



ACADEMIC MISCONDUCT POLICY

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<p>Summary:</p> <p>This document defines the process for investigating allegations of any form of academic misconduct and the penalties that may be imposed for proven cases.</p>	

SUMMARY OF CHANGES

One change was approved by Senate on 23 June 2021 for implementation from 1 September 2021. The change is at 12.1 and confirms that Completion of Procedures letters will be provided on request but not produced as a matter of course.

ACADEMIC MISCONDUCT POLICY

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ACADEMIC MISCONDUCT POLICY FOR TAUGHT PROGRAMMES

1 INTRODUCTION

- 1.1 The University takes very seriously all cases of academic misconduct. Students who gain improper advantage threaten the values and beliefs that underpin academic work and devalue the integrity of the University's awards. Academic misconduct, at any stage of a student's programme of study, whether discovered during a programme of study or following graduation, will be investigated and dealt with appropriately by the University. In proven cases, the penalties may extend to the deprivation of a qualification, termination of the programme, or revoking an award.
- 1.2 All Faculties shall nominate a pool of experienced academics, who have sufficient overview of academic misconduct issues to enable these procedures to be applied consistently and fairly across the university and its Collaborative Partners. These persons shall be known as Academic Conduct Officers (ACO). Please refer to Appendix 1 for further details of this role and its responsibilities.
- 1.3 This Policy applies to the summative work submitted by all students on undergraduate and taught postgraduate modules and programmes and postgraduate research programmes, including those delivered by a Collaborative Partner.
- 1.4 All students who are alleged to have breached academic integrity shall be kept fully informed of the allegation and the process to be followed in the event of an investigation. They shall also be given time and opportunity to respond to any allegation. Communication with the student shall be sent to the student's Unimail account, with the exception of the papers relating to a Hearing or where the student is no longer registered for a programme when all communication shall be sent by first class post/airmail, as appropriate.

Mitigating Circumstances

- 1.5 Academic misconduct cannot be legitimised by personal, medical, or family problems. A student with such problems should avail themselves of the concessionary mechanisms publicised and operated by their Faculty and by the University through Student Services as and when the problems arise. Students who are unclear about these mechanisms should seek advice from their Personal Tutor or Student Services. A student may submit mitigating circumstances for consideration by the University, but they will not be used to adjudge that an offence had not taken place, but might, if found valid, have an impact upon a penalty (which must carry a capped mark at the very least). In addition, the student may be required to undergo counselling and advice.
- 1.6 Mitigating circumstances shall not normally be taken into account for a repeated offence regardless of whether it is of the same or different type.

2 DEFINITIONS AND EXAMPLES OF ACADEMIC MISCONDUCT

- 2.1 **Student** refers to the individual who is alleged to have committed the offence even if the allegation is made after they have transferred to another programme, graduated or terminated their registration with the University.
- 2.2 **Academic integrity** means acting with honesty to fulfil the requirements set for academic work. This includes always attributing and acknowledging sources, assistance with language correction and proofreading whether informally or via a professional proofreading service (see Appendix 3) and by not relying on dishonest means to gain improper advantage. As a matter of course, students are expected to act honestly in regard to the work they submit for assessment.
- 2.3 **Academic misconduct** means any attempt by a student to gain improper advantage in any assessment by infringement of the University's regulations, or by any attempt to assist another student to gain improper advantage.

Examples of academic misconduct

- 2.4 The list below is not exhaustive and where the University deems an offence to fall within the above definition, it shall be treated under this policy. For examples of lapses in academic style or integrity which may fail marking criteria but are not normally treated as poor academic practice or academic misconduct see paragraph 2.15 below.
- 2.5 **Poor academic practice** means that there is a material deficiency in an assessment which counts as misconduct. Poor academic practice can normally be expected to occur in the early part of a student's career, and to involve errors in the presentation of referencing and the quotation of material. While not as serious as other forms of academic misconduct, it is nevertheless unacceptable.
- a) Inaccurate citation or reference for a phrase, couple of lines or paragraph
 - b) Inaccurately citing a quote within a quote
- 2.6 **Plagiarism** is the verbatim or near-verbatim copying or paraphrasing without acknowledgement, from published or unpublished material which is the intellectual property of another, including the work of other students regardless of whether the work was used with or without permission from the author (see also Contract Cheating in 2.10 below).
- 2.7 **Self plagiarism** refers to a student re-using their own work that has been published or submitted previously for another assessment without referencing the source. Depending on the amount of the work re-used without reference, it may be considered poor academic practice or plagiarism.
- 2.8 **Cheating** is defined as bringing unauthorised materials into an exam venue, breaching University regulations, policies or procedures relating to assessments or using deceitful or fraudulent means to obtain an unfair advantage in an assessment.

