

UNIVERSITY of CUMBRIA ACADEMIC PROCEDURES AND PROCESSES

Appendix 3d

Policy and Procedures Governing Academic Malpractice

Note: This policy and procedure also applies to all students on franchised, shared and validated programmes taught at partner institutions.

1. Preface

- 1.1 Academic malpractice may be defined as any attempt by a student to gain an unfair advantage in assessment. The University values a culture of academic integrity, which underpins all aspects of the learning and teaching strategy. The majority of students are hard-working and honest and understand the meaning of academic integrity. However, some students do not and sometimes cheat, for many reasons and in varying ways.
- 1.2 Cheating is considered to be a deceitful attempt to convey the impression of acquired knowledge, skills, understanding, or credentials. Such behaviour represents a contravention of the award regulations, which also undermines the academic standards of the University. The University regards any form of academic malpractice as a serious matter. Where the incident has implications for fitness to practise or study, an academic malpractice incident may lead to the adjudication or progress review procedure being initiated (or Fitness to Practise, Fitness to Study or Student Disciplinary meeting as appropriate).
- 1.3 The rules of discipline contained herein apply to all registered students of the University, irrespective of their mode or place of study.

2. Responsibilities

- 2.1 Staff and students have a responsibility to be aware of the policy and procedures contained herein, to understand the seriousness of academic malpractice and to take every reasonable step to ensure that academic malpractice does not occur. Students can be supported in understanding plagiarism through access to Turnitin as a diagnostic developmental tool.

3. Principles Governing the Submission of Work

- 3.1 The assessment of students is based on the principle that, unless clearly stated in the assessment criteria, the work submitted by a

registered student for assessment has been carried out by that student, and their own work.

- 3.2 Where group work is an approved part of the assessment process, the assessment instructions will make clear the nature, content and assessment criteria of such group based activity.
- 3.3 All elements of assessment must be the student's own work and any passages quoted, paraphrased or opinions relied upon must be properly attributed and cited using the correct method (Harvard System unless an alternative system has been approved).
- 3.4 The University accepts that a student's writing will be influenced quite properly by the work of others, but such work must not be copied or paraphrased in whole sentences or paragraphs without appropriate acknowledgement. (Also see Appendix 3d, 7.2.1b).
- 3.5 Students undertaking formal examinations do so in accordance with the policy governing the Student Conduct in Assessment.

4. Declaration of Intellectual Ownership

- 4.1 Students are required to sign a statement on the submission of an element of assessment, declaring that the submitted work is their own, and also that it has not been submitted in a similar or identical form towards other assessment or qualificatory work by the student or any other person. This is undertaken by including a declaration within the online submission of assessment (see Section 1.2 of Appendix 3c The Conduct of Assessment). If this procedure has not been completed, the tutor has the right to refuse to mark the piece until the student has complied.
- 4.2 In the case of group work where a submission in common is made by its members, all the students within the group should sign the same statement.

5. Definitions of Academic Malpractice

5.1 Cheating in examinations

5.1.1 Cheating in examinations includes the following:

- i. communicating with or copying from any other student during an examination, except in so far as the rubric may specifically permit
- ii. communicating during an examination with any person other than a properly authorised invigilator or another authorised member of staff
- iii. introducing any written, printed or electronically stored information into an examination room, unless expressly permitted by the criteria / rubric for the examination
- iv. gaining access to any unauthorised material relating to an examination during or before the specified time

- v. making use of electronic calculators and other portable electronic devices except as permitted under the rubric of the examination, and in the provision for students with additional assessment requirements
- vi. fabricating information in an examination, e.g. use of artificial citations
- vii. impersonating another student, or procuring an impersonator.

5.2 **Plagiarism**

5.2.1 Plagiarism consists of unacknowledged use of someone else's work and attempting to pass it off as one's own. It includes the representation of work: written, visual, practical or otherwise, of any other person, including another student or anonymous web-based material, content generated by artificial intelligence, or any institution, as the candidate's own. It may take the form of:

- i. wholesale verbatim copying or insertion of multiple paragraphs of another person's work (published or unpublished and including material freely available in electronic form and including work of another student) without acknowledgement of sources.
- ii. the close paraphrasing of another person's work by simply changing a few words or altering the order of presentation, without acknowledgement.
- iii. unacknowledged quotation of phrases from another person's work.
- iv. the deliberate and detailed presentation of another person's concept as one's own.
- v. the use of essay mills or ghost writing services – where a student requests another student or external body to write/produce material for them for purposes of submitting it as their own.
- vi. resubmitting one's own work in its entirety (or substantial sections) which has previously been submitted for another module or programme.
- vii. unattributed content created by artificial intelligence or any other content generating technology.

