



BUCKINGHAMSHIRE  
NEW UNIVERSITY

EST. 1891



# ACADEMIC MISCONDUCT POLICY

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## **Forms and templates**

Form 1: Academic Misconduct Allegation and Record Form - Coursework Assessments  
Form 2: Academic Misconduct Allegation and Record Form - Examinations and TCAs

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This document has been designed to be accessible for readers. However, should you require the document in an alternative format please contact the Academic Registry.

## Introduction

- 1 The University has a duty to maintain the standards of its awards by ensuring the integrity of all aspects of the assessment process.
- 2 These regulations and procedures apply to all students engaged in any University assessment activity, including degree and higher degree apprentices, whether undertaking a programme of study at the University or at one of its partner institutions. Where this document refers to 'students' this will include degree and higher degree apprentices unless specified otherwise'.
- 3 It is the responsibility of course teams to ensure that assessment regimes are designed to reduce the possibility of academic misconduct occurring. However, in cases where academic misconduct had been identified, the University's Academic Misconduct process should be followed.
- 4 The University recognises that the nature of misconduct can range from the minor to the serious. The scale of misconduct and the level of intent will be reflected in the range of penalties implemented.
- 5 Although the examples given in this document constitute unacceptable academic behaviour it is recognised that some misconduct, for example, taking unauthorised materials into an examination may occur without the deliberate attempt to deceive.
- 6 Plagiarism could be identified by either the internal marker or through the moderation process.
- 7 Timescales given in this document can be amended at the agreement of both parties.
- 8 Information regarding the Academic Misconduct process for students can be found at [bucks.ac.uk](http://bucks.ac.uk).

## Principles

- 9 The University expects and requires all students to present work that is their own. Students' work must include complete and correct acknowledgement of all sources used.
- 10 In deciding whether academic misconduct has occurred the standard of proof will be on balance of probabilities, not beyond reasonable doubt.
- 11 It is the responsibility of course teams to ensure that students are instructed in the fundamental academic techniques relating to research, referencing and constructing academic answers according to established conventions.
- 12 Allegations of academic misconduct will be treated in the strictest confidence and under no circumstances will any public comment or allegation be made.

- 13 No student will be recorded or referred to as having committed academic misconduct until the full process of investigation, consideration of evidence and determination has been completed.
- 14 Outcomes of Academic Misconduct cases concerning higher and degree apprenticeships will be made available to employers due the potential impact on progression.
- 15 There is no time limit beyond which academic misconduct will not be investigated. Where academic misconduct is proven after an award has been made this may lead to cancellation of the award.
- 16 It is the responsibility of the student to make themselves fully aware of the regulations governing their conduct in examinations. Violation of any of these regulations will constitute academic misconduct.
- 17 Where students are subject to this procedure they have the right to be accompanied at all stages, except at viva voce examinations, by a representative or friend. Students are encouraged to seek advice and support from the Academic Registry and Bucks Students' Union Advice Centre. Please note that legal practitioners are not permitted as part of the University internal investigation and decision making process.
- 18 Mitigating circumstances will not normally be considered as part of the Academic Misconduct process. Consideration will only be given if a student can demonstrate, with supporting documentary evidence, that they could not reasonably have been expected to have complied with the University's regulations in the circumstances. Examples of circumstances which may be considered include academic misconduct which occurs following an event which has a serious impact on a student's mental capacity i.e. clinically diagnosed mental disorders.
- 19 The University recognises that there are a whole range of circumstances that can cause acute distress to a student but expects students to act responsibly in accordance with University regulations or seek an extension or mitigating circumstances relating to non-submission if they feel unable to comply.
- 20 The University recognises that students who have declared a disability such as dyslexia or other specific learning difficulty may require adjustments to be made when their work is assessed. The University's formal regulations make provision for this - Guidelines for Marking the Work of Students with Specific Learning Difficulties. Staff marking work flagged as that of a student requiring special consideration will consider whether the nature of the student's disability in any way mitigates for deficiencies in achievement of the appropriate level of referencing. If the decision is taken to refer the case as potential misconduct, the student's disability will be indicated by the member of staff making the allegation on the Academic Misconduct Allegation and Record form. Academic Registry will ensure that in the initial communication of the allegation to the student a strong recommendation is made that the student contact the Disability Service to ensure that they have a full understanding of the allegation and the formal procedures which the University will follow in investigating and determining an outcome.

## Categories of misconduct

- 21 The University considers academic misconduct to have occurred when a student violates or fails to comply with the University's regulations relating to the assessment process. A violation will be considered academic misconduct whether or not it is designed to or results in an unfair advantage for a student themselves or another student.
- 22 The University recognises four categories of academic misconduct. These are:
  - Cheating
  - Plagiarism (including self-plagiarism)
  - Collusion
  - Impersonation

## Plagiarism

- 23 The University defines plagiarism as:

“passing off someone else’s work, whether intentionally or unintentionally, as your own.” (Jude Carroll, *A Handbook for Deterring Plagiarism in Higher Education*, 2002).
- 24 This definition must be read in conjunction with a description of “self-plagiarism” in paragraph 27.
- 25 This means that copying or paraphrasing work or ideas from any published or unpublished source (whether textbook, journal, newspaper, electronic media, internet or a fellow student’s work) and presenting this for assessment without full acknowledgement is regarded as plagiarism.
- 26 Plagiarism applies not only to text, but to other media such as graphics, tables, formulae, computer code, illustrations or any representation of ideas in print, electronic or any other media. It applies to published text such as books and journals and unpublished text such as lecture slides and handouts, other students’ work and a student’s own previously assessed work.
- 27 Submitting the same piece of work, or a substantial part thereof, for assessment more than once will be regarded as self-plagiarism, also known as “recycling” and “double dipping”, and will be treated in the same way as other forms of plagiarism unless the original piece of work is referenced appropriately. (NB: where a student is retaking the whole year any modules/marks/credits they may have achieved in their first attempt at the year are null and void and therefore self-plagiarism does not apply).
- 28 Examples of plagiarism include:
  - a Using quotes without the use of quotation marks.
  - b Close paraphrasing with a failure to reference.
  - c Using images produced by another person or based substantially on the work of another without acknowledgement.
  - d Using data or ideas without acknowledgement.
  - e Copying, summarising or paraphrasing the work of another student or graduate with or without the permission of the originator and without acknowledgement.

- f Commissioning another person to complete work which is then submitted as the student's own.
  - g The use of professional essay writing services or work drawn from the internet or any other source (also known as contract cheating).
  - h Representation of work produced in collaboration with another person or persons as the work of a single student.
  - i Presentation of laboratory work or projects based on work claimed to have been carried out by the student but which has been invented, altered or otherwise falsified.
  - j Offering to make available material for other students to use or pass off as their own.
  - k Re-submitting work, or parts thereof, that has already been assessed or has been submitted for assessment for the same or a different module.
- 29 When considering whether a piece of assessment has been plagiarised *to the extent that it should be referred as part of the academic misconduct procedure*, the marker should reflect on whether it relates to poor academic practice rather than plagiarism in this sense.
- 30 When deciding if it is plagiarism or poor academic practice, the marker should consider:
- a. The level of study
  - b. Point of the academic year in which the submission is made
  - c. Whether attempts at paraphrasing have been made
  - d. Whether attempts of referencing technique have made (e.g. incorrect citation)
  - e. If the assessment brief/assessment guidance was clear.

