedings

- 3.8.1 The audio recording of meetings and hearings held under this Procedure is prohibited, subject to such reasonable adjustment as may be agreed by the University where required to comply with the Equality Act 2010.
- 3.8.2 Where adjustments have been agreed, the student is asked to inform the Secretary in good time prior to the hearing to allow the University to ensure suitable facilities are available.

3.9 Standard and Burden of Proof

- 3.9.1 The burden is on the University to prove the allegation(s) of academic misconduct. In deciding whether the student has committed academic misconduct; the standard of proof shall be 'the balance of probabilities', that is on the evidence, the student is more likely than not to have committed academic misconduct.

3.10 Academic Sanctions – taught programmes

- 3.10.1 In deciding which academic sanction to impose, the ADA shall take into consideration, amongst other matters, admission of academic misconduct by the student, the seriousness and the extent of the misconduct. Relevant precedents should also be considered. For example, any admitted misconduct would normally be treated more leniently than a denied offence.
- 3.10.2 Students citing personal mitigating circumstances should be advised that such matters are dealt with at School level at the appropriate point in time under the University's Personal Mitigating Circumstance (PMC) Policy by the School's PMC Reviewers and cannot be taken into account through the Academic Misconduct Procedure and must not be considered by the School hearing.
- 3.10.3 The ADA shall apply one of the following sanctions in the event of the student being found to have committed academic misconduct:
 - a) a mark of 0 or grade of F is awarded for the component of assessment in question;
 - b) a mark of 0 or grade of F is awarded for the component in question and the module mark kept at the minimum pass mark

- c) a mark of 0 or grade of F is awarded for the component in question and marks for all modules at that level will be kept at the minimum pass mark.

- 3.10.4 Any student found to have committed academic misconduct will be required, in addition to the above, to undertake appropriate study skills and guidance on the use of the University's text matching detection tool, Turnitin (accessed via Blackboard).
- 3.10.5 Where academic misconduct has been found to have occurred after the results have been ratified by a Board of Examiners/Postgraduate Research Award Board, the sanctions will be retrospectively imposed, so necessitating the removal of previously awarded modules or credits. The decision to rescind academic credits or awards is made by the Board of Examiners or the Postgraduate Research Award Board. It must be recorded in the minutes of the board, plus in the formal record of the hearing held under the Academic Misconduct Procedure and reported in the annual overview of this procedure.
- 3.10.6 Proven cases will be referred back to the Board of Examiners for implementation of the sanction. The Board of Examiners/PRAB will inform the student of its decision in the normal way and of any academic requirements following the implementation of the sanction.

3.11 Compensation

- 3.11.1 Where a component mark of 0% or grade of fail has been awarded as a sanction for academic misconduct and the student fails the module, that module shall not be eligible for compensation (*Academic Regulations for Taught Programmes*).

3.12 Academic Sanctions – research programmes

- 3.12.1 Normally, any finding of academic misconduct at Level 8 will result in the expulsion of the student from the University.
- 3.12.2 However in exceptional cases where the nature of the misconduct is marginal and there are significant, compelling and evidenced exceptional circumstances, then for a student at Interim Assessment (IA) or Internal Evaluation (IE) the Student Disciplinary Panel may set a sanction of 'fail' for that assessment. Additionally there will be a requirement that the student undertake further training on academic good practice and provide a personal written reflective statement on academic good practice and academic misconduct in no less than 20 working days from the date of the issuing of the written notification. This written submission will be signed off by the Postgraduate Research Coordinator or Associate Dean Research & Enterprise prior to recommencement of study, and in no less than 20 working days from the date of receipt.
- 3.12.3 In such exceptional circumstances the Panel must provide and record a clear and explicit rationale as to why a sanction other than expulsion was determined.

3.13 Entitlement to reassessment/retaking

- 3.13.1 Where a component mark of 0 or F has been awarded as a sanction for the use of unfair means a student shall be permitted the normal entitlement of further opportunities to pass the module (the opportunities which remain will depend on the point in the academic cycle at which the zero has been awarded). Further opportunities include:

- d) an opportunity to be reassessed at the stipulated time;
- e) an opportunity to retake the module the next time the module is delivered.