5.2.2 The University provides guidance on referencing through its 'Cite Them Right' on-line resource available from the 'Skills@Cumbria' tab on Blackboard [here](#).

5.3 **Collusion in course work**

5.3.1 Collusion occurs where a student:

- i. knowingly submits as entirely his/her own work, work produced in collaboration with another person without approval of the tutors concerned
- ii. collaborates with another student in the production of work which they know is intended to be submitted as that other student's own unaided work
- iii. knowingly permits another student to copy all or part of their own work and to submit it as that student's own unaided work
- iv. falsely claims involvement in approved and assessed group work and colludes with that group in order to deceive the tutor.

5.4 Fabrication and Falsification

- 5.4.1 Fabrication of results occurs when a candidate falsely claims to have, for example, carried out tests, research or observations as part of his/her assessed work, or presents fabricated results arising from the same with the object of gaining an advantage.
- 5.4.2 Fabrication may also include, for example, reporting/presentation of artificial references or other source material purporting to demonstrate a depth of reading/knowledge beyond that undertaken, or to deflect the reader from plagiarised material, e.g. embellishment of the bibliography.
- 5.4.3 Falsification occurs where a student may have carried out a task [eg tests] but alters or supplements the data in order to misrepresent the results [eg of the experiment.]
- 5.4.4 Falsification also includes making false statements or falsifying evidence in support of applications, for example for mitigating circumstances or academic appeals. Where evidence is related to disability and reasonable adjustments, the University reserves the right to seek a second opinion and/or further information if there is a substantial concern about the level, or standard, of evidence.
- 5.4.5 Falsification also includes knowingly stating an incorrect word count for an assignment.

5.5 Impersonation

- 5.5.1 Impersonation is the assumption by one person of the identity of another, with intent to deceive in the assessment process.

6. Breach of Confidentiality

- 6.1 The University imposes penalties for confidentiality breaches, to protect the above principle. Any allegations that a student has breached confidentiality will be considered when marking of assessment is undertaken (see Appendix 3c Conduct of Assessment Section I).

- 6.2 If there is suspicion that there has been a deliberate attempt by a

student to gain an unfair advantage in the assessment by breaching confidentiality or other means the issue will be progressed through the Malpractice Procedures.

7. Procedures for Dealing with Academic Malpractice

7.1 Scope of the Procedures

- 7.1.1 All assessment items submitted will be subject to scrutiny for malpractice until the point at which marks are confirmed through formal mark confirmation processes, subject to the provisions of 7.1.6.
- 7.1.2 Where suspected malpractice has been discovered at a late stage in the assessment process and has not been resolved at the time of formal mark confirmation, the marks will not be confirmed until the investigation has been conducted and the matter resolved.
- 7.1.3 Where suspected malpractice requires consideration under major malpractice procedures, and a Panel therefore convened, the Panel shall consider only that work specifically identified and forwarded by the module leader. It is not the business of the Panel to seek to unearth wider evidence of malpractice by the same student(s). Where the academic team identifies wider concerns about the student's academic integrity across the programme, the Programme Leader should present evidence of this to the Panel
- 7.1.4 Where a student has been subject to Major Malpractice procedures at an earlier date, the Panel will receive appropriate notification of such.
- 7.1.4 Should multiple incidents of malpractice arise simultaneously for the same student, the Panel will investigate all incidents at the same time.
- 7.1.5 The Secretary to the Panel of Inquiry shall only respond to procedural matters and may not be lobbied or canvassed by staff, students, or other parties concerned in malpractice investigations. All student guidance must be sought via the Personal Tutor or the Student Union.
- 7.1.6 Where evidence of academic misconduct becomes available subsequent to marks and progression/award outcomes being confirmed by the Assessment Board, the matter will be re-opened through formal academic malpractice procedures and the Panel may recommend to a subsequent meeting of the Board an alternative outcome to the original decision of the Board. This may extend to rescinding decisions and/or revoking awards.