Examples include, but are not limited to:

- a) communicating with, or copying from, any other candidate during an examination (unless expressly permitted by the rules of the specific examination rubric). This also includes students allowing someone else to copy from them;
 - b) taking into an exam venue unauthorised materials, software, electronic or communication devices (unless expressly permitted by the specific examination rubric);
 - c) seeking to obtain a copy of a 'closed' exam paper in advance of the time and date for its release (exam papers which are given to students in advance are known as 'open' papers);
 - d) bribing or attempting to bribe someone deemed to have an influence on the outcome of an assessment;
 - e) giving extra marks when self-marking a test;
 - f) any breach of the Exam or Invigilator Regulations.
- 2.9 **Collusion** is the unauthorised and unattributed collaboration of students or other individuals in the composition of a piece of assessed work, for instance two or more students developing or producing a piece of work together which is subsequently submitted as the independent work of one individual. This shall include the use of unauthorised pre-submission assistance from another person, to improve the accuracy of the language in which the assessment is written, to formulate a text, to adjust ideas, citations and referencing and/or improve the structure. Please see Appendix 3 for details of *Permitted Assistance for Language Correction*.
- 2.10 **Contract cheating** or 'ghosting' is when a student:
- a) submits as their own work, a piece of work that has been produced in whole or part by another person and/or organisation on their behalf, eg the use of a 'ghost writing' service or similar via the Internet. This may include the purchase of an assessment from an organisation or an individual;

- b) makes available (in hard copy or by posting on the internet) or sells instructions, briefs, essays, or other assessments to another student (of this University or elsewhere) whether in exchange for financial gain or otherwise.

2.11 **Falsification** is any attempt to present fictitious or distorted material contributing to an assessment and/or knowingly making use of such material.

Examples of falsification:

- a) false citation;
- b) falsification of data;
- c) falsely claiming to have conducted experiments, observations, interviews or any form of research which the student has not carried out;
- d) invention of references, evidence, experimental results and/or false claims.

2.12 **Unethical conduct** which deviates from the ethical standards for academic work, as defined in the *RKE Ethics Policy*.

Examples include:

- a) failure to gain ethical approval, where appropriate;
- b) coercion or bribery of project participants (excluding legitimate payment);
- c) breach of confidentiality or improper handling of privileged or private information on individuals gathered during data collection.

2.13 **False declarations or false evidence** submitted by a student in order to receive special consideration by an Extenuating Circumstances Officer, Student Services, Exam Board or other University body, including requests for an extension and/or exemption from work, Learning Agreement, or an appeal.

2.14 **Personation** is the assumption by one person of the identity of another person with intent to deceive or to gain unfair advantage. It is the legal term for what is usually described by the lay person as 'impersonation'.

Examples of personation:

- a) one person assumes the identity of a student, with intent to gain unfair advantage for the student;
- b) the student is knowingly and willingly impersonated by another with intent of gaining unfair advantage for himself/herself.

2.15 **Lapses in academic conduct and good practice**

These are not deemed as poor academic practice or academic misconduct and are not therefore penalised under this Policy. However, a student can expect markers to deduct marks for these lapses, as they indicate a poor or careless writing style and may mean the student has failed to meet the marking criteria:

- a) one or more instances of a couple of lines copied or paraphrased from another source correctly cited but without quotation marks
- b) incomplete bibliography
- c) missing bibliography
- d) lapses in style, formatting or presentation
- e) wrong referencing style, as required by the programme, but a correct style in itself and consistent throughout
- f) two or more referencing styles used
- g) lapses in correct referencing style

- h) lapses in a referencing style that is the wrong style for the programme
- i) failure to provide translation of quotes, where required
- j) some collaboration between students evidenced in structure and sources, but original writing throughout

3 PROCEDURES FOR INVESTIGATION OF ALLEGATIONS OF ACADEMIC MISCONDUCT

3.1 These procedures are established by Senate for dealing with all allegations of academic misconduct at all levels, whether current or retrospective.

