



Higher Education Course Regulations 2017/18

Section 6: Academic Misconduct

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The following regulations apply to all taught Higher Education courses at the University of the Arts London. Further Education regulations and guidance are provided by the University of the Arts London Awarding Body.

Academic Misconduct

6.1. Academic Misconduct Procedures

- 6.1.1. The tutor reports the suspicion to the Course Leader (or equivalent senior member of staff) using the standard template provided, including any evidence gathered in support of the allegation.
- 6.1.2. The Course Leader or equivalent will consider the allegation:
- Where the Course Leader considers that misconduct has taken place they will determine a course of action based upon the severity of the alleged misconduct.
 - Where the Course Leader concludes that misconduct has not taken place, no further action will be taken. The report form will be forwarded to the Academic Misconduct Panel Clerk for filing.
 - If the student's behaviour could be considered a serious breach of the Disciplinary Code for Students, the case should be referred to the Dean, who will consider whether the Disciplinary Procedures should be invoked in conjunction with the Academic Misconduct Procedures below.

6.2. Minor Misconduct

- 6.2.1. Where the Course Leader considers that a minor breach of the regulations has taken place, they may exercise the discretion to address the matter through tutorial advice and support for the student.
- 6.2.2. The Course Leader will write to the student using the standard template provided, informing them of the allegation and the decision to address the matter through learning and teaching support. The letter will include details of additional tuition arrangements and sources of advice, where appropriate. The Academic Misconduct Report Form, supporting evidence and any related correspondence should be forwarded to the Academic Misconduct Panel Clerk.

6.3. Moderate & Serious Misconduct

- 6.3.1. Where the Course Leader considers that a moderate or serious breach of the regulations has taken place, they will send an initial warning letter to the student, using the standard template provided. The letter will explain that an allegation of academic misconduct has been made, and is under investigation, and will include a copy of the Academic Misconduct Procedures.
- 6.3.2. The Course Leader will lead an investigation into the allegation, following the prompts on the report template provided.
- 6.3.3. The investigation should include a discussion with the student. The student should be given at least 7 days' notice of the meeting and should be given the opportunity to attend on a mutually convenient date. If, once arrangements have been agreed, the student fails to

attend on the agreed time and date, the College will provide one further opportunity for the student to attend. If the student fails to attend a second time, or if the student fails to respond to all reasonable attempts to make arrangements, the investigation will continue without the initial meeting.

6.3.4. The Course Leader will complete the written report on the standard template provided and submit it to the Chair of the Academic Misconduct Panel, together with any evidence.

6.3.5. The Chair will consider the report and evidence and determine an appropriate course of action, based upon the severity of the allegation:

- a) If the Chair considers that there is insufficient evidence for the case to go forward to the Academic Misconduct Panel, the student will be informed, in writing, that the case has been closed. The report, evidence and any correspondence in relation to the case will be kept as a record.
- b) If the student admits to a moderate or serious breach of the regulations during the investigation phase, the Chair of the Academic Misconduct Panel will use their discretion to either:
 - i. Make a recommendation to the Exam Board on the severity of the misconduct and an appropriate penalty, without the need to convene a full panel. The Chair will inform the student using the standard template provided. The letter will include the Course Leader's written report and any supporting evidence
 - or
 - ii. Convene an Academic Misconduct Panel Hearing. The Chair will inform the student using the standard template provided, giving details of the arrangements for the Hearing. The letter will include full details of the allegation, including the Course Leader's written report and evidence, and a copy of the Academic Misconduct Procedures.
- c) If the student contests an allegation of moderate or serious misconduct during the investigation phase, and there is sufficient evidence for the Academic Misconduct Panel to consider the case, the Chair will convene an Academic Misconduct Panel Hearing. The Chair will inform the student using the standard template provided, giving details of the arrangements for the Hearing. The letter will include full details of the allegation, including the Course Leader's written report and evidence, and a copy of the Academic Misconduct Procedures.