7.2 Status of the Malpractice

- 7.2.1 The malpractice procedures shall operate on two levels in accordance with whether it is deemed that major or minor procedures should apply. The table below offers guidelines on the

most common occurrences of malpractice and indicates the appropriate procedures. It is not comprehensive. For incidents which fall outside these descriptions and which may not be clear-cut, responsibility for determining the procedures to be adopted will rest with the Dean of Institute.

Minor Procedures	Major Procedures
7.2.1a) Cheating in Examinations	
<p>Minor Cheating in Examinations: Examples include:</p> <ul style="list-style-type: none"> i. Where a student brings into a formal examination hall/room paperwork relating to the examination, but does not utilise it during the examination period. ii. Where supplementary material is permitted, but the material introduced exceeds to some extent the defined limits of the examination rubric. 	<p>Major Cheating in Examinations Examples include:</p> <ul style="list-style-type: none"> iii. Blatant use of written, printed or electronic material not permitted within the rubric of the examination. iv. Communication with any other student in the examination room. v. Inappropriate communication with a member of academic staff during the period of the examination. vi. Obtaining unauthorised material prior to the examination. vii. Second minor incident

7.2.1 b) Plagiarism	
<p>Minor Plagiarism:</p> <p>Examples include:</p> <p>i. Unattributed use of a few sentences or a short paragraph, poor referencing, incorrect or incomplete citation or inappropriate paraphrasing at Levels 3 and 4 and as a first incident at Levels 5-7.</p> <p>[As a second offence at Levels 5-7, this will always be considered under Major Procedures].</p>	<p>Major Plagiarism</p> <p>Examples include:</p> <p>ii. Wholesale copying or paraphrasing of multiple paragraphs or wholesale papers from a source text without acknowledgement.</p> <p>iii. Appropriating the work of another student and submitting it as one's own.</p> <p>iv. Where any student has used work from essay mills or employed a ghost writer, either in person or via web based provision (e.g. cheat sites), to produce the assessment on their behalf. This includes FDL students.</p> <p>v. Accusations by one student of another's plagiarism of his/her work.</p> <p>vi. The use of unattributed content created by artificial intelligence or any other content generating technology.</p> <p>[Types iii - v must always be considered under Major Procedures, regardless of the level of study].</p>
7.2.1c) Collusion	
<p>Minor Collusion</p> <p>Examples include:</p> <p>i. Where the submission includes 1-2 paragraphs which are the same as that of another student. This could also amount to plagiarism.</p> <p>ii. Where, at Levels 3 & 4, the student misinterprets the</p>	<p>Major Collusion</p> <p>Examples include:</p> <p>iii. Where two or more submissions adopt the same structure/format at Level 5, 6 or 7 where not determined by assessment criteria or guidance by tutor.</p>

<p>assessment criteria and submits the same/similar work as another student. For example, where group work is required in the preparation, but the submission of individual items is expected.</p> <p>[These may be considered under minor procedures if they are first offence at Levels 3 and 4 only. At Level 5, 6 and 7, they must be considered under Major Procedures].</p>	<p>iv. Where the same unattributed paragraphs are used in the submissions of more than one student</p> <p>v. Where the work submitted is merely a paraphrasing of another student's work. This could also amount to plagiarism.</p> <p>vi. Where the work of one student is identical to that of another. This could also amount to plagiarism.</p>
7.2.1d) Impersonation	
	<p>i. Impersonation can only be considered under Major Procedures.</p>
7.2.1e) Fabrication / Falsification	
<p>Minor Fabrication / Falsification</p> <p>Examples include:</p> <p>i. Where information/data or source material has been invented.</p> <p>This example may only be considered under Minor Procedures for Levels 3 and 4 students. Levels 5, 6 and 7 will always be considered under Major Procedures.</p> <p>ii. Where a student seeks to gain academic advantage by falsifying the word count:</p> <ul style="list-style-type: none"> A penalty under 7.5.1 (i-iii) may apply where a student has inadvertently falsified the word count eg unaware that in-text citation is included in the word count (see Appx 3c, 3.3.1) A penalty under 7.5.2 (i-iii) may apply in cases of 	<p>Major Fabrication / Falsification</p> <p>Examples include:</p> <p>iii. Any work / submission / application falsified by a student in order to gain academic advantage (including mitigating circumstances applications to MCB).</p> <p>iv. Citation of false references, particularly in order to mask plagiarised texts.</p> <p>[The above examples will be considered under Major Procedures for all students regardless of their level of study].</p>