3.13.2 Where a student has been permitted to be reassessed or to retake a module the maximum module mark that the student shall be given under any circumstances shall be the pass mark for the module.

3.14 Appeals

- 3.14.1 In cases heard by an ADA a student may appeal to the University's Student Disciplinary Appeals Panel against a decision of academic misconduct or a sanction imposed by the ADA. The appeal must be made in writing to the Quality & Enhancement Office within 10 working days of the written decision of the AMP.
- 3.14.2 The appeal must identify the ground(s) of appeal being relied upon which may be any or all of the following:
- i) that new and relevant evidence is available which, for good and reasonable cause, was not available to the Dean of School or Hearing Panel (as the case may be) at the earlier stage of this Procedure. (Exceptional circumstances are needed to explain why any evidence could not have been made available);
 - ii) that there was a relevant and significant defect, error or mistake in the conduct of the earlier stage of this Procedure which casts reasonable doubt on the decision reached by the Dean of School or Panel hearing (as the case may be) in that the decision might have been different if the defect, error or mistake had not occurred;
 - iii) that the decision reached at the earlier stage of this Procedure is manifestly unreasonable. In this context, unreasonable will be taken to mean perverse, i.e. the decision was not one that a similar process might have reached.
- 3.14.3 A request from a student for a rehearing is not a valid ground of appeal.
- 3.14.4 The student must not only state a ground or grounds for appeal but must also provide evidence to substantiate those grounds. An appeal shall only be granted if there is evidence to support one or more of the grounds set out above.
- 3.14.5 The Registrar (or nominee) shall, in all cases, and normally within 5 working days, determine whether the appeal has been received within the appropriate timescale and discloses a valid ground of appeal.
- 3.14.6 The Registrar (or nominee) shall reject any appeal which does not disclose a valid ground of appeal; does not evidence a ground or ground(s) of appeal or is out of time. In such instances, the student shall be formally notified by a Completion of Procedures Letter.
- 3.14.7 The Student Disciplinary Appeal Panel shall normally meet a maximum of ten working days after the Head of Quality & Enhancement has confirmed that in their view there are grounds for appeal and shall be drawn from a pool of staff members nominated by the Deans of School and nominees of the Students' Union.
- 3.14.8 Each meeting of the Student Disciplinary Appeal Panel shall comprise two staff members, one of whom shall be Chair, and one nominee of the Students' Union. All Student Disciplinary Appeal Panel members shall be drawn from outside the student's School. Any person who has previously been involved in considering the student's

case shall take no part in the meeting of the Student Disciplinary Appeal Panel. An officer of the Quality & Enhancement Office shall act as Secretary.

- 3.14.9 The Student Disciplinary Appeal Panel may dismiss an appeal without a full hearing if it considers that the appeal, although not rejected by the Registrar or nominee, was in fact not lodged on the allowable grounds or was out of time.
- 3.14.10 There shall be no entitlement to a rehearing of a case. The Student Disciplinary Appeal Panel may overturn a decision of academic misconduct on appeal where it considers it just to do so and the student's record will reflect that outcome.
- 3.14.11 The proceedings of the Student Disciplinary Appeal Panel shall take such form as that Panel considers appropriate to an investigation of the grounds for the appeal as stated in the student's notice of appeal.
- 3.14.12 The ADA and the AMO shall also be entitled to make written submissions or oral representations as witnesses to the Student Disciplinary Appeal Panel.
- 3.14.13 The Student Disciplinary Appeal Panel hearing an appeal against a sanction may impose a lesser or greater sanction, having considered whether the original sanction imposed was fair and reasonable in the light of all the circumstances of the case and the student's means and general personal circumstances.
- 3.14.14 The Student Disciplinary Appeal Panel shall consider its decision and shall notify the student of it in writing, normally within 5 working days. The decision of the Student Disciplinary Panel shall be final and no further appeal may be permitted within the University. Where they have not had the outcome they were seeking the student's notification of the decision will include a statement of the exhaustion of all University procedures: 'a Completion of Procedures Letter'.

