

# Academic Misconduct Procedure

## 1. Introduction.

- 1.1 Glyndŵr University takes all forms of Academic dishonesty very seriously.
- 1.2 All instances of academic misconduct are serious failures to respect the integrity and fairness of the assessment process.
- 1.3 In operating this procedure Glyndŵr University undertakes:
  - 1.3.1. to ensure that the procedure is operated in a fair manner;
  - 1.3.2. to ensure that the procedure in any given case is brought to completion as soon as is reasonably practicable;
  - 1.3.3. to ensure that the academic misconduct procedure is accessible to all students;
  - 1.3.4. to ensure that procedures are fair, consistent and in accordance with equal opportunities;
  - 1.3.5. to ensure that principles of natural justice are observed throughout the operation of the academic misconduct procedure.

## 2. Definition of Academic Misconduct

- 2.1 It is academic misconduct to commit any act whereby a person may obtain for himself/herself or for another, an unpermitted advantage. This shall apply whether the candidate acts alone or in conjunction with another/others. Any action or actions shall be deemed to fall within this definition whether occurring during, or in relation to, a formal examination, a piece of coursework, or any form of assessment undertaken in pursuit of a qualification.
- 2.2 Without prejudice to the generality of the foregoing, examples of academic misconduct are shown below. These examples are not exhaustive and other cases may fall within the general definition of academic misconduct.

### 2.3 Examples of Academic Misconduct in Non-Examination Conditions

- 2.3.1. Plagiarism, which can be defined as using without acknowledgement another person's words or ideas and submitting them for assessment as though it were one's own work, for instance by copying, translating from one language to another or unacknowledged paraphrasing. Further examples of plagiarism are given below:
  - i. Use of any quotation(s) from the published or unpublished work of other persons, whether published in textbooks, articles, the

Web, or in any other format, which quotations have not been clearly identified as such by being placed in quotation marks and acknowledged.

- ii. Use of another person's words or ideas that has been slightly changed or paraphrased to make it look different from the original.
- iii. Summarising another person's ideas, judgements, diagrams, figures, or computer programs without reference to that person in the text and the source in the bibliography.
- iv. Use of services of essay banks and/or any other agencies.
- v. Use of unacknowledged material downloaded from the Internet.
- vi. Re-use of one's own material except as authorised by the department.
- vii. Collusion, which can be defined as when work that has been undertaken by or with others is submitted and passed off as solely the work of one person. This also applies where the work of one candidate is submitted in the name of another. Where this is done with the knowledge of the originator both parties can be considered to be at fault.
- viii. Fabrication of data, making false claims to have carried out experiments, observations, interviews or other forms of data collection and analysis, or acting dishonestly in any other way.
- ix. Presentation of evidence of special circumstances to Assessment Boards, which evidence is false or falsified or which in any way misleads or could mislead Assessment Boards.

## **2.4 Examples of Academic Misconduct in Examination Conditions**

- 2.4.1. Introduction into an examination room and/or associated facilities any unauthorised form of materials such as a book, manuscript, data or loose papers, information obtained via any electronic device, or any source of unauthorised information.
- 2.4.2. Copying from or communication with any other person in the examination room and/or associated facilities except as authorised by an invigilator.
- 2.4.3. Communication electronically with any other person, except as authorised by an invigilator.
- 2.4.4. Impersonation of an examination candidate or allowing oneself to be impersonated.
- 2.4.5. Presentation of an examination script as one's own work when the script includes material produced by unauthorised means.
- 2.4.6. Presentation of evidence of special circumstances to Assessment Boards, which evidence is false or falsified or which in any way misleads or could mislead Assessment Boards.

### **3. Scope of this Procedure**

**3.1** This Procedure shall apply to allegations of academic misconduct on any assessed component contributing to an award of the University of Wales or any other awarding body. Students registered on a MPhil or PhD award are subject to the procedure as set out in the Regulations for these awards.