<p>deliberate falsification of the word count</p> <ul style="list-style-type: none"> • The penalty at 7.5.2(iv) will apply for subsequent incidents of falsification of word count. <p>[NB: For penalties of falsifying the word count, these penalties are in addition to the penalty for exceeding the word count (see Appx 3c, 3.5.1)].</p>	
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7.3 Procedures for dealing with cheating in examinations

7.3.1 A student suspected of cheating will be allowed to complete his/her examinations in the normal way and the normal assessment procedures will be initiated.

7.3.2 When cheating is suspected the Assessment and Awards Manager (or their nominee) will be informed immediately by the invigilator(s) or other members of staff involved, who will provide a full report in writing.

7.4 Academic Malpractice Procedures for Minor Incidents

7.4.1 Where a member of academic staff suspects that malpractice has occurred in any given assessment item, the matter shall be reported to the Module Leader. Turnitin software may be used to check or confirm any suspicions, bearing in mind that it does not include every available resource.

7.4.2 The Module Leader, on receipt of the evidence, will call for a meeting with the student. In doing so, the Module Leader will:

- i. Identify a time and date such that there is sufficient notice to the student.

Note: When convening the meeting, due sensitivity should be given to the timing of the formal assessment periods such as examinations, teaching or clinical practice etc.

- ii. Make a request in writing, stating time, date and location for the meeting with reference to the purpose of the meeting, which shall include an understanding that the meeting is designed to address the issue of academic malpractice.
- iii. Make clear to the student that they have the right to bring with them a friend, who shall normally be a member of the University or a representative from the Student Union.

- iv. Make clear to the student that they are encouraged to attend such a meeting as part of the learning process. Failure to do so will result in a decision being made about the outcomes in the student's absence. The matter will then be progressed as in 7.4.4.
- v. Copy the notification to the student's Personal Tutor

7.4.3 During the meeting the Module Leader will:

- i. Explain the purpose of the meeting.
- ii. Make the student aware of the cause for concern and show them the relevant evidence.
- iii. Ascertain from the student any explanation in mitigation.
- iv. Discuss working methods and advise the student on how to recognise and to avoid future malpractice.
- v. Explain to the student the outcomes associated with such incidents (as detailed in 7.5 below) and record any advice given.
- vi. Inform the student that they will be sent two copies of the brief record of the meeting, including a statement of advice and outcomes. Indicate that the student must sign both copies on receipt, and return one copy to the tutor. Failure to do so will be regarded as a breach of the outcomes.

7.4.4 The Module Leader will establish an appropriate outcome for the incident, in accordance with 7.5 below.

7.4.5 The Module Leader will:

- i. Prepare the report which must include a précis of the meeting, the outcome arrived at and any advice issued.
- ii. Send copies of the report to the student, to their Personal Tutor, Programme Leader and to Assessment and Awards Team within the Academic Registry within 5 working days. Where cases are then referred for consideration of Major Malpractice this documentation will be included in the panel case file as supporting evidence for consideration.
- iii. Retain a copy of the report in case of further incidents, which require investigation

7.5 Outcomes of Minor Malpractice Procedures

7.5.1 Matters not requiring a formal record as a first incident:

- i. No action to be taken
- ii. Requirement to revise the original document, with appropriate corrections to the affected sections. This will normally require submission within 48 hours of the meeting, but will not incur a penalty

- iii. Formal recommendation of tutorial support and/or formal study skills sessions in order to become better educated in good academic practice.

7.5.2 Matters for recommendation reporting to the Assessment and Awards Team as a first incident:

- i. Reduction in the mark for the assessment item – with a minimum adjustment of 5%
- ii. Require the student to resubmit the assessment item or resit the examination, for a maximum mark of 40% at Levels 3, 4, 5 and 6 and 50% at Level 7.
- iii. Assign the individual item as meriting a fail mark of not more than 39% (Levels 3-6) and 49% (Level 7).

Note: Normal reassessment opportunities apply thereafter for (i) to (iii) above.