3.15 Student Status Pending Hearing – issuing of marks and progression

- 3.15.1 If the Panel hearing has yet to convene before a meeting of the Board of Examiners which makes decisions on progression/award, the student must be informed of the mark for the module(s) so that the student may make an informed decision about resubmission/resit of the module(s). Marks will be ratified once there has been an outcome from the academic misconduct process.
- 3.15.2 If the Panel hearing has yet to convene for allegations of academic misconduct reported either prior to or during the resit period the student is permitted to register at the previous level in order to have access to University facilities. The student may also attend classes at the next level informally until there has been an outcome from the academic misconduct process. Marks will be ratified following the outcome. If the outcome is failure in the module(s) the student may have to step off the programme to redeem the module(s) at the next most appropriate point in time.

3.16 External Review

- 3.16.1 If on receipt of a Completion of Procedures Letter the student is still dissatisfied, the student may request a review from the Office of the Independent Adjudicator for Higher Education (<http://www.oiahe.org.uk/>) (eligibility criteria and time limits apply).

3.17 Monitoring, Evaluation and Review

- 3.17.1 School hearings and the Student Disciplinary Panel and Fitness to Practice Panel and associated Appeals Panels at University level) are required to record details of all

decisions complete (for example via [records of consideration](#)) and forward these to Quality & Enhancement Office (QEO). These are used to develop a body of case-law which provides guidance and precedents for future Panels. A member of staff from QEO will attend AMPs from time to time as an observer.

3.17.2 Supporting documentation is available from QEO webpage

<http://www.salford.ac.uk/geo/StudentPolicies/academic-misconduct-procedure>.

3.17.3 QEO shall report statistical data on cases of academic misconduct considered each academic session by School to Senate and relevant committees of Senate. Following the annual report, the procedure will be reviewed and, as appropriate, amendments considered.

4 Staff Disciplinary Procedure

4.1.1 Where the student is also a member of staff, guidance should be sought from Human Resources and Quality & Enhancement Office as any allegation could be considered under a separate specific procedure, or an agreed amended procedure e.g. the constitution of a Panel hearing may be amended.

5 Data Protection

5.1.1 All processing of personal data is undertaken in accordance with the Data Protection Act 1998.

5.1.2 In pursuance of this procedure students' personal data will be shared within the University to the persons and departments named at with the Students' Union.

5.1.3 This information will be relating to specific occurrences of academic misconduct and will include only information deemed relevant to the case. The information will be used only for the purposes outlined in this procedure. Where it is determined that there is no case to answer, no details shall be held on a student's record. Otherwise details of the incident and outcome shall be retained on a student's record. Records of all cases will be retained by the Quality & Enhancement Office.

5.1.4 Where a student requests a review from the Office of the Independent Adjudicator, relevant information shall be disclosed to that office in order for the review to take place.

5.1.5 Findings of academic misconduct and sanctions imposed may be referred to in references which are requested for students.

5.1.6 Where cases are referred to a Student Disciplinary Panel or a Fitness to Practise Panel, the data protection guidance associated with those procedures will apply.

5.1.7 Where a sanction of suspension or expulsion is imposed the University will inform the Home Office (UK Visas and Immigration).

6 Policy Enforcement / What happens when the policy/procedure is not followed

6.1.1 The Quality & Enhancement Office is responsible for overseeing the procedure and ensuring it is correctly implemented and enforced.

6.1.2 The Dean of Schools will nominate an academic member(s) of staff with specific responsibility for all matters related to academic misconduct for undergraduate and postgraduate taught programmes as well as postgraduate research programmes of

study. These members of staff will also present the case before either the ADA or the University Student Disciplinary Panel.

- 6.1.3 It is the responsibility of Quality & Enhancement Office to provide appropriate training and support for academic members of staff nominated by the Dean of School's to serve in the capacities noted above as well as members of the Students' Union and any other members of staff with roles named in the procedure.

7 Related Documentation

- 7.1.1 The following documents can be found on the University Policy & Procedure pages [University of Salford Policies pages http://www.salford.ac.uk/policies](http://www.salford.ac.uk/policies) or under 'P' via the Staff Channel A-Z index.

- Student Disciplinary Procedure

Supporting documentation relating to the procedure

<http://www.salford.ac.uk/geo/StudentPolicies/student-disciplinary-procedure>.

- Fitness to Practise Procedure

Supporting documentation relating to the procedure

www.salford.ac.uk/geo/StudentPolicies/fitness-to-practise-procedure;

- Academic Regulations for Taught Programme (ARTP),
- Research Award Regulations (RAR),
- Assessment Handbook.