## Collusion

- 31 The University requires all work submitted for assessment to be the student's own independently prepared work unless explicit instructions to the contrary are given in the assessment brief.
- 32 Collusion is defined as involving two or more students working together in order to gain an unfair advantage without prior authorisation from the academic member of staff concerned (e.g. programme leader, lecturer etc.) to produce the same or similar piece of work and then attempting to present this work entirely as their own. It is also considered unfair practice for a student/students to submit the work of another with or without the knowledge of the originator and without acknowledgement.
- 33 All students involved in an incident of collusion will be treated equally. Where alleged collusion is identified, all students involved will be subject to the same investigation process as detailed in this document.
- 34 An allegation of collusion may be amended during an investigation to allow a student to be exonerated of any blame for the offence whilst alleging plagiarism against another student(s) if the evidence supports this.

## Cheating

- 35 Cheating is defined as the breach of examination regulations or the attempt to gain advantage through any unauthorised behaviour.
- 36 Examples of cheating include but are not limited to:
- a Copying from another student's examination or time constrained assessment paper or receiving unauthorised assistance from another student during an academic test, examination or exercise or in the submission of academic material.
  - b Using a calculator during an academic test, examination or exercise when its use is not allowed.
  - c Collaborating with another student or students during an academic test, examination or exercise without the consent of the instructor.
  - d Any breach of the University's examination or invigilation regulations, e.g. talking or using any communication device during an examination. This includes the possession of unauthorised electronic equipment and the possession of a mobile phone or similar device which has not been switched off.
  - e Seeking to acquire examination questions ahead of the examination.
  - f Obtaining the examination questions in advance of the examination.
  - g Obtaining the examination questions from someone who has already taken the examination.
  - h Informing persons yet to take the examination of the examination questions.
  - i Allowing another person to copy one's answers in an examination.
  - j Taking unauthorised materials into an examination, including crib sheets, revision notes and annotated texts, unless permitted in the instructions given on the exam paper. This also includes notes written on the person of candidates.
  - k Consulting unauthorised materials during the period of the examination when outside the room for whatever purpose.
  - l Taking unauthorised equipment or aids into an examination.
  - m Giving extra marks when self-marking a test.
  - n Making up or falsifying data.
  - o Bribing or attempting to bribe a person thought to have an influence on the assessment outcome.
  - p Removing any script, paper or other official stationery (whether or not completed) from the examination room, unless specifically authorised by an invigilator or examiner.
- 37 It is the candidate's responsibility to ensure that they bring no unauthorised material of any kind into the examinations room. This includes any form of electronic communication device (including mobile phones and tablets) which has not been completely switched off. If the candidate attends with unauthorised material, provision will be made for these items to be stored at an appropriate distance from the candidate. Failure to disclose any such material will be treated as academic misconduct.

## Impersonation

- 38 Impersonation is defined as permitting a substitute person to take an examination or test on your behalf or to allow oneself to be impersonated in an examination or test.
- 39 The offence of impersonation can be applied to both the student and the accomplice.

## Process for investigation – coursework

### Responsibilities of the identifier

- 40 Where a Turnitin originality report is not available, both the student's assessment and the alleged original text (i.e. source document(s)) need to be fully highlighted with annotation which clearly cross-references from the alleged sources to the student's work.
- 41 The extent of the alleged plagiarism should be clearly legible to the student/students and the School or University officers dealing with the case. There should be explicit instruction of any similarities that should be excluded from consideration under the allegation (for example matches relating to a template document, a technical definition), and also the extent of the concern in the assessment. The Academic Misconduct Record Form provides further detail of the requirements of the identifier.
- 42 Where evidence is not provided in the appropriate format it will be returned immediately to the identifier.

### Handling results

- 43 Where plagiarism or collusion is suspected in a piece of coursework the script is not normally given a provisional mark until the case has been dismissed or proven. Where misconduct is suspected in an examination the script is not normally marked until the case is dismissed or proven and a penalty imposed.
- 44 In place of a provisional mark for the work submitted the students will receive the following notification from the marker:
- 45 "At this stage it is not possible to provide you with a provisional mark or grade for your submitted work. The University is considering your submission under its formal regulations for Academic Misconduct and will be in touch with you shortly."
- 46 In cases of suspected plagiarism or collusion, if an investigation has not been completed prior to the Board of Examiners, the marker should enter the code MP ("Mark Pending") on the marks collection form. The Board of Examiners will see "-3" (denoting MP) on the board paperwork and agree that chair's action will be taken on behalf of the board following completion of the process. If the investigation is completed prior to the board, the Board paperwork will display "-2", showing that the investigation is complete, academic misconduct is proven and a penalty imposed. Academic Registry will have details of the penalty imposed to inform the Board's decision. The Board of Examiners cannot impose further penalties upon the student (see also paragraph 49).

### Plagiarism/collusion

- 47 In cases of alleged plagiarism or collusion, the sequence of stages in the investigation of the misconduct depends upon whether documentary evidence of the alleged source documents is available at the time the allegation is made. If documentary evidence is available Procedure A will apply. Where documentary evidence is not available Procedure B will apply.

**Procedure A (documentary evidence is available)**

Step	Activity
1	The alleged case of misconduct is identified.
2	The identifier notifies the student that marks are pending until the academic misconduct investigation has been completed. Where the identifier is not the module tutor, the email notifying the student of the allegation should also be copied in to the module tutor/coordinator.
3	The identifier assembles and annotates the appropriate evidence to support the allegation (i.e. Turnitin report, sources etc.).
4	The identifier downloads and completes, in full, section one of the Academic Misconduct Allegation and Record Form – Coursework (see Form 1). The form should clearly explain the allegation in a way which makes it clear to the student what the concerns are.
5	The Academic Misconduct Allegation and Record Form and supporting evidence is forwarded to Academic Registry at <a href="mailto:conduct@bucks.ac.uk">conduct@bucks.ac.uk</a> .
6	Academic Registry will communicate with the student asking for a formal response to the allegation. The response must be received within 10 working days in order to be considered.
7	Academic Registry forwards the student's response along with all of the available evidence, to the appropriate Head of School* for review.
8	The Head of School reviews the case to establish whether: <ul style="list-style-type: none"> <li>• academic misconduct is evident, and if so,</li> <li>• the extent of the misconduct.</li> </ul> If misconduct is deemed to have taken place the Head of School* will identify the appropriate penalty according to a predefined scale (see Appendix 1) and will complete the appropriate sections of the Academic Misconduct Allegation and Record Form (see Form 1).
9	Academic Registry notifies the student of the penalty applied and their right to appeal.
10	Academic Registry updates the centrally-held tracking data.
11	Academic Registry logs the penalty on the Student Record System and takes the necessary steps to ensure the Board of Examiners is supplied with the appropriate information regarding the penalty.
	*See 'alternative decision-maker' section below.