**3.2** Where an allegation of academic misconduct arises at any time **after** an individual has been admitted to a degree of the University of Wales, or any other award has been conferred or granted, Academic Board shall have the power to deprive the individual of the degree or to revoke such other academic award.

**3.3** To avoid any potential conflict of interest when a student is also a member of staff of that School, the Pro Vice Chancellor (Operations) may authorise the following variation to the procedure.

The Executive Dean/Dean or his/her nominee will assume the duties assigned to the Academic Leader.

### **4. Determination of Major and Minor cases of Misconduct**

**4.1** The determination of whether a case of academic misconduct is major or minor is done with the intention of finding the appropriate response, remedy and/or penalty for the allegation presented. The following factors should be taken into account:

**4.1.1.** The extent of the misdemeanour. A piece of work which has been downloaded verbatim from the internet will be regarded as a prima facie major breach, whereas a situation in which the proper citation of one or two articles is missing or incorrectly formatted could be considered a minor breach;

**4.1.2.** The degree of deliberation on the part of the student will be a significant consideration. Where the evidence suggests the student has been sophisticated in their use of unattributed material e.g. deliberate minor editing of plagiarised text to give the impression that it is the student's own work, this will normally be deemed major. Conversely, a large but single and unedited example of non-attribution within an essay which is otherwise properly referenced might be deemed minor;

**4.1.3.** Any misconduct occurring in a formal examination will be deemed major;

**4.1.4.** The assessment impact is not a relevant issue, i.e. cheating will not be condoned because the work in question is not heavily weighted in terms on credit.

- 4.1.5. If a student has committed a previous offence any further misconduct will be deemed major.

## 5. Procedure

### 5.1 Stage 1

- 5.1.1. An internal or external examiner or any other person who, whether in the course of the marking period or subsequently, considers or suspects that a candidate has engaged in academic misconduct, shall report the matter in writing to the Subject Leader as soon as possible.
- 5.1.2. If the Programme Leader considers that there is a prima facie case of academic misconduct he/she will report the matter in writing to the Superintendent of Examinations and the Academic Leader.
- 5.1.3. The Superintendent of Examinations and the Academic Leader will determine whether it is a minor or major offence. If there no agreement the matter will be determined by a Pro Vice-Chancellor.

### 5.2 Stage 2 Minor Offence

- 5.2.1. Minor Offences will be dealt with by a Committee consisting of the Academic Leader, Programme Leader and the Superintendent of Examinations.
- 5.2.2. The Academic Leader will invite the student to admit or deny the allegation and the student will be permitted to defend themselves in writing and in person. The student will be allowed to be accompanied.
- 5.2.3. Having taken into account the evidence and the defence, if any, the Committee will decide whether the candidate is guilty of the offence, and if so, the appropriate penalty, and will notify the student in writing.
- 5.2.4. Where a student is found to be guilty of the offence the Committee may impose one or more of the following penalties:
  - i. The issue of a formal reprimand;
  - ii. The reduction by any amount of any or all of the marks obtained by the student in the element of assessment concerned.