8 Governance and Management

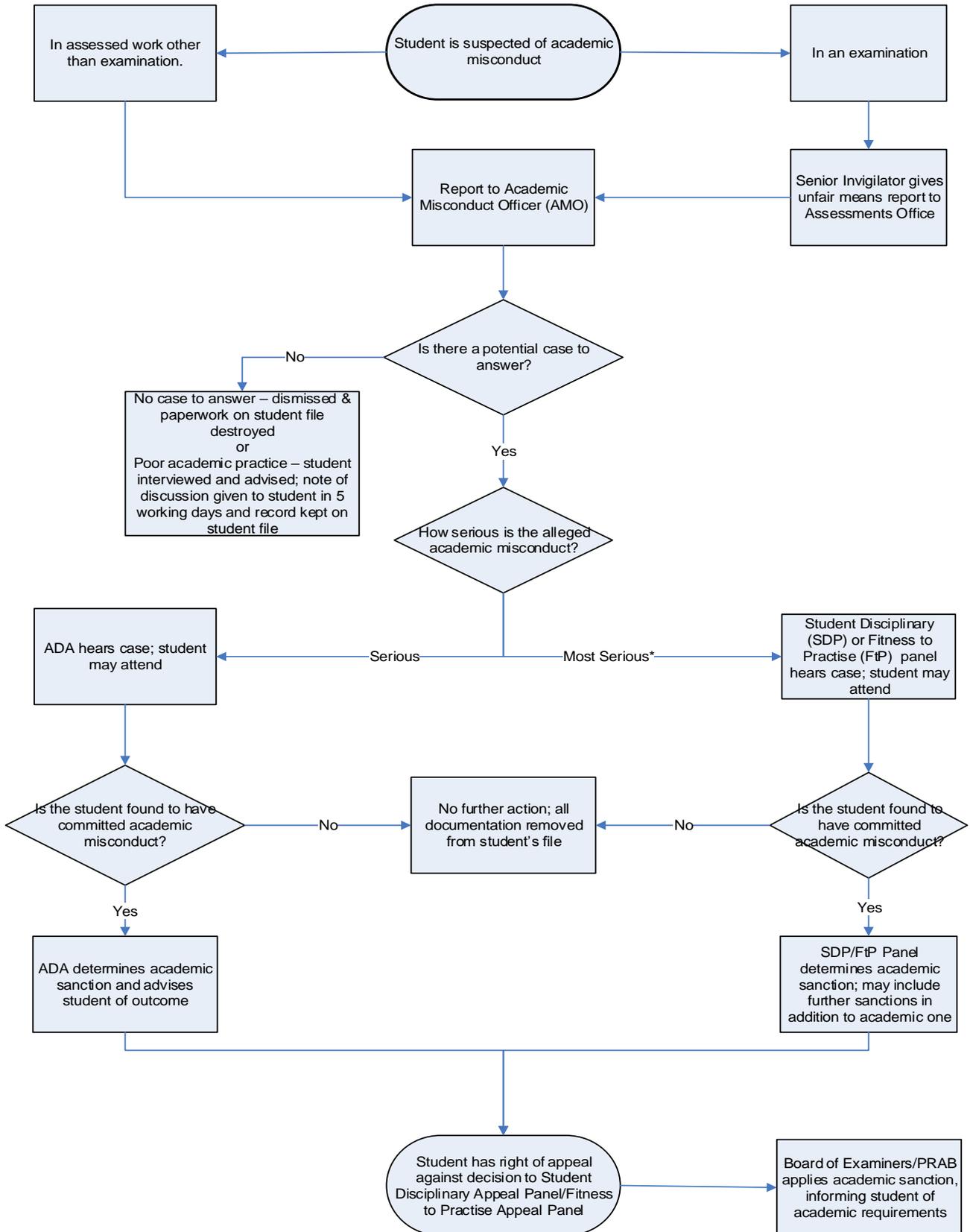
- 8.1.1 The Head of Quality & Enhancement is responsible for the Academic Misconduct Procedure and has delegated responsibility for the implementation and communication of the Procedure to the Assistant Quality & Enhancement Manager within the Quality & Enhancement Office.
- 8.1.2 The Assistant Quality & Enhancement Manager is responsible for administration of the Academic Misconduct Procedure. General enquiries from staff about the Procedure can be made to Richard Clemens Telephone 0161 295 2255 or Annette Cooke 0161 295 4123 or e-mail academicmisconduct@salford.ac.uk
- 8.1.3 General information to students on the operation of the Academic Misconduct Procedure is available from AskUS Telephone 0161 295 0023 or e-mail askus@salford.ac.uk.
- 8.1.4 Advice on good academic practice is available from relevant schools (usually via the Personal Tutor) and additional support regarding good academic practise is available from the Library (Skills for Learning <http://www.salford.ac.uk/skills-for-learning>).
- 8.1.5 Individual independent advice to students is available from the Students Union Telephone 0161 351 5400 or email advicecentre-ussu@salford.ac.uk, website <http://www.salfordstudents.com>).