**Procedure B (no documentary evidence available)**

Step	Activity
1	Where there is no documentary evidence presented by the identifier but where there is a strong suspicion that misconduct may have occurred, Academic Registry will write to the student, via email to the student's Bucks account, notifying them of the allegation and the process by which they will be asked to respond.
2	Academic Registry will liaise with the appropriate Head of School to agree the process by which the student will be examined to ascertain if the allegation is proven. This may be by viva voce examination or written submission under exam conditions.  If a student has a declared disability (as recorded by the University Disability service), Academic Registry will request from the Disability Service manager any recommendations for reasonable adjustments to the procedure. The final decision of any changes to be made to the procedure will be made by the Chair of the panel. The student has the right to decline the offer of reasonable adjustments.
3	The communication to the student will explain: <ul style="list-style-type: none"> <li>• The format of the viva voce examination/written exam and the preparation required by the student (see Guidance for students on viva voce examinations (Appendix 3) for information regarding viva voce)</li> <li>• The possible decisions of the panel</li> <li>• The course of action if the student fails to respond to the letter or to attend the examination</li> <li>• Any reasonable adjustments that are to be offered</li> </ul> <p>Students will be given at least ten working days' notice of the requirement to attend. If a student is able to provide a good reason for being unable to attend on the scheduled date, a new date may be scheduled by Academic Registry with the onus on the student to agree the new date/time and attend the viva voce.</p>
4	For a viva voce examination panel will comprise: <ul style="list-style-type: none"> <li>• Head of School* (Chair)</li> <li>• A minimum of one and a maximum of two academic staff member(s) with knowledge of the relevant discipline**</li> <li>• An elected official of the Students' Union (ex-officio)</li> <li>• Member of Academic Registry (Secretary)</li> </ul> <p>To achieve quoracy the panel must comprise the Chair, secretary and one academic member of staff from the appropriate discipline.</p>

5	The viva voce/written assessment is a personal examination and, as such, the student may not be accompanied by a friend or supporter unless by prior agreement of the Chair/HoS. This will only be given if it is required to accommodate the student's disability or other special needs.
6	At the viva voce examination the Chair will explain the purpose of the event and the possible outcomes and will invite the student to demonstrate his/her knowledge of the work in question, its context and their familiarity with any sources used and the methodology employed. It is expected that this invitation will be facilitated by specific questions from the panel.
7	Following the <i>viva voce</i> the panel will come to a conclusion concerning the allegation of academic misconduct and, if appropriate, any penalty to be imposed and will complete the appropriate sections of the Academic Misconduct Allegation and Record Form (see Form 1). The conclusion will be recorded in the formal notes of the proceedings, as will the rationale for any penalty applied or recommended.  Where the allegation is to be examined by written examination 2 members of academic staff will mark the assessment and provide feedback to the Head of School*. The Head of School* will then consider the case to decide if the allegation is proven or not.
8	It is understood that use of the tariff point penalty system will not normally be appropriate in cases where an allegation of academic misconduct is considered proven following a <i>viva voce</i> or written examination. The Panel/HoS is therefore permitted to impose from the tariff a penalty considered appropriate to the level of academic misconduct for which full reasons for the decision and penalty should be given.
9	Where a student invited to attend a <i>viva voce</i> /written exam either refuses to attend or fails to attend without good reason, the panel/HoS will seek to reach a conclusion on the evidence available.
10	Academic Registry notifies the student of the penalty applied and their right to appeal.
10	Academic Registry updates the centrally-held tracking data.
11	Academic Registry logs the penalty on the Student Record System and takes the necessary steps to ensure the Board of Examiners is supplied with the appropriate information regarding the penalty.
	*See 'alternative decision-maker' section below.  **At the discretion of the Chair, the number of academic staff may exceptionally be increased to a maximum of three, for example in foreign language provision or where students are based at a partner. This would be to provide a member of staff to be present with the student for a video conference <i>viva</i> or to aid the panel should the language of study for the programme be other than English.

## Process for investigation – examinations & TCAs

- 48 In cases of alleged cheating in an examination or time-constrained assessment (TCA) the sequence of stages in the investigation of the misconduct is given below.

Step	Activity
1	The invigilator suspects cheating during an examination or time-constrained assessment*.
2	Any unauthorised material or other circumstances facilitating the alleged cheating are removed, the student's script is marked with the time of the invigilator's intervention and the student is allowed to complete the assessment.
3	The invigilator completes an invigilator's report for the allegation, and also records that an allegation has been made on the exam room report.
4	The report (if available), student's exam script and any other evidence is forwarded to Academic Registry.
5	Academic Registry determines whether: <ul style="list-style-type: none"> <li>a) there is no case to answer, the allegation is dismissed and the student is notified accordingly. The exam script will be forwarded by Academic Registry for marking.</li> <li>b) a minor offence has occurred, in which case the student is sent a written warning and no further action is taken.</li> <li>c) there is a case to answer, the student is asked by Academic Registry to provide a formal response to the allegation.</li> </ul>
6	Academic Registry completes the relevant sections of Form 2 (Academic Misconduct Allegation and Record Form – Examinations and TCAs).
7	The student's response, evidence and Academic Misconduct Allegation and Record Form are considered by the relevant Head of School**.
8	If the allegation is considered proven, the appropriate sections of Form 2 are completed by the Head of School and a penalty applied according to the tariff system (see Appendix 2). If either Penalty 1 or no penalty is applied the student's exam script will be returned to the School for marking.
9	Where a penalty has been applied, Academic Registry notifies the student of the penalty and their right to appeal.
10	Academic Registry updates the centrally-held tracking data.
11	Academic Registry logs the penalty on QL and takes the necessary steps to ensure the Board of Examiners is supplied with the appropriate information regarding the penalty.

	<p>*If cheating is suspected during the marking process, the process of investigation will begin at step 4 of the above process.</p> <p>**See 'alternative decision-maker' section below.</p>
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## Alternative decision-maker

- 49 Each Head of School can nominate deputies within their school to consider cases of academic misconduct. This nomination will be reviewed at the beginning of each academic year, but does not have a limited term. Training will be provided.
- 50 The deputies will be granted the authority under this procedure to take decisions on cases of academic misconduct as though they were the Head of School, with the proviso that they may not consider cases identified by their Head of School.
- 51 The specific agreement of how cases will be considered within each school will be agreed locally and in discussion with Academic Registry. It is noted that due to differences in working practises and case-loads within schools that this will differ from area to area.
- 52 If the Head of School and their deputy/deputies are unavailable, or prevented from considering the case as stipulated in this procedure, another Head of School (or their deputy) will consider the case.
- 53 On the rare occurrence that none of these individuals are available, another senior member of staff may act as the decision-maker or Chair of a viva voce examination.

