

## STUDENT ACADEMIC MISCONDUCT PANEL AND REVIEW OF A STUDENT ACADEMIC MISCONDUCT PANEL DECISION

### SUMMARY OF PRINCIPAL CHANGES

#### General changes

*Amendments to version 02.0 are restricted to Appendix I only*

- This document contains generic information concerning Student Academic Misconduct Panels and the review of Student Academic Misconduct Panel decisions. A Student Academic Misconduct Panel may be convened to hear a matter under the provisions of UPR SA13<sup>1</sup> or UPR SA15<sup>2</sup>.
- The text in this document (Appendix III, UPR SA15) is identical to the text in Appendix III, UPR SA13<sup>3</sup>, save and except that cross-references have been revised, as necessary.

#### “1 **STUDENT ACADEMIC MISCONDUCT PANEL – GOVERNANCE, COMPOSITION AND OPERATION**

##### **(Note for guidance:**

In constituting the Panel, the Chairman will have regard for diversity within its membership

The term ‘**Letter**’ is defined in section 3.1.14, UPR SA15<sup>2</sup>/section 3.6, UPR SA13<sup>1</sup> and means the Letter approved by the Secretary and Registrar for use at a specific point in this process.

**Letters** must be sent by Recorded Mail and to the email address the student has provided to the University for all correspondence.)

The Student Academic Misconduct Panel is an ad hoc committee of the Academic Board composed of three (**3**) members of appropriate standing, none of whom shall have had previous involvement in the case. The Chairman of the Panel is appointed by the Vice-Chancellor who in this regard acts on behalf of the Academic Board. The Chairman of the Panel will normally be the Dean of Students. The other members of the Panel will be identified by the Student Procedures Co-ordinator and will be academic members of the Centre for Academic Quality Assurance or Associate Deans (Academic Quality Assurance) or other members of the academic staff with appropriate standing.

- 1.2 The Secretary and Registrar is formally the Secretary to the Panel. The Clerk to the Panel will be nominated by the Assistant Registrar (Academic Services).
- 1.3 A narrative (non-verbatim) record will be made of the Hearing by the Clerk.
- 1.4 Quorum: All members must be present.

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<sup>1</sup> UPR SA13 ‘Student Discipline’  
<sup>2</sup> UPR SA15 ‘Student Fitness to Practise’  
<sup>3</sup> Appendix III, UPR SA13 ‘Student Academic Misconduct Panels and Review of a Student Academic Misconduct Panel Decision’

## 2 STUDENT ACADEMIC MISCONDUCT PANEL – HEARING

- 2.1 The Hearing by the Panel will be conducted in accordance with the rules set out in Appendix V, UPR SA15<sup>4</sup>.
- 2.2 Where UPR SA15<sup>2</sup>, is being applied, the Case Officer will be the individual specified in the regulations.
- 2.3 The Panel may resolve to:
- i dismiss the matter and notify the Chairman of the relevant Short Course/Module Board of Examiners that the candidate has not committed an Academic Misconduct offence and that it is appropriate for the Short Course/Module Board of Examiner to consider the candidate and allocate marks to him or her on the basis of the candidate's academic merit;
  - ii where Academic Misconduct is proven, refer the case to the relevant Short Course/Module Board of Examiners (the Short Course/Module Board of Examiners will exercise its academic judgement and allocate marks to the student on the basis of his or her academic merit);
  - iii where Academic Misconduct is proven impose any other penalty specified in Appendix I, UPR SA15<sup>5</sup>;
  - iv impose an alternative reasonable penalty, for example, a requirement on the student to apologise and/or to give an undertaking as to his or her future behaviour and/or fines or work by the offender to make good damage caused and may be linked to a recommendation to the Vice-Chancellor for suspension from the University in default of the student complying with the penalty imposed;
  - v recommend that the Vice-Chancellor suspends or excludes the student from the University;
  - vi add information concerning the matter to the student's personal file.
- 2.4 The University expects that a student will bring forward to the Student Academic Misconduct Panel all relevant evidence that is available at the time of the Hearing.
- 2.5 The detailed deliberations of the Panel are confidential.

### (Note for guidance – contested collusion:

Where the matter considered by the Panel is one of contested collusion, the Panel may determine that no penalty should be imposed under the provisions of these procedures (UPR SA15<sup>2</sup>) and, instead, recommend that the matter is dealt with solely as an Assessment Offence under the provisions of Appendix III, UPR AS14<sup>6</sup>.)

## 3 STUDENT ACADEMIC MISCONDUCT PANEL - DECISION

- 3.1 Within five (5) working days of the Hearing or as soon as possible thereafter, the decision of the Panel will be communicated to the student by means of a **Letter** (Appendix VI, UPR SA15<sup>7</sup>, refers).
- 3.2 Where appropriate, the **Letter** will be accompanied by a **Completion of Procedures Letter** (Appendix VI, UPR SA15<sup>7</sup>, refers) which may be used in relation to any future dealings with the Office of the Independent Adjudicator.