7.5.3 Where the outcome of the meeting with the student identifies Major Malpractice, this will be referred to the a Major Malpractice Panel (see Section 6).

7.6 Academic Malpractice Procedures for Major Incidents

7.6.1 Panel of Inquiry

- i. In view of the seriousness of the penalties, which may be incurred in respect of more serious or extensive instances of malpractice, the best interests of all parties concerned will be served by a system of independent investigation to determine the circumstances relating to the suspected malpractice. Accordingly, an independent Panel of Inquiry will be constituted to compile a report on the basis of the evidence placed before it. The tutor or Assessment Board (or its sub-group) as appropriate shall take due account of the Panel's findings in reaching a decision.
- ii. Where a member of staff (academic or academic related) suspects that malpractice has occurred in any given assessment item (examination or coursework), as defined in 7.2 Major Procedures above, the matter shall be reported to the Module Leader.
- iii. The Module leader shall, within 5 days, provide a written report to the Assessment and Awards Team indicating the circumstances and nature of the suspected malpractice in as much detail as possible, and providing the evidence to support the case being made. In the case of plagiarism or collusion, this should comprise copies of the material against which the student's work was compared, and should be annotated to show the full extent of the malpractice. Computer searches through approved software may also be used as evidence.

- v. On receipt of an oral and written report and the related materials, the Assessment and Awards Team will inform the Dean/Director of Institute in which the student's programme of study occurs. The student will also be advised that the incident is being investigated.
- vi. The student will be formally advised that the incident is being investigated by an independent Malpractice Panel a minimum of 10 working days prior to the scheduled date of the meeting and will be provided with all documentation that is to be considered. The student will be asked at that point if they wish to submit a statement in mitigation for consideration and be advised that, should they not engage with the process. the panel will consider the case in absentia.

7.6.2 Composition of the Panel of Inquiry

- i. A Panel of Inquiry will be drawn from a pool of members of academic staff nominated by the Dean/Director of Institute.
- ii. A Panel of Inquiry shall comprise the Chair and one member taken from the pool, together with the appropriate secretarial support. No member of the Panel shall be drawn from the Subject Area within which the malpractice has occurred.
- iii. Each Panel of Inquiry shall have an appointed chairperson. Normally, this will be the most senior member of the Panel, who will normally be at the level of Principal Lecturer or above. The Chair of the Panel will have the casting vote.
- iv. The Panel shall be supported by an Officer whose role will be to provide administrative support and advice, and to ensure that all written communications occur appropriately.
- v. The Programme Leader (or their representative), may have right of attendance at a Malpractice Panel if this is deemed necessary (eg where there may be Fitness to Practise issue).

7.6.3 Procedures for the Panel of Inquiry

- i. The Panel of Inquiry shall be empowered to request the attendance at the hearing of any member of staff of the University.
- ii. All hearings shall be held in private.
- iii. The Panel of Inquiry will be convened with all possible speed (due sensitivity should be given to the timing of the formal assessment periods when convening the meeting, such as examinations, teaching or clinical practice etc). Once the time, date and place of its meeting are known, notice will be sent to the student under investigation, providing at least 10 working notice.
- iv. The Panel of Inquiry shall have the power to adjourn, continue or postpone an investigation at its discretion but

shall at all times endeavour to complete its examination of the matter at the earliest opportunity. If the student does not appear on the date and time or at the place appointed, reasonable notice having been given, the Panel of Inquiry may proceed to investigate the matter in the absence of the student.

- v. A student subject to these procedures shall have the right to attend the Panel of Inquiry and/or make representations in writing. Where attending, the student may be accompanied by a friend, who will normally be another member of the University, or a member of the Student Union.

[Note: Students under the age of 18 years may also be accompanied by a parent or guardian].