## Penalties

- 54 The University has based its penalties for academic misconduct on the work undertaken by plagiarismadvice.org and the AMBeR project. Penalties relate to a points-based tariff system to ensure consistency and fairness in the handling of academic misconduct.
- 55 Lesser penalties will be applied for proven cases of misconduct which have occurred at, for example, Foundation Year and Level 4, and a degree of flexibility will be permitted to Heads of Schools in determining penalties in cases where students are in the first semester of direct entry.
- 56 In determining the appropriate penalty the scale of the misconduct and the existence of intent to deceive will be taken into account. Failure to use the correct academic convention and / or deliberate cheating are taken more seriously at Level 6, Masters and in the final year of a professional course and as such attract more severe penalties.
- 57 Penalties range from a formal warning to recommended expulsion from the University depending on, for example, the level of misconduct, previous history and the level at which the student is studying.
- 58 Where expulsion from the University is recommended, the case will be referred to an Academic Misconduct Penalty Hearing for consideration (see section below).

- 59 It is recognised that pass/fail elements cannot necessarily incur the same penalties as applied by using the tariff and it is the responsibility of the Head of School to determine the appropriate penalty to be applied in these cases.
- 60 The decision of a Board of Examiners concerning progression and award will be based on a consideration of a student's credit profile in the normal way. Where the penalty imposed requires a student to resubmit a piece of assessment and this is permitted by the Board of Examiners, either under the normal referral/condonation envelope for the programme of study or as an exceptional further attempt, the student will be recorded as having been referred in that module in the formal record of the Board of Examiners. However, the referral attempt will not automatically incur a capped module mark, although this may be part of the specified penalty imposed by the Head of School. The decision whether to grant an exceptional referral opportunity is at the discretion of the Board of Examiners.
- 61 Where a penalty for academic misconduct requires the student to retake a piece of assessment, the Board of Examiners is not permitted to pass or compensate the module until a referral has been attempted and a mark is available. A non-submission of the referred element will mean that the module cannot be considered a pass regardless of achievement in the other elements.
- 62 Where a Board of Examiners believes that the penalty imposed is unworkable, or has unintended consequences in the case of a particular student, it has the discretion to make minor revision to the penalty as appropriate. The revised penalty must be communicated to Academic Registry to be officially recorded.

## **Academic Misconduct Penalty Hearing**

- 63 An Academic Misconduct Penalty hearing will be held in cases in which the student has been deemed to have committed academic misconduct under these procedures to the extent that the penalty stipulates that they should no longer be permitted to continue on their programme of study.

### **Remit and composition of the panel**

- 64 The remit of the panel is to consider the proven allegation of academic misconduct and decide if the offense merits the student's expulsion from the course. They should consider all mitigating and aggravating factors when coming to their decision.
- 65 It is not the role of the panel to re-examine the proven allegation of academic misconduct and the Chair should ensure that the hearing does not follow this course of action. Should the student wish to challenge the decision of proven misconduct they must follow the [Academic Appeals](#) procedure.
- 66 The panel for an Academic Misconduct Penalty Hearing will be drawn from across the institution of those with no previous involvement with the case, or significant prior involvement with the student (such as a personal tutor) and will include:
  - a A member of the Senior Management Team (Chair)
  - b A sabbatical officer or nominee from the Students' Union
  - c 2 further members drawn from the academic staff

In addition there will be a secretary identified by the Academic Registry.

## Preparation for the hearing

- 67 The student will be written to by the secretary to invite them to the hearing and giving a minimum of ten working days' notice of the hearing. The communication will include:
  - a The date, time and location of the hearing;
  - b The purpose of the hearing;
  - c Composition of the panel and the mechanism for challenging its composition based on potential conflict or bias, and a deadline for making that challenge;
  - d Information on submitting additional statements, evidence or testimonies;
  - e Their right to be supported or represented (though not by legal representation);
  - f The Academic Misconduct procedures
- 68 The student will be required to submit any further statement, information, witness statements or references within ten working days of the date of invitation. They should also confirm the name and role of any accompanying person.
- 69 All evidence provided to support the student's case must be original unaltered copies, with all witness statements signed, dated and providing contact details should further clarification be required.
- 70 The student has the right to challenge the composition of the panel based on any perceived conflict of interest or a breach of the rules for composition of the panel. Any objection must be received within five working days of notification of the panel composition. The decision on the reasonableness of the objection will be taken by the Chair of the panel (or another member of the panel if the Chair is the subject of the objection), and if necessary a panel member will be replaced.
- 71 If a student is unable to make the date set with good cause the date will be rearranged. A panel date will only be rearranged once (except in exceptional circumstances such as hospitalisation) as the student is expected to prioritise attendance at the hearing over other activities.
- 72 The student has the right to attend the panel hearing but if they choose not do so this will not prevent the hearing from taking place.
- 73 At least five working days prior to the hearing the panel will be sent
  - a the case file;
  - b the Academic Misconduct procedure;
  - c any further information/documentation submitted by the student.
- 74 Head of School/Deputy (or Chair of the viva voce panel) will be invited to the hearing to answer any questions relating to the case. The absence of the Head of School/Deputy (or Chair of the viva voce panel) will not invalidate the proceedings.

## Hearing procedure

- 75 The panel will initially convene in private and hold a preliminary discussion based on the documentary information provided. It will identify the key facts and the lines of questioning to be pursued.
- 76 The panel may at its discretion vary this procedure where it considers it to be appropriate to do so.

- 77 The panel may at its discretion adjourn the hearing to another date, time and place where it requests further information to be provided or further inquiries to be made.
- 78 The student, their supporter or representative (if present), and Head of School/Deputy (if present) are invited to join the hearing.
- 79 The Chair will introduce the panel and explain the place of the hearing within the Academic Misconduct procedure.
- 80 The student will be given the opportunity to make a verbal statement if they wish. They will not normally be permitted to submit further documentary evidence however the Chair may use their discretion to allow further documentary evidence where there is good reason to do so. The panel and Chair will question the student and if necessary the Head of School/Deputy.
- 81 The student's supporter may not address the panel without the permission of the Chair but if at any point the student and their supporter wish to confer they may do so. If they wish to confer in private they may leave the room for a brief period of time.
- 82 When the Chair and panel have finished their questioning the student will be invited to make a closing statement. The Chair will then advise the student as to when and how they will be notified of the outcome of the hearing, with normal practice being in writing within 5 working days.
- 83 The student, their supporter or representative (if present), the Head of School/Deputy (if present) will be asked to leave the hearing. The panel will meet in private to make their decision on the case.