Collective Responsibility to Report Suspected Offences

- 3.2 It is expected that most instances of suspected cheating, academic misconduct or other forms of unfair advantage will be identified by staff actively involved in the marking process. For this reason, the procedures listed below refer to identification of breaches of academic conduct by markers.
- 3.3 However, all staff, students and External Examiners have a responsibility to report instances of suspected cheating, academic misconduct or other forms of unfair advantage, where they have reason to believe that an offence may have occurred. In these cases, the individual shall report the matter to the Programme Leader in the first instance as a matter of urgency. This includes cases where staff, involved in an academic misconduct investigation, identify additional instances of academic misconduct which were not identified in the original allegation.
- 3.4 Where allegations of academic misconduct are notified to staff or students by an individual outside the University, the individual and/or evidence shall be referred to the Academic Registrar, in the first instance.
- 3.5 Wherever possible, the identity of the person reporting the allegation shall be kept confidential.
- 3.6 The determination of whether cheating, academic misconduct or other forms of unfair advantage is proven is not a matter for the Programme, the Department, the External Examiner, or the Examination Board. It is determined by the Academic Conduct Officer allocated to the investigation or the Academic Misconduct Hearing Panel.
- 3.7 At the conclusion of the investigation, one copy of all papers relating to each allegation of academic misconduct shall be retained by Registry, except where it is found that there is no case to answer, in which case all papers and electronic communications shall be destroyed.
- 3.8 Faculties should destroy all additional copies of papers at the close of each investigation and refer any subsequent queries to Registry.

Action for Current and Retrospective Allegations

- 3.9 Where the allegation relates to the current academic year, it shall be investigated in accordance with the procedures outlined below.
- 3.10 Where the allegation relates to an assessment taken in a previous academic year and it is unclear which process should be followed, the matter should be referred to one of the Academic Conduct Officers in the Faculty concerned, who shall consult with the Academic Registrar about how best to proceed.
- 3.11 There are 5 possible procedures that may be followed according to the type and/or timing of the allegation. If there are queries about which process should be followed, please seek advice from the Student Conduct Officer in Registry or an Academic Conduct Officer.

Process A	Allegations of poor academic practice
Process B	Allegations of Plagiarism, Falsification, Collusion, Contract Cheating as well as second or subsequent allegations of poor academic practice

Process C	Allegations of Cheating in an Exam or Practical Assessment
Process D	Allegations of Attempting to Obtain Unauthorised Access to Exam Question Papers, Bribery Attempts, Unethical Conduct and False Declarations
Process E	Allegations of Personation

Use of Turnitin

3.12 Programmes may opt to use Turnitin in various ways including, but not exclusively:

- a) encouraging students to use Turnitin as a formative process in preparing assessments;
- b) requiring all students to submit their work via Turnitin before submission and including the Turnitin report with their assessment;
- c) submitting all assessments or samples of assessment for a particular modules via Turnitin;
- d) submitting assessment via Turnitin only when an allegation of academic Misconduct is suspected.

3.13 Where allegations of academic misconduct are taken forward, Turnitin may be used as part of the investigation. Where Turnitin is used, 'exclusions' should be set for quotes, bibliography and matches of less than 6 words.

3.14 Academic Conduct Officers shall proceed with an investigation in the usual way, regardless of whether Turnitin has been employed prior to the allegation being made.

3.15 If the marker is using Turnitin to identify poor academic practice or more serious forms of academic misconduct, they shall review the extracts identified by Turnitin and specify which extracts justify the allegation of either poor academic practice or plagiarism etc. Simply citing the overall 'Similarity Index' percentage is not enough to justify an allegation.