9 Appendices

Appendix A Flowchart – Academic Misconduct Procedure

Appendix B Guidelines on when to refer cases to University level hearings

Appendix A – Flowchart – Academic Misconduct Procedure



Appendix B - Guidelines on when to refer cases to University level hearings

The underlying principle is that a case is referred to a Student Disciplinary Panel (i.e. a University level hearing) where a penalty over and above those which can be applied by a School Hearing **may** be required. Penalties which can be applied through School Hearings are:

- a) a mark of 0 or grade of F is awarded for the component of assessment in question;
- b) a mark of 0 or grade of F is awarded for the component in question and the module mark kept at the minimum pass mark
- c) a mark of 0 or grade of F is awarded for the component in question and marks for all modules at that level will be kept at the minimum pass mark.

Penalties which can be applied by a Student Disciplinary Panel include written undertakings, suspensions and expulsion. A Fitness to Practise Panel has the same range of penalties as a Student Disciplinary Panel, plus additional ones relating to further practise and removal from a programme with fitness to practise requirements.

The following are examples of cases which should be referred to a University Student Disciplinary Panel or Fitness to Practise Panel.

- Any case which is accompanied by aggravating factors which would normally be considered through the Student Disciplinary Procedure.
- Any Level 8 case.
- Any case in the Level 7 dissertation/final project.
- Any case in Level 7 after the first 60 credits of study.
- Any repeat case where the second, or subsequent, case is at Level 6 or Level 7.
- Any third repeat case, regardless of Level.
- Any case, or *parallel/concurrent* cases, which involve alleged academic misconduct which in total affects 30 or more credits, for example:
 - 50% of a 40 credit UG dissertation and 100% of a 10 credit component, or
 - 50% of two 30 credit modules.
- Commissioned work at Level 6 or 7.

It may also be reasonable to refer cases where, given the specific nature of the alleged academic misconduct, or the unusual nature of the assessment, an institutional view would be beneficial. Advice on such cases can be obtained from the [Quality and Enhancement Office](#) and the University's Academic Lead for Student Disciplinary matters.

It may also be reasonable to refer cases where there is a significant impact on other students, this may relate to disruption to others taking a timed assessment, or where a student has accessed and used the work of others, without their knowledge, thus putting that second persons credit/award at risk (collusion).

Fitness to Practise Panel (FtP)

If academic misconduct concerns arise in relation to a student registered on a programme leading to registration with a professional body, consideration may need to be given to referral

to a Fitness to Practise Panel via the Fitness to Practise Procedure. School Academic Misconduct Officers are advised to discuss such cases with the Dean (or nominee). Where there are fitness to practise concerns the case should not be considered through a school academic misconduct hearing established under the Academic Misconduct Procedure.

Any cases as for Student Disciplinary above.

The following are examples of issues which may need consideration through the Fitness to Practise Procedure:

- Alleged dishonesty
- Case involves misuse of the internet or University ICT, breaches of the Acceptable Use Policy, which fall short of a direct referral under the FtP Procedure.

Appendix C - School hearing

Attendance

- An Associate Dean Academic (ADA) from the School who will be responsible for making decisions as allowed by the Procedure. The ADA will also formally approve the Record of Consideration.
- A secretary from the home school who will provide administrative support, ensure timely notifications and circulation of documentation, completing and having approved a Record of Completion and circulation written notification of the outcome to the student.
- The student whose case is under consideration, plus one representative.
- A school Academic Misconduct Officer (AMO) who will present the case.