## **Decision making**

- 84 Part of a fair hearing is that it gives adequately reasoned decisions. This is so that the parties may understand the decision. In coming to their decision the panel will identify any mitigating or aggravating factors when deciding on the penalty that the student will receive.
- 85 Mitigating factors may include:
  - a Showing insight into the situation
  - b Demonstrating remorse or having taken remedial action
  - c Documented serious personal or psychological factors that would have prevented the student from following the correct course of action (see paragraphs 17 and 18).
  - d Level of study (level 4)
- 86 Aggravating factors may include:
  - a Lack of cooperation
  - b Lack of insight
  - c Previous offences of academic misconduct
  - d Extent of proven misconduct
  - e Indications of an intention to deceive
  - f Level of study (level 6 or 7)
- 87 In the light of the evidence presented, and any mitigating or aggravating factors, the panel will need to make an overall decision and conclude one of the following:

- a The student should be permitted to continue on the programme, with an appropriate penalty from the tariff applied (see appendix 2);
  - b The student should not be permitted to continue on the programme with immediate effect (expulsion); with the recommendation to the Board of Examiners that the student retains all credits awarded and is given the highest exit award that they have earnt to date;
  - c The student should not be permitted to continue on the programme with immediate effect (expulsion); with the recommendation to the Board of Examiners that the student retains all credits awarded but is not granted an award;
  - d The student should not be permitted to continue on the programme with immediate effect (expulsion); with the recommendation to the Board of Examiners that the student has all credits withdrawn and no award is made.
- 88 Where the panel makes the decision not to expel the student, if the student is on a professional programme consideration should be given as stated in the relevant section below (paragraphs 90-93).

## **Support and Representation**

- 89 Students attending an Academic Misconduct Penalty hearing are entitled to be accompanied by another person to act as a supporter or as a representative.
- 90 A *supporter* is defined as ‘a friend or other supporting person, attending the meeting to provide moral and emotional assistance to the student’. A supporter is not expected to speak or take any formal part in the proceedings. This may be, for instance, another student, a member of staff, a family member or a Students’ Union Adviser.
- 91 A *representative* is defined as ‘a person authorised to act as an advocate of the student’. A representative has the right to speak and question witnesses on behalf of the student and would be expected to present the student’s case if required, though it is preferred that the student make any statements regarding the case themselves. This role is normally fulfilled by a member of the Students’ Union Advice Centre.
- 92 When responding to the invitation to attend the hearing the student should state if they are to be accompanied to the meeting.
- 93 At the beginning of the hearing the role of any accompanying person the student must be confirmed.
- 94 The University does not allow formal legal representation as part of its internal process.

## **Professional courses**

- 95 Where a professional body imposes its own standards in relation to professional conduct these will be considered in addition to the University Regulations. Students who fail to meet the requirements of the professional body may not be eligible to gain the professional qualification or recognition regardless of their academic achievement.
- 96 Following the completion of the University’s Academic Misconduct procedures, a proven allegation of misconduct may be referred to the appropriate professional body or the University’s Fitness to Practise procedures which may result in a further penalty being applied.

- 97 Fitness to Practise is a separate and additional procedure. If a student is following a course which has employer links it may be necessary to inform the employer of the proven academic misconduct. Where this is applicable, students are advised to consult their course handbook.
- 98 Guidelines for reporting students to PSRBs and/or employers are included as Appendix 4.

## Request for Review of the decision of proven Academic Misconduct

- 99 Following notification of the decision of proven academic misconduct and the penalty to be applied (and the Academic Misconduct Penalty Hearing outcome if expulsion was initially recommended), a student may request a review of the decision on the grounds of procedural irregularity only. The review stage will **not** consider the case afresh or involve a further investigation and will **not** consider any new issues raised by the student.

100 Requests for review will **only** be accepted on the following grounds:

- the procedures for Academic Misconduct were not followed properly

**Note:** Students should use the Request for review form which will help them to identify their grounds for a review and provide associated guidance on the process. Completed forms should be submitted to [conduct@bucks.ac.uk](mailto:conduct@bucks.ac.uk) within **10 working days** of receiving notification of the outcome of the formal stage.

- 101 A Request for review will be allocated to an appropriate member of staff who has not been involved at any previous stage. Reviewers will be asked to consider whether:

- the procedure was followed during the formal stage

**Note:** It is expected that Reviews will be completed within 10 working days of receipt.

- 102 Where a Reviewer identifies issues with the outcome of the case, the Review will be upheld and the matter will be referred back to the decision-making stage for reconsideration. This decision will be communicated to the student in writing along with an explanation of the next steps in the process and the likely timeframe.

**Note:** Reconsideration of the case should be concluded as soon as possible. If a compelling case to overturn the decision is identified, appropriate action may be taken to ensure that the matter is resolved without further delay.

- 103 Where a Request for Review is **not accepted** (because it did not meet the grounds in paragraph 2 above) or is accepted and subsequently **not upheld**, this decision will be communicated to the student in writing by issuing a Completion of Procedures letter outlining the reasons for the decision.

**Note:** The Completion of Procedures letter will also advise the student about:

- their right to further action through the Office of the Independent Adjudicator (OIA)
- the timescales for doing so

- where and how to access support.

## Storage of information

104 In order to track occurrences of academic misconduct, records will be maintained by Academic Registry for students registered at the University.

## References

105 The University will not refer to any proven case of academic misconduct in a reference it produces for a student except where this is a specific requirement of a PSRB.

## Monitoring and review

106 Academic Registry will report on Academic Misconduct as part of the University's Annual Monitoring process.

## Conduct & Behaviour

107 The University has zero tolerance towards those whose behaviour is considered to be unacceptable and will take action to protect its staff.

108 The University's definition of unacceptable behaviour includes communicating with the University in a malicious, vexatious or aggressive manner for example:

- Making frivolous complaints, or multiple complaints regarding the same subject
- Acting in a threatening manner either verbally, through an e-mail or by letter
- Making claims that are knowingly false or unfounded.

109 If the behaviour of a student is unacceptable the University will normally tell them why their behaviour is considered unacceptable and give them an opportunity to amend it. If the behaviour continues, the University will take action.

110 Action that may be taken may include but is not limited to:

- requesting contact in a particular form (for example letters only);
- requiring contact to take place with a named person;
- restricting telephone calls or emails to specified days and times;
- asking the student to appoint a representative to correspond with us;
- asking the student to enter into an agreement about their conduct.

111 Where a student continues to behave in a way considered to be unacceptable, they may be referred under the University disciplinary procedure.

112 Where the behaviour is so extreme that it threatens the immediate safety and welfare of staff, the University will consider reporting the matter to the Police or taking legal action.

## Appendix 1: Penalty tariff for coursework assessments

NB To identify how the total number of penalty points might be calculated, please refer to Form 1: Academic Misconduct Allegation and Record Form - Coursework Assessments.