Process A Poor Academic Practice

A1 Identifying and Confirming poor academic practice

Where a marking tutor, moderator or External Examiner is of the opinion that they have identified an instance of poor academic practice they shall, within 5 working days:

- a) immediately cease grading and the writing of comments on the work and remove a final mark if already noted;
- b) mark up the assignment to indicate the extent and, where appropriate, source(s) of the poor academic practice. They may, where necessary, seek assistance from colleagues.
- c) liaise with the first marker or moderator/double marker (as appropriate) to determine whether the offence is poor academic practice or not within the normal marking timescale¹. If the first marker identified the problem and there is no moderator or double marker, then the first marker shall liaise with the Programme Leader.

If they disagree, they should proceed as outlined in A2 below.

If they agree that there is evidence of poor academic practice, the first marker shall be responsible for:

- d) contacting the Student Conduct and Postgraduate Records Officer in Registry for confirmation whether this is a first offence;
- e) if Registry confirms that this is a first offence or concurrent with a first offence², either passing the paperwork directly to an Academic Conduct Officer from another Department or to the Chair of FADC responsible for Learning & Teaching, who shall then pass the details to an Academic Conduct Officer from another department within the Faculty (depending on Faculty practice in this regard)³

The first marker shall pass the paperwork to the ACO, normally no later than five working days after the work was due to be returned to the students, and shall include:

- f) the assignment, marked up as described in b) above;
- g) confirmation about whether this is a first or second attempt;
- h) confirmation whether there are any programmatic or PRSB requirements that debar the student from the usual right to a second attempt;
- i) confirmation of the date on which the work is/was due to be returned. (See A4 below)

A2 Markers disagree regarding evidence of poor academic practice

Where the markers, identified in A1 c) above, do not agree that the offence is poor academic practice, the following action shall be taken:

- a) if agreement is reached that there is no evidence of poor academic practice, then no further action will be taken and any document or electronic correspondence relating to the allegation shall be destroyed;
- b) if agreement is reached that there is evidence of a more serious form of academic misconduct, then the matter shall be treated in accordance with Process B below;

¹ See A4 below if the deadline for marking time has been reached or is imminent.

² See paragraph A5 for what to do if Registry confirms that this is not a first offence.

³ Where the programme is delivered by a Collaborative Partner and the Dean has appointed an Academic Conduct Officer from within the Department to deal with all investigations that arise from that Collaborative Partner, the matter shall be referred to that Academic Conduct Officer.

- c) if no agreement can be reached, then the paperwork shall be forwarded to an Academic Conduct Officer from another Department or to the Chair of FADC responsible for Learning & Teaching, who shall then pass the details to an Academic Conduct Officer from another department within the Faculty. See A6 below. .

A3 Role of Academic Conduct Officer

- a) The Academic Conduct Officer shall review the evidence⁴ and, if they concur with the marker(s), they shall issue a written warning (via email) recording poor academic practice to the student, normally within 5 working days of receiving the paperwork from the first marker. The email, based on the Template in Appendix 2, shall include:
 - i) confirmation that poor academic practice has been identified in the assessment;
 - ii) an instruction to the student that they should undertake further academic integrity training to help them improve their academic practice. To this end they are directed to view the online YouTube video '*Referencing and Plagiarism - a super-quick guide*' (regardless of whether they have done so previously), within 5 working days of the date of the email and contact either Academic Skills in Student Services (academicskills@winchester.ac.uk) or their Programme Leader to arrange appropriate academic skills training. The training should normally be completed within 15 working days of the date of the Academic Conduct Officer's email;
 - iii) confirmation that the assessment has been failed and details of the penalty to be imposed in accordance with Table 2 in Section 10 of this Policy, including whether the student is permitted a second attempt. ;
 - iv) a warning that should they be the subject of a future allegation of poor academic practice for another assessment, this shall be subject to a stricter penalty;
- b) The email shall be copied to the first marker, Programme Leader, Programme Administrator and the student's Personal Tutor and Academic Skills (for students at the University of Winchester), the Student Conduct Officer in Registry and the Academic Liaison Officer (for students at a Collaborative Partner).
- c) If the second attempt fails to correct the poor academic practice satisfactorily and the offence is continued, exceptionally a third attempt may be allowed at level 4.
- d) Where the assessment is not written in English (reserved for Collaborative Partners outside the UK), the Academic Conduct Officer shall consult with the University's Academic Liaison Officer who is familiar with the language.