- vi. The Assessment and Awards Team shall write to the student (giving reasonable notice of the hearing) to advise them of their right of attendance.
- vii. Together with notice of the meeting the student shall be sent information specifying:
 - a. the nature, date and time of the suspected malpractice, including a copy of the evidence.
 - b. that they may call up to three persons to support their case, but that they must inform the secretary of the Panel prior to the hearing of the names of those persons and their relationship to the student.
 - c. that they may be accompanied by a friend or a member of the Student Union as in 7.6.3v above.
 - d. that the student may wish to consult the Student Union or their Personal Tutor for advice and guidance in these circumstances.
 - e. the procedures to be followed (only on grounds of procedural irregularity or administrative error) if the student wishes to appeal against any decision of the tutor or Board of Examiners (or its sub-group) arising from the Panel of Inquiry's report.
- viii. The student will be asked to indicate whether or not they acknowledge that malpractice has occurred in writing to the Officer of the Panel of Inquiry. If such correspondence is not received, the Panel will assume that the student does not acknowledge that malpractice has occurred. Notwithstanding the student should appear before the Panel of Inquiry for the consideration of the material and for examination of the evidence by the Panel of Inquiry.

- ix. A Panel of Inquiry shall have placed before it by the Secretary all available evidence pertaining to the malpractice.
- x. The Panel of Inquiry may hear evidence in any way it sees fit. This includes personal testimony of individuals and the production of documents or other relevant material evidence. The Chair and the student shall be entitled at the hearing to make an opening statement.
- xi. All proceedings and questions shall be conducted through the Chair.
- xii. The Panel of Inquiry may request either a viva or exam conditions test to examine the student's knowledge of the assessment item in question. The outcome of this will then be referred back to the Malpractice Panel for a final decision to be made.

7.6.4 Outcomes of the Panel of Inquiry

- i. If the Panel of Inquiry finds that there is no evidence of malpractice, the Module Tutor will be notified that assessment should take place as normal.
- ii. If the Panel of Inquiry finds that major malpractice has not occurred, but that instead minor malpractice has occurred, the student will be referred back to the Module Leader who will pursue the matter under 7.4 of these procedures.
- iii. Where the Panel of Inquiry decides that there is *de facto* evidence that malpractice has occurred, a recommended penalty from the following will be reported through formal mark confirmation processes.
 - a. Where there are exceptional mitigating circumstances, assessment is set aside and the student is required to submit a new or revised item without incurring penalty.
 - b. The mark for the specific item is reduced. Where this results in a fail grade in the module, the student will be subject to normal reassessment procedures.
 - c. The student is deemed to have failed in the specific element of assessment where the malpractice has occurred. The student will be subject to normal reassessment procedures.
 - d. The student is deemed to have failed in the specific element of assessment where the malpractice has occurred. The student will have no right to reassessment opportunities.
 - e. The student is deemed to have failed the module. The student will be subject to normal reassessment procedures

- f. The student is deemed to have failed the module. The student will have no right to reassessment opportunities.
- g. The student may be required to leave the University without the award for which they registered.
- h. The student may be required to leave the University without an award.
- i. The student may be required to leave the University without an award and without any credit from modules previously assessed.

7.6.5 Students will be advised of the outcome of the Panel on the day of the meeting and advised of their entitlement to make a plea in mitigation within 10 working days of the meeting.

7.6.6 Matters following the meeting of the Panel of Inquiry

- i. The Secretary to the Panel of Inquiry shall compile a written report to be agreed by the Chair and to be forwarded to the Module Tutor and the Programme Leader. Where the Panel of Inquiry is of the opinion that malpractice has occurred, its report will include an assessment of the seriousness of the incident and the outcome recommendation. A statement outlining the findings of the Panel of Inquiry shall be communicated in writing to the student as soon as possible after the meeting
- ii. The Chair will sign the Panel of Inquiry's report. The Panel may deliver a majority decision with the Chair holding the casting vote. The dissenting member shall have no right to submit a minority report, but the Panel shall draw to the attention of the recipient the majority status of its report
- iii. Where an investigating Panel is compromised in the fulfilment of its duties, a report shall be made to the Academic Registrar who shall discharge the Panel and who shall arrange for the constitution of a new Panel of Inquiry
- iv. In all cases a record of the proceedings shall be kept, including details of the evidence presented by both sides and the decision of the Panel. This shall be retained in line with the University's Data Retention Schedule.
- v. Where the student is registered for a professional award the Panel of Inquiry's written report shall be copied in confidence to the Dean of the Institute (or designate) who will determine whether the outcome of the Panel of Inquiry has implications for Fitness to Practise in which

case the adjudication process (or Health and Conduct Committee/Professional Practice Committee) or progress review procedure may be initiated.