Points	Penalty
280-329	<p>No further action beyond formal warning and a referral to the LDU</p> <p>Foundation Year modules only:</p> <ul style="list-style-type: none"> <li>a) Assignment awarded 0%.</li> <li>b) Student required to be reassessed in the assignment on instruction by an Assessment Board</li> </ul> <ul style="list-style-type: none"> <li>a) Assignment awarded 0%</li> <li>b) Student required to be reassessed in the assignment on instruction by an Assessment Board (subject to regulations)</li> <li>c) If the reassessment is passed, it will automatically be given a mark of 40% and will count towards credit for the module</li> <li>d) <b>There will be a reduction of 10 marks, so that the <u>assignment</u>, where passed, is given an overall mark of 30%</b></li> </ul> <ul style="list-style-type: none"> <li>a) Assignment awarded 0%</li> <li>b) Student required to be reassessed in the assignment on instruction by an Assessment Board (subject to regulations)</li> <li>c) If the reassessment is passed, it will automatically be given a mark of 40% and will count towards credit for the module</li> <li>d) <b>There will be a reduction of 15 marks, so that the <u>assignment</u>, where passed, is given an overall mark of 25%</b></li> </ul>
330-379	<ul style="list-style-type: none"> <li>a) Assignment awarded 0%</li> <li>b) Student required to be reassessed in the assignment on instruction by an Assessment Board (subject to regulations)</li> <li>c) If the reassessment is passed, it will automatically be given a mark of 40% and will count towards credit for the module</li> <li>d) <b>There will be a reduction of 10 marks, so that the <u>assignment</u>, where passed, is given an overall mark of 30%</b></li> </ul> <ul style="list-style-type: none"> <li>a) Assignment awarded 0%</li> <li>b) Student required to be reassessed in the assignment on instruction by an Assessment Board (subject to regulations)</li> <li>c) If the reassessment is passed, it will automatically be given a mark of 40% and will count towards credit for the module</li> <li>d) <b>There will be a reduction of 15 marks, so that the <u>assignment</u>, where passed, is given an overall mark of 25%</b></li> </ul>

	<ul style="list-style-type: none"> <li>a) Assignment awarded 0%</li> <li>b) Student required to be reassessed in the assignment on instruction by an Assessment Board (subject to regulations)</li> <li>c) If the reassessment is passed, it will automatically be given a mark of 40% and will count towards credit for the module</li> <li><b>d) There will be a reduction of 20 marks, so that the <u>assignment</u>, where passed, is given an overall mark of 20%</b></li> </ul>
	<ul style="list-style-type: none"> <li>a) Assignment awarded 0%</li> <li>b) Student required to be reassessed in the assignment on instruction by an Assessment Board (subject to regulations)</li> <li>c) If the reassessment is passed, it will automatically be given a mark of 40% and will count towards credit for the module</li> <li><b>d) There will be a reduction of 15 marks, so that the <u>assignment</u>, where passed, is given an overall mark of 25%</b></li> </ul>
380-479	<ul style="list-style-type: none"> <li>a) Assignment awarded 0%</li> <li>b) Student required to be reassessed in the assignment on instruction by an Assessment Board (subject to regulations)</li> <li>c) If the reassessment is passed, it will automatically be given a mark of 40% and will count towards credit for the module</li> <li><b>d) There will be a reduction of 20 marks, so that the <u>assignment</u>, where passed, is given an overall mark of 20%</b></li> </ul>
	<ul style="list-style-type: none"> <li>a) Assignment awarded 0%</li> <li>b) Student required to be reassessed in the assignment on instruction by an Assessment Board (subject to regulations)</li> <li>c) If the reassessment is passed, it will automatically be given a mark of 40% and will count towards credit for the module</li> <li><b>d) There will be a reduction of 25 marks, so that the <u>assignment</u>, where passed, is given an overall mark of 15%</b></li> </ul>
	<ul style="list-style-type: none"> <li>a) Assignment awarded 0%</li> <li>b) Student required to be reassessed in the assignment on instruction by an Assessment Board (subject to regulations)</li> <li>c) If the reassessment is passed, it will automatically be given a mark of 40% and will count towards credit for the module</li> <li><b>d) There will be a reduction of 10 marks on the module, so that the <u>module</u>, where passed, is given an overall mark of 30%</b></li> </ul>
480-524	<ul style="list-style-type: none"> <li>a) Assignment awarded 0%</li> <li>b) Student required to be reassessed in the assignment on instruction by an Assessment Board (subject to regulations)</li> <li>c) If the reassessment is passed, it will automatically be given a mark of 40% and will count towards credit for the module</li> <li><b>d) There will be a reduction of 25 marks, so that the <u>assignment</u>, where passed, is given an overall mark of 15%</b></li> </ul>

	<ul style="list-style-type: none"> <li>a) Assignment awarded 0%</li> <li>b) Student required to be reassessed in the assignment on instruction by an Assessment Board (subject to regulations)</li> <li>c) If the reassessment is passed, it will automatically be given a mark of 40% and will count towards credit for the module</li> <li><b>d) If the module is passed, there will be a reduction of 20 marks on the module, so that the <u>module</u> is given an overall mark of 20%</b></li> </ul>
	<ul style="list-style-type: none"> <li>a) Assignment awarded 0%</li> <li>b) Student required to be reassessed in the assignment on instruction by an Assessment Board (subject to regulations)</li> <li>c) If the reassessment is passed, it will automatically be given a mark of 40% and will count towards credit for the module</li> <li><b>d) If the module is passed, there will be a reduction of 30 marks on the module, so that the <u>module</u> is given an overall mark of 10% with credits awarded</b></li> </ul>
	<ul style="list-style-type: none"> <li>a) Assignment awarded 0%</li> <li>b) Student required to be reassessed in the assignment on instruction by an Assessment Board (subject to regulations)</li> <li>c) If the reassessment is passed, it will automatically be given a mark of 40% and will count towards credit for the module</li> <li><b>d) If the module is passed there will be a reduction of 30 marks on the module, so that the <u>module</u> is given an overall mark of 10% with credits awarded</b></li> </ul>
525- 559	<ul style="list-style-type: none"> <li>a) Assignment awarded 0%</li> <li>b) Student required to be reassessed in the assignment on instruction by an Assessment Board (subject to regulations)</li> <li>c) If the reassessment is passed, it will automatically be given a mark of 40% and will count towards credit for the module</li> <li><b>d) If the module is passed, the <u>module</u> is given an overall mark of 0% with credits awarded</b></li> </ul> <p>NB this penalty should only be applied in cases for the final year/stage of study as applying this penalty at lower levels/stages will prevent the student from continuing at the University. It will mean that the student may only achieve an exit award and not the full award on which they are registered.</p>
	<ul style="list-style-type: none"> <li>a) Student to be referred to Academic Misconduct Penalty Hearing</li> </ul> <p><b>NB: The potential penalty from the Hearing may be expulsion from University</b></p>
560+	<ul style="list-style-type: none"> <li>a) Assignment awarded 0%</li> <li>b) Student required to be reassessed in the assignment on instruction by an Assessment Board (subject to regulations)</li> <li>c) If the reassessment is passed, it will automatically be given a mark of 40% and will count towards credit for the module</li> <li><b>d) If the module is passed, the <u>module</u> is given an overall mark of 0% with credits awarded</b></li> </ul>

	<p>a) Assignment awarded 0% b) Student is not allowed to be reassessed c) <b>The module is given an overall mark of 0%</b></p> <p>NB this penalty should only be applied in cases for the final year/stage of study as applying this penalty at lower levels/stages will prevent the student from continuing at the University. It will mean that the student may only achieve an exit award and not the full award on which they are registered.</p>
	<p>a) Student to be referred to Academic Misconduct Penalty Hearing</p> <p><b>NB: The potential penalty from the Hearing may be expulsion from University</b></p>

**NB:**

Where reassessment assignments are failed, then the reduction of marks penalty will be applied to the mark given.