### 5.3 Stage 2 Major Offence

- 5.3.1. Major offences will be considered by a Committee of Enquiry.
- 5.3.2. The Superintendent of Examination or other officer designated by the Academic Registrar shall arrange for an appropriate Committee of Enquiry to be convened as soon as possible, normally within 6 working weeks of the allegation being made. The Academic Registrar will nominate a member of staff to act as Secretary to the Committee. The Designated Officer, who shall present the case against the candidate, shall not act as Secretary to the Committee.
- 5.3.3. Each Committee of Enquiry shall consist of 3 full time members of Academic Staff independent of the subject area in which the student is studying. The Chair of the Committee of Enquiry shall be designated by the Academic Registrar from amongst the three members of the Committee. An independent person may be appointed as an additional member of the Committee at the discretion of the Academic Registrar.
- 5.3.4. Meetings of Committees of Enquiry shall normally be held at Glyndŵr University unless alternative arrangements have been agreed such as a Collaborative Partner's campus or by the video network.
- 5.3.5. As soon as reasonably practicable after the appointment of the Committee of Enquiry the Secretary of the Committee shall:
  - i. notify the Designated Officer and members of the Committee of Enquiry of the date, place and time of the meeting and supply them with copies of the allegation and of any statements or documents;
  - ii. inform the student of the date, place and time when the Committee of Enquiry intends to meet and that he/she has the right to be represented or accompanied, to hear all the evidence, to call and question witnesses and to submit other evidence, including evidence of mitigating circumstances;
  - iii. send to the candidate copies of statements of witnesses and of documents to be placed before the Committee of Enquiry, and offer the candidate an opportunity to indicate any statement or documents which may be in dispute.
- 5.3.6. Documentary evidence shall be sent by the student to the Academic Registrar/Secretary or other designated officer prior to the date of the meeting and circulated to members of the Committee. Any further evidence made available on the date of the meeting may be presented to the Committee but only with the express permission of the Chair.
- 5.3.7. The candidate shall be required to inform the Secretary whether or not he/she intends to attend the meeting of the Committee of

Enquiry. If the candidate indicates that he/she does not wish to attend the meeting, the Committee of Enquiry shall proceed in his/her absence. In such a case the student can elect to be represented at the meeting. Where no response is received from the candidate, there may be one postponement of the Committee of Enquiry pending investigation (e.g. to establish whether the candidate has received the communications).

- 5.3.8. A candidate who intends to be accompanied and/or represented shall inform the Secretary of the name of the person accompanying and/or representing him/her in writing in advance of the meeting, and shall state whether or not the person representing or accompanying him/her has legal qualifications. Such persons cannot attend the meeting in a legal capacity.
- 5.3.9. Should a candidate not attend the meeting of the Committee of Enquiry, having previously indicated to the Secretary that he/she would attend, and provided that all reasonable means have been taken to contact the candidate, the meeting shall proceed in his/her absence.
- 5.3.10. The functions of the Committee of Enquiry shall be:
- i. to consider the evidence submitted to it on the allegation of academic misconduct;
  - ii. to determine whether the allegation has been substantiated. Such a determination shall normally be made on the balance of probabilities;
  - iii. to determine, in appropriate cases, the penalty to be imposed.
- 5.3.11. In cases where two or more candidates are accused of related offences, such as in the case of collusion, the Chair may decide to deal with the cases together. However, each candidate shall be given the opportunity to request that the cases be heard separately.
- 5.3.12. The Designated Officer shall present the case against the candidate, calling such witnesses and presenting such evidence as the Superintendent thinks fit. Additional documentary evidence in support of the case against the student may only be presented to the Committee on the day of the hearing, with the express permission of the Chair.
- 5.3.13. The Designated Officer may question both the student and witnesses. The student may question the witnesses called by the Superintendent of Examinations.
- 5.3.14. The candidate shall have the right to be represented or accompanied, to hear all the evidence brought against him/her,

to call and to question witnesses, and to submit other evidence. Additional documentary evidence including evidence of mitigating circumstances may only be presented to the Committee on the day of the hearing, with the express permission of the Chair. The Chair may invite contributions from the person accompanying the student.