The Assistant Quality & Enhancement Officer may attend any School hearing as observer, provide notice is given to the school in advance. Other members of staff, or officers from the Student's Union, may also attend as observers subject to the agreement of the ADA and the student whose case is being considered. Request to observe a hearing should be submitted to the Secretary before the final deadline for the circulation of papers (5 working days before the hearing). Normally no more than one observer will be present at any single hearing.

Remit of the School hearing

The remit of the School hearings is to determine whether an offence of academic misconduct has been committed. If the ADA determines that a student has committed academic misconduct they must apply a sanction from the range permitted within the procedure.

The ADA must not have been directly involved in the assessment of cases being heard by the School hearing. Deans will therefore need to identify a suitably experienced and senior member of staff to act as a deputy should the ADA be unable to hear a case due to prior involvement.

The School will provide secretarial support and maintain a Record of Consideration following the meeting. A copy of the Record of Consideration must be sent to QEO as soon as it is confirmed by the ADA.

Conduct of the School hearing

The School hearing will consider a student's case in accordance with the procedure and will determine an appropriate sanction in the event a decision that a student has committed academic misconduct.

The **Order of Proceedings** for a School hearing shall normally be as follows:

- i) Introduction of those present;
- ii) Student invited to declare any factors which may affect their performance in the hearing;
- iii) Allegation of academic misconduct set out by the AMO;
- iv) The student, or the student representative, responds to the allegations;
- v) The ADA has the opportunity to question both AMO and the student;
- vi) Either party may call witnesses who attend only to present their evidence and to answer any questions from the ADA or the other party, ADA. Once their evidence has been heard and there are no more questions witnesses are required to withdraw (students will have to bear the costs of any witnesses they choose to call);

- vii) AMO nominee sums up the allegations. New evidence is not admissible at this time;
- viii) The student sums up. New evidence is not admissible at this time;
- ix) The AMO and the student and their representative withdraw whilst the ADA reaches their decision;
- x) The ADA makes a decision on the academic misconduct or otherwise based on the evidence provided;
- xi) Should a finding of academic misconduct be made records of any previous cases of proven academic misconduct are provided by the secretary;
- xii) The ADA makes a decision on the sanction to be applied;
- xiii) The AMO and the student are invited back into the hearing to be given oral feedback on the decision of the ADA.

In cases of alleged collusion offences, each student case should be heard separately, but in series at the same hearing. No conclusion should be reached until all cases have been heard. That is for each individual case stages i) to ix) will be completed, the ADA will then consider their findings, and for each individual case separately invites the student and AMO back into the hearing to receive oral report on the decision (xiii).

The ADA shall find the student has committed academic misconduct if, on the evidence submitted to the hearing, they are satisfied, on the balance of probabilities, that the student had committed academic misconduct.

It may be appropriate in certain circumstances of alleged collusion to treat each case as one of plagiarism of an individual piece of work (third party) or one from another (or others). In cases of collusion where an individual student believes that another/others have misappropriated their work, it is the student's responsibility to provide evidence to the Panel that they are the innocent party. Whilst the cases must be heard together, sanctions imposed on two or more students found to have colluded may vary depending on mitigating and aggravating factors. The ADA (and the Record of Consideration) must be clear as to factors influencing all decisions.

The student shall be advised by the ADA of the factors which will be taken into account as mitigation in determining an appropriate sanction after a decision of academic misconduct. The decision of the ADA shall also be confirmed in writing to both parties within 5 working days. Where there is a decision of academic misconduct, details of the appeals process must be included in written notification of the outcome (see template letters).

The ADA shall reach a decision on every case presented to them, except where the ADA considers it would be contrary to the interests of natural justice to reach a decision, in which case the ADA shall adjourn the case to a future meeting. In such cases a written record of this decision, with details of why it was made must be made and forwarded to the student and QEO.

Where it proves oral communication is not possible, the decision of the Panel shall nevertheless be communicated in writing to all parties, normally within 5 working days.

If the student is found not to have committed academic misconduct, but the assessment is characterised by poor academic practice, then the student will be directed to discuss their practice with an appropriate member of staff (normally the Personal Tutor), advice will be given and a record kept on the student's record.