Capping will be applied at the element/module pass mark in instances where it is set at other than 40%.

No compensation possible until student completes any reassessment work required.

## **Appendix 2: Penalty tariff for examinations and time constrained assessments (TCAs)**

N.B. The Head of School may at their discretion increase the penalty should the student have been proven to have committed an examination offence previously. This should be clearly justified on the official record.

Nature of the misconduct and recommended penalties	
Mobile phone or other electronic device ringing, or going off for any other reason, during examination.	Penalty 1
Mobile phone or other electronic device being left switched on in the exam venue, without specific exemption from the invigilator	Penalty 1
Not following the instructions of the invigilator(s) with the intent of gaining an unfair advantage, e.g. continuing to write after the examination has ended.	Penalty 1-2 (at the discretion of HoS)
Introduction or use of devices of any kind other than those specifically permitted in the rubric of the paper.	Penalty 2
Removing any script, paper, or other official stationery (whether completed or not) from the examination room, unless specifically authorised by an invigilator or examiner.	Penalty 2
Communicating with another student or with any third party other than the invigilator/examiner, or accessing the internet without permission, during an examination or test.	Penalty 2
During an examination or test, copying or attempting to copy the work of another student, whether by overlooking his or her work, asking him or her for information, or by any other means.	Penalty 3
Unauthorised possession of crib sheets, revision notes, digital media devices etc. at any time during an examination or test.	Penalty 4
Attempting to persuade another member of the University (student, staff or invigilator) to participate in actions that would breach these Procedures.	Penalty 4
Being party to any arrangement whereby a person other than the candidate represents, or intends to represent, the candidate in an examination or test.	Penalty 4
Taking into an examination a pre-written examination script for submission and exchanging it for a blank examination script.	Penalty 4
Obtaining access to an unseen examination or test prior to the start of an examination/test.	Penalty 5
Being party to any other arrangement that would constitute a breach of these Procedures	Penalty will correspond to the nature of the offence and will be in accordance with penalties outlined above

No.	Description
Penalty 1	No further action beyond formal warning and details to be kept on file.
Penalty 2	<p>a) Exam/TCA awarded 0%</p> <p>b) Student required to be reassessed in the exam/TCA on instruction by an Assessment Board (subject to regulations)</p> <p>c) If the reassessment is passed, it will automatically be given a mark of 40% and will count towards credit for the module</p> <p>d) <b>There will be a reduction of 10 marks, so that the <u>exam/TCA</u>, where passed, is given an overall mark of 30%</b></p>
Penalty 2	<p>a) Exam/TCA awarded 0%</p> <p>b) Student required to be reassessed in the exam/TCA on instruction by an Assessment Board (subject to regulations)</p> <p>c) If the reassessment is passed, it will automatically be given a mark of 40% and will count towards credit for the module</p> <p>d) <b>There will be a reduction of 15 marks, so that the <u>exam/TCA</u>, where passed, is given an overall mark of 25%</b></p>
Penalty 2	<p>a) Exam/TCA awarded 0%</p> <p>b) Student required to be reassessed in the exam/TCA on instruction by an Assessment Board (subject to regulations)</p> <p>c) If the reassessment is passed, it will automatically be given a mark of 40% and will count towards credit for the module</p> <p>d) <b>There will be a reduction of 20 marks, so that the <u>exam/TCA</u>, where passed, is given an overall mark of 20%</b></p>
Penalty 2	<p>a) Exam/TCA awarded 0%</p> <p>b) Student required to be reassessed in the exam/TCA on instruction by an Assessment Board (subject to regulations)</p> <p>c) If the reassessment is passed, it will automatically be given a mark of 40% and will count towards credit for the module</p> <p>d) <b>There will be a reduction of 25 marks, so that the <u>exam/TCA</u>, where passed, is given an overall mark of 15%</b></p>
Penalty 3	<p>a) Exam/TCA awarded 0%</p> <p>b) Student required to be reassessed in the exam/TCA on instruction by an Assessment Board (subject to regulations)</p> <p>c) If the reassessment is passed, it will count towards credit for the module</p> <p>d) <b>The <u>exam/TCA</u>, where passed, is given an overall mark of 0% with credits awarded</b></p>
Penalty 3	<p>a) Exam/TCA awarded 0%</p> <p>b) Student required to be reassessed in the exam/TCA on instruction by an Assessment Board (subject to regulations)</p> <p>c) If the reassessment is passed, it will automatically be given a mark of 40% and will count towards credit for the module</p> <p>d) <b>If the module is passed there will be a reduction of 20 marks on the module, so that the <u>module</u> is given an overall mark of 20%</b></p>

Penalty 4	<p>a) Exam/TCA awarded 0%</p> <p>b) Student required to be reassessed in the exam/TCA on instruction by an Assessment Board (subject to regulations)</p> <p>c) If the reassessment is passed, it will automatically be given a mark of 40% and will count towards credit for the module</p> <p>d) <b>If the module is passed there will be a reduction of 30 marks on the module, so that the <u>module</u> is given an overall mark of 10%</b></p>
Penalty 4	<p>a) Exam/TCA awarded 0%</p> <p>b) Student is not allowed to be reassessed</p> <p>c) <b>The <u>module</u> is given an overall mark of 0%</b></p> <p>NB this penalty should only be applied in cases for the final year/stage of study as applying this penalty at lower levels/stages will prevent the student from continuing at the University. It will mean that the student may only achieve an exit award and not the full award on which they are registered.</p>
Penalty 5	<p>a) Exam/TCA awarded 0%</p> <p>b) Student is not allowed to be reassessed</p> <p>c) <b>The <u>module</u> is given an overall mark of 0%</b></p> <p>NB this penalty should only be applied in cases for the final year/stage of study as applying this penalty at lower levels/stages will prevent the student from continuing at the University. It will mean that the student may only achieve an exit award and not the full award on which they are registered.</p>
Penalty 5	<p>a) Student to be referred to Academic Misconduct Penalty Hearing</p> <p><b>NB: The potential penalty from the Hearing may be expulsion from University</b></p>

**NB:**

Where reassessment exams/TCAs are failed, then the reduction of marks penalty will be applied to the mark given.