- 5.3.15. Members of the Committee of Enquiry may ask questions of the candidate, the Designated Officer and of the witnesses.
- 5.3.16. Witnesses shall be concerned only with evidence relating directly to the allegation and shall normally withdraw after questioning. The Chair may wish to consider allowing witnesses to remain in the hearing throughout the submission of evidence. The agreement of both parties to this shall be obtained.
- 5.3.17. When the submission of evidence and the questioning of witnesses are completed, all persons, other than the members of the Committee and the Secretary shall withdraw.
- 5.3.18. The Chair of the Committee may approve an adjournment of the hearing following a reasonable request from any party.
- 5.3.19. The Committee of Enquiry shall then consider whether the allegation has been substantiated. The Committee would not normally be required to prove intent on the part of the candidate to engage in an act of academic misconduct in order to substantiate the allegation, but additional proof of intent may be relevant to the Committee in arriving at an appropriate penalty.
- 5.3.20. The Committee of Enquiry shall not normally be informed, before reaching its verdict on the allegation under consideration, of any evidence of previously substantiated allegations of academic misconduct. The Committee shall however be so informed before determining the penalty in appropriate cases. In exceptional cases, evidence of previous substantiated acts of academic misconduct may be disclosed prior to the verdict of the Committee where such evidence:
  - i. rebuts a claim of previous good character made by the candidate/representative;
  - ii. is relevant to the allegation under consideration (other than merely showing that the candidate had a disposition to commit the facts alleged) and that its prejudicial effect does not outweigh its probative value.
  - iii. If the Committee finds that the case has been substantiated, it shall then consider the penalty to be imposed.

- 5.3.21. When determining the penalty to be imposed, the Committee shall consider the candidate's record, including profile of marks, and any assessment conventions and regulations for the programme of study in question. The Committee should also consult any guidelines issued on the appropriateness of penalties for different levels of offences.
- 5.3.22. If the Committee finds that the case has not been substantiated the candidate shall be informed of the outcome in writing. All record of the case shall be removed from the student's file.
- 5.3.23. The penalties available to the Committee for academic misconduct by all students except research degree students are:
- i. The issue of a formal reprimand to the candidate, a written record of which shall be kept.
  - ii. An instruction to the examiners, when marking, to ignore any plagiarized text, this may result in a reduced mark. (This penalty only applies to academic misconduct in non-examinable conditions)
  - iii. The cancellation of the candidate's marks in part or in whole for module(s) concerned, or in all of the modules for the year in question or the equivalent for a part-time candidate, with a recommendation as to whether or not a re-assessment should be permitted, either with eligibility for the bare pass mark only or for the full range of marks.
  - iv. The reduction of the degree result by one class or the non-award of a distinction, as appropriate.
  - v. The disqualification of the candidate from any future examination.
  - vi. If a Committee of Enquiry decides that the above penalties are inappropriate, the Committee may use its discretion to decide upon the appropriate penalty.
  - vii. The Committee of Enquiry shall apply one or any combination of the above penalties.

The Committee of Enquiry shall apply one or any combination of the above penalties:

- 5.3.24. In exceptional circumstances where an allegation has been substantiated and the Committee is concerned that this may affect the candidate's ability to practise in a particular profession, the case shall also be considered under the Suitability to Practise Procedure.
- 5.3.25. Where the candidate has received a formal reprimand, the Committee may recommend that the candidate should receive advice from an appropriate member of staff, in order to make clear the reasons for the Committee's decision and to ensure

that the cause of the action (e.g. unintentional plagiarism) is discussed with the student to ensure that any future repeat offence by him/her cannot then be classed as 'inadvertent'.

- 5.3.26. When the Committee of Enquiry has investigated the facts of the alleged academic misconduct the Secretary shall in his/her report state whether or not the allegation has been substantiated and the penalty imposed where appropriate. The report shall be submitted, to the Academic Registrar or other designated officer as soon as possible after the Enquiry has been completed.
- 5.3.27. If the finding of the Enquiry is that a case has not been substantiated, the Chair of the Committee of Enquiry may inform the candidate orally of this. Irrespective of whether or not the candidate is informed orally, the Academic Registrar or other designated officer shall notify the candidate formally in writing of the Committee of Enquiry's findings and that the matter is therefore closed.
- 5.3.28. If the finding of the Enquiry is that the allegation has been substantiated, the Chair of the Committee of Enquiry may inform the candidate orally, *but there shall be no discussion of the Committee's decision with the candidate*. Irrespective of whether or not the candidate is informed orally, the Academic Registrar or other designated officer shall inform the candidate of the findings and the penalty imposed within five working days. The penalty shall be recorded on the student's record.
- 5.3.29. The Academic Registrar or other designated officer shall further inform the candidate of his/her right of appeal. Any such appeal shall be sent, in full, in writing to the Academic Registrar and must reach him/her not later than ten days after dispatch to the student of the Committee's decision.
- 5.3.30. Where the allegation has been substantiated, the Assessment Board concerned shall determine the candidate's overall examination result in the light of the penalty imposed by the Committee of Enquiry. If the Committee of Enquiry has decided that the mark obtained for the unit of assessment in which academic misconduct has occurred shall be cancelled, the Assessment Board shall award a mark of zero for the unit and shall then determine the candidate's overall result.
- 5.3.31. Normally, Glyndŵr University will not make any public pronouncements of decisions of Committees of Enquiry. However, a student, in respect of whom a determination has been made, shall have the right to require Glyndŵr University to publish any determination should the candidate so wish, and a