Appendix D – Indicative Guidance for the Application of Sanctions

The following is indicative guidance for the application of sanctions for academic misconduct on taught programmes, but, in the final event, application is entirely at the discretion of the Associate Dean Academic (ADA).

Generally when looking at academic penalties it is suggested that the below act as starting points, against which penalties can be mitigated/aggregated against.

a) *Minimum penalty (0 for the component)*

for students who are at an early stage of their programme of study (i.e. levels 3, 4).

This sanction may exceptional circumstances also apply to students who:

1. have directly entered onto Level 5;
2. have not been provided with adequate training on academic good practice; and,
3. are in the first semester of studies.

b) *Middle penalty (0 for the component and the module mark capped)*

for students who are at a stage of their programme of study where they are expected to have some understanding of academic good conduct (e.g. levels 5 and possible early level 6).

This sanction may exceptional circumstances also apply to students who;

1. have directly entered onto Levels 6 and 7;
2. have not been provided with adequate training on academic good practice; and,
3. are in the first semester of studies.

c) *Maximum penalty (0 for the component and all module marks at that level capped)*

for students at an advanced stage of their study (e.g. levels 6 and 7)

In addition a Panel may then take account factors which may result in higher or lower levels of sanctions from the indicative levels suggested above, including:

- the total volume of credit affected, the extent of academic misconduct and the proportion of assessment affected;
- the weighting of the particular component of assessment in relation to the assessment of the module as a whole (e.g. a 40 credit dissertation weighted at 100%), assessment for a whole module may be considered a more serious offence than an assignment weighted at 20% of a 20 credit module);
- whether an offence has been admitted by the student and if so whether or not the admission was made readily at an early stage or was made reluctantly, and not until the hearing;
- whether this is a first offence or whether the student has previously been found to have committed (similar) academic misconduct;
- the form of academic misconduct;
- whether there are previous records of related poor academic practice (normally against mitigation of a penalty, evidence the student had been given additional support and guidance);

Mitigation may not be applied for the lowest sanction option of 0% for the component of assessment.

The Procedure does not permit consideration of Personal Mitigating Circumstances (PMC). Should a student raise PMC matters then they should, at the earliest opportunity and ideally before a formal hearing, be referred to the PMC and/or Academic Appeals procedures.

Students are expected to be independent learners and have responsibility for ensuring that they familiarise themselves with matters of academic good practice and academic misconduct. However schools must demonstrate that students have been directed, in a timely manner, to suitable information, guidance and support. Where a school has not demonstrated this a case may be dismissed. In such instances QEO will write to the ADA asking for confirmation of how processes have been reviewed to ensure all students get appropriate support.

The Dean of School's nominee shall be expected to be familiar with the specific support provided for students on the given programmes and to offer a view on the extent and appropriateness of support offered.

Research awards

For academic misconduct on research programmes credit based sanctions cannot be applied. Academic misconduct at Level 8 and on programmes subject to the Research Award Regulations shall be referred automatically to the Student Disciplinary Panel (see 3.1) and normally the most serious sanction would be expected (expulsion).

In exceptional cases where the nature of the misconduct is marginal and there are significant and compelling evidenced exceptional circumstances, then for a student at Interim Assessment (IA) or Internal Evaluation (IE) the Student Disciplinary Panel may set a sanction of 'fail' for that assessment, with the requirement that the student undertake further training on academic good practice and provide a personal written reflective statement on academic good practice and academic misconduct to be signed off by the PGR Coordinator or Associate Dean Research & Enterprise prior to recommencement of study, and in no less than 20 working days from the date of notification. In such exceptional circumstances the Panel must provide and record a clear and explicit rationale as to why a sanction other than Expulsion was determined.

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Author	Summary of changes	Version	Authorised & Date
Richard Clemens	<i>Amendment to sanctions, and review of structure and format. Changes to how allegations are considered by Schools, replacement of Academic Misconduct Panels with consideration by Associate Deans Academic. Clarification on when cases should be referred to University level.</i>	V3	ASQAC 4 September 2017 (by Chair's Action following consultation with Committee members). URL in section 3.7 corrected 5/12/2017
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