Capping will be applied at the element/module pass mark in instances where it is set at other than 40%.

No compensation possible until student completes any reassessment work required.

## Appendix 3: Guidance for students on viva voce examinations

### What is a viva voce examination?

A viva voce examination is one conducted by word of mouth through a conversation between members of academic staff and you, the student. You will need to bring with you the documentation that you used in completing the assessment such as your list of source documents, evidence of primary data collection, rough notes and assignment drafts. The viva voce examination should last no more than 45 minutes.

As a viva voce is a personal examination you will not normally be permitted to be accompanied to this event. If you do think you have a reason for having someone with you then request this through [conduct@bucks.ac.uk](mailto:conduct@bucks.ac.uk).

Following the viva voce examination, the panel will decide whether the allegation of academic misconduct is proven, and if so, what penalty should be applied.

### Who will be present at the viva voce examination?

The viva voce examining team (also referred to as the “panel”) will comprise the following:

- Chair: usually this is your Head of School, although if your Head of School is the identifier of the alleged misconduct an alternative Head of School may chair the viva
- Course Team: 1 or 2 members of the Course or Subject Team, usually including the identifier of the alleged misconduct
- Students’ Union Representative
- Secretary: a member of the Academic Registry

### What is the purpose of the viva voce?

A viva voce is called because there is reason to believe that a piece of work, or parts of it, including words, phrases, ideas and/or concepts, is not entirely your own work. The aim of the viva voce is to give you an opportunity to demonstrate that the piece of work is entirely your own. In addition, it is held to validate that you:

- undertook the reading and research on your own
- undertook all preparatory work yourself
- understand what you have written
- have a good knowledge of the field and where your work fits in the wider research field
- wrote the piece of work yourself

### How to prepare for the viva voce

Preparation is vital to the viva voce. You should approach it as you would any examination. Things you might do to prepare include:

- confirming the date, time and venue of the viva voce.
- finding out who will be on the panel.
- creating a timetable to prepare as you must be thoroughly familiar with the contents of your work and the research that was involved.

- gathering all data, research materials, references, questionnaires and information related to the piece of work, as you might need these during the actual viva voce examination.

### **What will happen at the viva voce?**

- You should ensure that you arrive well before the time specified, bringing with you all materials you might need (i.e. copy of your work, research data, laptop, pens/paper, laptop, bottle of water). You will need to bring with you the documentation that you used in completing the assessment such as list of source documents, evidence of primary data collection, rough notes and assignment drafts.
- You will be reminded why the viva voce examination was called. You will be asked questions about the piece of work in question, including sources, ideas, theories, references and data collection involved in producing it.
- The viva voce examination should last no more than 45 minutes.
- Following the viva voce examination, the panel will decide whether academic misconduct has occurred and, if so, what penalty should be applied.

### **What happens after the viva voce?**

- Following the viva voce the panel will come to a conclusion concerning the allegation of academic misconduct and, if appropriate, any penalty to be imposed. The conclusion will be recorded in the formal notes of the proceedings.
- The Academic Registry will be responsible for notifying you in writing of the panel's decision and for notifying the faculty registry of the outcome.
- If you have a good reason why you are unable to attend on the date given you must contact Academic Registry within 5 working days and Academic Registry will attempt to reschedule the viva voce on one occasion only.
- If, when invited to attend a viva voce, you either refuse to attend, or fail to attend without good reason, the panel will seek to reach a conclusion on the evidence available.

## **Appendix 4: Guidelines for reporting students to Professional, Statutory and Regulatory Bodies (PSRBs) and/or employers**

### **1 Introduction**

- 1.1 These guidelines have been drawn up to provide expanded guidance to those who have a responsibility to report students who either already hold or are studying for a professional qualification and for whom an allegation of academic misconduct has been upheld under the University's Academic Misconduct process to the relevant Professional, Statutory and Regulatory Body and/or Employers.
- 1.2 These guidelines are provided as a formal appendix to the *Academic Misconduct* policy, as effective from September 2011. They have been approved in accordance with the requirements of the University as follows:
  - a) Quality and Enhancement Committee (QEC)
  - b) Senate

- 1.3 These Guidelines establish the circumstances under which a Head of School or appropriately nominated Senior Academic of the University decides whether a student should be referred to a formally constituted Fitness to Practise Panel, the relevant PSRB, and/or the student's employer.

### **2 Guiding principles**

- 2.1 The University has a responsibility to ensure students who have been proven to have committed academic misconduct are appropriately reported to the relevant PSRB or employer or in the case of Pre-qualifying students referred to the Fitness to Practise Panel.
- 2.2 Notification is in keeping with the Data Protection Act 1998 and is only undertaken once the internal procedures have been completed. The student must be notified before the PSRB or employer is informed.
- 2.3 Heads of School will ensure that students are aware of the impact of academic misconduct and of the University's obligation to inform the PSRB(s) or employers when cases of academic misconduct have been proven to have occurred during the course of his/her studies.
- 2.4 The University's responsibility to inform employers ceases to apply upon the student's completion of the programme. The University's responsibility to inform the relevant PSRB may continue indefinitely.

### **3 Guidelines for penalties to be applied to students studying for a professional qualification**

- 3.1 Academic Registry to notify the Head of School of the outcome of the Academic Misconduct investigation.
- 3.2 The Head of School will need to determine if the offence impacts on the relevant code of professional practice and thus calls into question the good character of the student.

Points/Penalty	Outcome
365 points and below or penalty 1-2	The outcome and penalty from the Academic Misconduct Panel is considered to suffice, with notification in writing to the student that should this recur they may be referred to the Fitness to Practise panel.
366 points and above or penalty 3-5	<p>First offence: Referral of the student to the Fitness to Practise Panel will be considered. If the outcome and penalty from the Academic Misconduct investigation is considered to suffice, notification in writing will be given to the student that should misconduct recur they will automatically be referred to the Fitness to Practise Panel.</p> <p>Second and subsequent offence: Normally the student will automatically be referred to the Fitness to Practise Panel for consideration of their suitability to practise and consequently to gain a professional qualification.</p>

#### **4 Guidelines for penalties to be applied to students who already hold a professional qualification**

- 4.1 Academic Registry to notify the Head of School of the outcome of the Academic Misconduct investigation.
- 4.2 The Head of School, knowing that the student is registered with a professional body will need to determine if the offence impacts on the relevant code of professional practice and thus calls into question the good character of the student.

Points/Penalty	Outcome
270 - 365	Written warning is given and decision is made as to whether the funding employer is notified of the allegation and outcome
366 and above	<p>First offence: Employer notified of the allegation and outcome</p> <p>Second and subsequent offence: Employer notified (if funded) of the allegation and student referred to the appropriate PSRB via the relevant decision body of the Faculty concerned. This is normally the PVC/Executive Dean or Chair of the Fitness to Practise Panel and the Head of School</p>