record of all such cases will be maintained, which will be available to the public on request.

- 5.4 The Designated Officer, in consultation with the Chair of the Assessment Board, shall arrange for the publication of such supplementary pass-list as may be necessary.
- 5.5 If a case of alleged academic misconduct is under investigation at the time of the meeting of the relevant Assessment Board, the Board shall defer consideration of the candidate's work until the Committee of Enquiry has made a decision on the case and the decision has been conveyed to the Chair of the Assessment Board.
- 5.6 Should a case be under investigation when a pass-list is due for completion and publication, the name of the candidate concerned shall be withheld from the pass-list and a supplementary pass-list issued as appropriate.
- 5.7 An Assessment Board shall also have authority to cancel a result previously published and to publish a supplementary pass-list, if a case of academic misconduct arises subsequent to the publication of the original pass-list.

## **6. Appeals**

- 6.1 Details of the relevant Appeals Procedure are given in the Appendix to this Procedure.

## **7. Report and monitoring**

- 7.1 The Academic Registrar or his/her nominee shall receive a report on the outcome of each case of academic misconduct considered by a Committee of Enquiry.
- 7.2 Each Academic Leader shall submit a report to the Academic Registrar by the 1<sup>st</sup> of October which will:
  - 7.2.1. Identify the number of cases considered under the minor cases procedure
  - 7.2.2. Provide a brief summary of the outcome of each case
  - 7.2.3. Comment on the effectiveness of the procedure
  - 7.2.4. Make recommendations for modification of the procedures where appropriate.
- 7.3 The Academic Registrar will submit an annual report to Academic Board which will:
  - 7.3.1. Identify the number of cases considered under the academic misconduct procedure
  - 7.3.2. Provide a brief summary of the outcome of each case
  - 7.3.3. Comment on the effectiveness of the procedure

7.3.4. Make recommendations for modification of the procedures where appropriate.

## Appendix 1

### **Appeals by candidates found guilty of academic misconduct**

The following procedure does not apply in the case of candidates who have had their case considered under the Minor Misconduct procedure. Such candidates are advised that, instead, they may have recourse to appeal against the decision of the Assessment Board under the separate Glyndŵr University Academic Appeals: Review of Assessment Board decisions procedure. Copies of this procedure are available upon request from Registry Services.