6.4. Academic Misconduct Panel Hearing

6.4.1. For contested moderate or serious cases of misconduct, or for more complex cases of admitted serious misconduct, the Chair will convene an Academic Misconduct Panel Hearing.

6.4.2. The student will be given at least 14 days' notice of the Hearing and should be given the opportunity to attend on a mutually convenient date. If, once arrangements have been agreed, the student fails to attend on the agreed time and date, the College will provide one further opportunity for the student to attend. If the student fails to attend a second time, or if the student fails to respond to all reasonable attempts to make arrangements, the Hearing will take place in the absence of the student concerned.

- 6.4.3. The Panel will agree an agenda in advance. All members of the panel and the student concerned will be sent copies of the Course Leader's report, any supporting evidence available and a copy of the Academic Misconduct Procedures.
- 6.4.4. The student will be invited to present his/her case before the Panel in writing or in person. In presenting the case to the Panel the student may be supported by a 'friend'. The role of the friend should be advisory with no direct right of representation or submission.
- 6.4.5. After consideration of all the evidence available, the Panel may make one of the following decisions:
- a) Where the Panel is not satisfied that misconduct has taken place, the student will be informed in writing and a copy of the letter kept as a record.
 - b) Where the Panel is satisfied that misconduct has taken place, it will make a recommendation to the Exam Board on the severity of the misconduct and an appropriate penalty. The student will be informed in writing and a copy of the letter will be kept as a record.
- 6.4.6. Where the student's behaviour comes under the definition of Gross Misconduct, the Panel should also refer the case to the University Secretary and Registrar, who will consider whether University Disciplinary Procedures should be invoked in conjunction with the Academic Misconduct Procedures.
- 6.4.7. The Academic Misconduct Panel proceedings, including the Panel's decision and detailed reasons for the decision, will be fully minuted by the Clerk of the Academic Misconduct Panel.

6.5. Exam Board Decisions on Academic Misconduct

- 6.5.1. The Exam Board (or equivalent body) will agree an appropriate penalty, based on the recommendation of the Academic Misconduct Panel. The normal course regulations regarding decisions on failure, retrieval and reassessment will apply. The Exam Board will also take into consideration any validated Extenuating Circumstances that may be relevant to their decision.
- 6.5.2. For an assignment submitted for the first time:
- a) For moderate misconduct, the Exam Board will normally Fail the student for that unit, giving a grade of F- with the requirement to resubmit the affected assignment(s). All resubmissions will be capped at D-.
 - b) For serious misconduct, the Exam Board will normally Fail the student for that unit, giving a grade of F- with the opportunity to retake the unit. All retaken units will be charged full fees.
 - c) For the most serious misconduct, the Exam Board may decide to Fail the student for that stage, giving a grade of F- with the opportunity to retake the year. All retaken units will be charged full fees.
 - d) Exceptionally, the Exam Board may, at its discretion and for reasonable cause, decide that a candidate may not be reassessed.
 - e) For Disciplinary Offences, the Disciplinary Hearing Panel may require the Exam Board to make a decision relating to the student's award.

6.5.3. The Exam Board will inform the student of the decision, in writing, within 1 week of the Board, using the appropriate template letter.

6.5.4. Where it is not possible for the above process to be completed before the Exam Board meets, the Board may, with reasonable justification, defer the decision on the student in question to the next meeting of the Exam Board or a Sub-Group of itself.

6.6. Appeals against Academic Misconduct Decisions

6.6.1. Requests for review of an Exam Board decision may be made on the grounds that:

- a) There was a material administrative error or other material irregularity in the conduct of the assessment (including Accommodated Assessment/reasonable adjustment for disabled students) or the application of the University's academic regulations;
- b) Extenuating Circumstances, which for valid reasons, had not been made known to the Exam Board which had they been referred might have led the Exam Board to reach a different decision;
- c) Any other matter which in all the circumstances ought properly to be considered by a University Appeals Body in the interests of fairness.

6.6.2. The normal University Appeals Procedures will then be followed.