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<sup>4</sup> Appendix V UPR SA15 'Conduct of Panels and Hearings'

<sup>5</sup> UPR SA15, Appendix I 'University Schedule of Sanctions and Penalties for Academic and Non-Academic Disciplinary Offences'

<sup>6</sup> UPR AS14, Appendix III 'Assessment Offences'

<sup>7</sup> UPR SA15, Appendix VI 'Approved Letters and Forms'

3.4 A copy of the **Letter** will be provided to the Dean of Students who will be responsible for instigating any consequent action, including, as appropriate, providing copies of the **Letter** to other relevant members of staff.

### 3.5 **Recommendation for Suspension or Exclusion from the University**

3.5.1 Where the Panel has recommended that the student be suspended or excluded from the University, the **Letter** will make clear that the matter has been referred for final decision by the Vice-Chancellor.

3.5.2 The Panel will make a written recommendation to the Vice-Chancellor (section 11, UPR SA15<sup>2</sup> and Appendix IV, UPR SA15<sup>8</sup>, refer).

### 3.6 **Other sanctions and penalties**

3.6.1 Where the allegation is proven to the satisfaction of the Panel, the Panel has discretion to impose the relevant sanction or penalty set out in Appendix I, UPR SA15<sup>5</sup>, or any other reasonable fine and/or other penalty, save and except that the Panel does not have the power to suspend or exclude a student from the University.

3.6.2 Examples of 'other reasonable fines and/or other penalty' would include a requirement on the student to apologise and/or to give an undertaking as to his or her future behaviour and/or fines or work by the offender to make good damage caused and may be linked to a recommendation to the Vice-Chancellor for suspension from the University in default of the student complying with the penalty imposed.

3.7 Where an alleged offence involves the use of central services or facilities such as those provided by Library and Computing Services those administering these procedures will, where appropriate, consult with the student's School before imposing penalties which will restrict the student's access to the service concerned.

## 4 **STUDENT ACADEMIC MISCONDUCT PANEL – GROUNDS FOR REQUESTING A REVIEW OF A STUDENT ACADEMIC MISCONDUCT PANEL DECISION**

### **(Note for guidance:**

The procedure in this section does not apply to decisions taken by the Vice-Chancellor in relation to suspension or exclusion (section 3.5, refers). It applies only to Panel decisions in relation to other sanctions and penalties referred to in section 3.6 of this document.)

4.1 Following the decision of the Student Academic Misconduct Panel and in the following limited circumstances, a student may request a review of his or her case by the Deputy Vice-Chancellor:

- i where new and relevant information not already brought forward at an earlier stage becomes available provided the new and relevant information could not have legitimately been available and brought forward at the earlier stage and will be conclusive of an issue under review or

### **(Note for guidance:**

For the avoidance of doubt, only new information, specifically relevant to the grounds on which the request is being made will be accepted.)

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<sup>8</sup> UPR SA15, Appendix IV, 'Suspension or Exclusion from the University by the Vice-Chancellor'

- ii where the student reasonably believes that there is a prima facie case of procedural irregularity or appearance of bias or actual bias.

4.2 The Deputy Vice-Chancellor has discretion to designate a nominee of appropriate standing to review a case of his or her behalf.

## 5 STUDENT ACADEMIC MISCONDUCT PANEL – PROCESS FOR REVIEWING A PANEL DECISION

### (Note for guidance:

The procedure in this section does not apply to decisions taken by the Vice-Chancellor in relation to suspension or exclusion (3.5, refers). It applies only to Panel decisions in relation to other sanctions and penalties referred to in section 3.6 of this document.)

### 5.1 Making a request

- 5.1.1 Requests for a review by the Deputy Vice-Chancellor under the provisions of section 4 of this document must be made in writing and be **received** by the Student Procedures Co-ordinator not more than ten (10) working days following the date of the **Letter** referred to in section 3, a, of this document (this date is the date of the **Letter** and not the date of its receipt by the student). The request for a Review by the Deputy Vice-Chancellor will be acknowledged, in writing, by means of a **Letter** (Appendix VI, UPR SA15<sup>7</sup>, refers).
- 5.1.2 The request for a review will be denied in circumstances where the grounds cited by the student in his or her written request are other than those set out in section 4 of this document.
- 5.1.3 Where the grounds and evidence cited for the review are consistent with those set out in section 4 of this document the Deputy Vice-Chancellor will consider the matter.
- 5.1.4 Where, at his or her absolute discretion, the Deputy Vice-Chancellor determines that the case warrants further consideration, he or she will refer the matter to a Student Academic Misconduct Panel composed of individuals who were not members of the Student Academic Misconduct Panel that heard the case initially.
- 5.1.5 The decision of the Panel will be final. Within five (5) working days or as soon as possible thereafter, the decision of the Panel will be communicated to the student by means of a **Letter** (Appendix VI, UPR SA15<sup>7</sup>, refers). The **Letter** will be accompanied by a **Completion of Procedures Letter** (Appendix VI, UPR SA15<sup>7</sup>, refers) which may be used in relation to any future dealings with the Office of the Independent Adjudicator.
- 5.1.6 A copy of the **Letter** will be provided to the Dean of Students who will be responsible for instigating any consequent action, including, as appropriate, providing copies of the **Letter** to other relevant members of staff.”

Mrs S C Grant  
Secretary and Registrar  
Signed: 14 March 2018