- 1 Glyndŵr University is only prepared to consider appeals arising from decisions of Committees of Enquiry where the appeal is based upon one or both of the following grounds:
  - 1.1 irregularities in the conduct of the Academic Misconduct procedure, which are of such a nature as to cause reasonable doubt whether the Committee would have reached the same decision had they not occurred;
  - 1.2 exceptional personal circumstances which were not known to the Committee of Enquiry when the candidate's case was considered and which can be shown to be relevant to the academic misconduct. (In appeals based on these grounds the appellant must show good reason why such personal circumstances were not made known to the Committee of Enquiry before its meeting. Where a candidate could have reported exceptional personal circumstances to the Committee of Enquiry prior to its meeting, those circumstances cannot subsequently be cited as grounds for appeal.)
- 2 Any appeal against a decision of a Committee of Enquiry shall be sent in full, in writing to the Academic Registrar, and must reach him/her not later than ten days after despatch to the candidate of the Committee's decision. Simple notice of appeal given in writing by a candidate within the above deadline shall not be deemed to constitute an appeal proper and shall not be accepted. The Chair shall, at an Appeal Board meeting, have discretion to declare inadmissible any matter introduced by the appellant, or by any member of staff or student accompanying the appellant, if he/she deems it not directly related to the contents of the appeal previously lodged in writing within the stipulated deadline.
- 3 On receipt of an appeal, the Academic Registrar or his/her nominee shall, where appropriate to the circumstances of the case, consult the Chair of the Committee of Enquiry concerned.
- 4 The Vice Chancellor, or his/her nominee, is required to disallow an appeal:

- 4.1 which is based on factors which were known to the Committee of Enquiry when the penalty was imposed;
  - 4.2 which introduces information which was known to, and could have been reported by, the candidate prior to the meeting of the Committee of Enquiry.
- 5 If it is decided by the Vice Chancellor or his/her nominee that there is a prima facie case to be considered, it shall be referred to an Appeal Board. The Appeal Panel shall consist of three persons, one of whom shall be the Vice Chancellor or his/her nominee, and two members of the Academic Board who shall be independent of the School of the candidate concerned.
- 6 The Appeal Panel shall have delegated powers to act on behalf of the Academic Board.
- 7 An appellant shall be offered a personal hearing by the Appeal Board and shall accordingly be informed in advance of the time and date of the meeting. The appellant may be accompanied by a member of the academic or welfare or advisory staff of the Institution concerned or by a student or officer of the Student Guild at the Institution concerned, but not by any other individual. The appellant may not send any other person to an Appeal Board in his/her stead.
- 8 The Appeal Panel shall base its decision on the evidence of the appellant's submission and the testimony of the Chair of the Committee of Enquiry concerned, together with any further evidence which it considers relevant.
- 9 The decision of the Appeal Board shall be conveyed to the Academic Registrar.
- 10 The Appeal Board shall be empowered to take one of the following decisions:
  - 10.1 to confirm the original penalty;
  - 10.2 to vary the original penalty;
  - 10.3 to disallow the original penalty;
  - 10.4 to require a Committee of Enquiry to re-hear the case.
- 11 The decision of the Appeal Board shall be final, and the matter shall, therefore, be regarded as closed. There shall be no discussion of the decision of the Appeal Board with the appellant or any other person.

- 12 If an appeal is upheld, the Academic Registrar, in consultation with the Chair of the Assessment Board, shall then arrange for the publication of such supplementary pass-list as may be necessary.
- 13 If, as a consequence of a successful appeal, a candidate is regarded as having qualified for an award, such a candidate shall be granted that award at the first available opportunity.
- 17 The Appeal Board may make recommendations for consideration by the appropriate committee on any matters arising from the consideration of appeals.

**18 *Office of the Independent Adjudicator for Higher Education (OIA)***

*Glyndŵr University participates in the Office of the Independent Adjudicator scheme for the independent review of student complaints. Once all the relevant procedures above have been exhausted a student may take their complaint to the Office of the Independent Adjudicator for Higher Education (OIA). A Scheme Application Form must be sent to the OIA within three months of the date of notification of completion of procedures letter.*

*A Scheme Application Form can be obtained from either the Academic Office or Registry Services or the Student Guild or downloaded from the OIA website [www.oiahe.org.uk](http://www.oiahe.org.uk) (or you can telephone or write to the OIA for a form). The address of the OIA is*

*Office of the Independent Adjudicator  
5th Floor  
Thames Tower  
Station Road  
Reading  
RG11 1LX  
Tel: 01189 599813  
e-mail: [enquiries@oiahe.org.uk](mailto:enquiries@oiahe.org.uk)*

## A Guide to the Academic Misconduct Procedure