- vi. Where the student is registered on an apprenticeship programme, the outcome of the Panel of Inquiry shall be reported in confidence to the Head of Apprenticeships for notification in confidence to the sponsoring employer.

8. Assessment Board

- 8.1 The Panel of Enquiry will make recommendations to the relevant University Progression and Award Board.

9. Plea in Mitigation

- 9.1 In cases where malpractice has been found, a student will have the right to submit a written plea in mitigation to the Malpractice Panel. This may then be considered by the Malpractice Panel for reconsideration of the penalty, if appropriate.
- 9.2 The student will not have the right to attend, or be represented at, the Malpractice Panel whilst they consider the plea of mitigation, nor during the post discussion deliberations. The Malpractice Panel shall have absolute discretion in the admission of such evidence as they may consider relevant to the student's academic performance.

10. Appeals

- 10.1 The student may have the right to appeal against the malpractice penalty applied under the University's Academic Appeals Procedures in instances where they believe there are grounds for material administrative error, or regulatory or procedural irregularity (Appendix 5 Academic Appeals refers).

11. Roles & Responsibilities of Personnel engaged in Academic Malpractice Procedures

11.1 Marker/Module Tutor

The marker/tutor is responsible for assessing the students' work and for detecting issues of academic malpractice. On detection, the marker is responsible for providing the evidence and cross-referencing the assessment item with source documentation or samples of work. This is provided to the Module Leader, for discussion with the student.

11.2 Module Leader

- 11.2 The Module Leader is responsible for managing the minor procedures for academic malpractice as detailed in section 7.4, including establishing an appropriate outcome. Where necessary the Module Leader will be responsible for reporting the outcome to the Assessment and Awards Team.

- 11.2.2 Where an item requires attention under the major procedures, the Module Leader is responsible for producing a written report and forwarding this, with all evidence (including records of discussion(s) with the student), to the Assessment and Awards Team. This should be received within 5 days of the meeting with the student.

11.3 Assessment and Awards Team (Academic Registry)

11.3.1 The Assessment and Awards Team:

- i. initiates major malpractice procedures on receipt of evidence of suspected malpractice from a Module Leader
- ii. convenes Panels of Inquiry and provide the administrative support for the same
- iii. provides guidance and advice on these procedures
- iv. undertakes all necessary communications and administration in connection with the procedures, including providing the Panel, student and Student Union representative with documentation within 10 days of the meeting
- v. maintains files of student malpractice incident report forms
- vi. provides a senior officer to assist invigilators with cases of suspected cheating in examinations; discharges Panels of Inquiry which have been compromised
- vii. organises necessary staff development and training
- viii. keeps these procedures under review as needed via the Student Success & Quality Assurance Committee.

11.4 The Officer to the Panel of Inquiry

11.4.1 The Officer to the Panel of Inquiry is responsible for:

- i. informing the student of the details relating to investigations to be conducted under the major procedures
- ii. administrative support and advice on procedures
- iii. convening the Panel of Inquiry and of providing all documentation/evidence
- iv. producing the written report of the Panel of Inquiry
- v. ensuring that all written communications occur appropriately.

11.5 The Chair of the Panel of Inquiry

11.5.1 The Chair of the Panel of Inquiry is responsible for managing the conduct of the Panel (in accordance with Appendix 3d) and to ensure that the Secretary is informed of any additional material/evidence required for the purposes of the investigation.

11.6 The Panel of Inquiry

- 11.6.1 The Panel of Inquiry is responsible for investigating each case thoroughly, in accordance with the procedures. The Panel is also responsible for establishing an outcome in accordance with Appendix 3d and, on conclusion of the matter, for signing the written report.

11.8 Student Union Representation

- 11.8.1 All students are entitled to access Student Union support at all stages of the academic malpractice procedures. The member of the Students' Union in such circumstances will adopt the role of a 'friend'.

11.9 The Friend

- 11.9.1 The designated 'friend' is eligible to provide support to the student at the time of the meeting of the Panel of Inquiry. This would normally involve their being in attendance and, where necessary, assisting the student with their responses. It is not normal for the friend to speak out on the student's behalf entirely, owing to the purpose of the inquiry. They may, however, assist with articulation of responses and, where appropriate, issues of recall.

12. Review of the Procedures

The University reviews these procedures periodically.