A4 Timescale for completion and informing the student

This process shall be completed as quickly as possible but this will depend on when the problem is identified. If the process is completed within the normal period for marking and returning work, the student shall be informed by the ACO (see A3 above).

The work shall normally reach the ACO no later than 5 working days after the work is due to be returned. If it seems likely that the process shall not be completed before the work is due to be returned, the first marker shall liaise with the Programme Administrator and the ACO to discuss the timings and, where appropriate, the Programme Administrator shall email the student, via Unimail a day or two before the work is due to be returned, to confirm that there will be a delay due to an investigation of poor academic practice.

A5 Registry confirms concurrent, second or subsequent offence

A concurrent offence occurs when an assessment is submitted within 15 working days after the email sent by the ACO in accordance with A3 above.

⁴ If the ACO feels the evidence is unclear, they may liaise with the first marker before a final decision is made.

If Registry confirms that a submission is a concurrent offence, the paperwork shall be forwarded to the ACO, who is dealing or dealt with the first offence, in accordance with A3 above. If the offence is confirmed, the same penalty shall be applied.

A second or subsequent offence occurs when an assessment is submitted 16 or more working days after the email sent by the ACO.

If Registry confirms that this is a second or subsequent offence, the matter shall be treated in accordance with Process B below.

A6 ACO is asked to adjudicate or disagrees with marker(s)' verdict of poor academic practice

Where the ACO is asked to adjudicate in response to A2c) above, their decision shall be final. If the ACO decides:

- a) There is evidence of poor academic practice, action shall be taken in accordance with A1 d) onwards or the following paragraphs, as appropriate;
- b) There is evidence of a more serious case of academic misconduct, they shall advise the marker(s) and Programme Leader that the matter shall proceed in accordance with Process B and Section 4 below;
- c) There is no or insufficient evidence of poor academic practice, they shall advise the marker(s) and Programme Leader and consult with the Student Conduct Officer in Registry to draft an email to the student confirming this. They shall also liaise with Faculty and Registry staff to ensure that all records of the allegation are destroyed.

A7 Student disputes the markers' verdict of poor academic practice

If the student disagrees with the decision that poor academic practice has taken place, they should write formally to the Academic Conduct Officer, as detailed in Section 5.4.

Process B Plagiarism, Falsification of Data, Collusion, Contract Cheating as well as second or subsequent allegations of poor academic practice

- B1** Where a marking tutor or moderator is of the opinion that they have identified an instance of one or more of the above forms of academic misconduct, they shall:
- a) immediately cease grading and the writing of comments on the work and remove a final mark if already noted;
 - b) mark up the assignment to indicate the extent and, where appropriate, source(s) of the academic misconduct. They may, where necessary, seek assistance from colleagues.
- B2** Where the marking tutor is unable to establish the source(s) from which the work (or parts of it) has (or have) been taken, they should explain why they believe the work is not that of the student, enclosing evidence of the student's own style from previous work, where possible, since the standard of proof required is a balance of probabilities and may request the student to attend a viva voce interview. (Please refer to Appendix 4 for further details about the conduct of the viva voce interview.)
- B3** On completion of the above, the marker shall forward to the Chair of FADC responsible for Learning & Teaching:
- a) the 'marked-up' assignment⁵;
 - b) details/copies of the original source(s) (where appropriate) and any other forms of evidence as reference;
 - c) a report of the viva voce interview, where appropriate, retaining a copy for themselves;
 - d) details of any implications regarding a Professional, Statutory or Regulatory Body (PSRB) should the allegation be upheld;
 - e) suggestion as to the penalty the programme deems appropriate (optional) This may be taken into account by the ACOs or the Hearing Panel;
 - f) confirmation of the date on which the work is/was due to be returned;
 - g) confirmation whether there are any programmatic or PRSB requirements that debar the student from the usual right to a second attempt.
- B4** The marker shall also advise the Programme Administrator and Programme Leader that there is an allegation of academic misconduct and that this may result in a delay to confirming the result for the assessment⁶;
- B5** The Chair of FADC shall appoint an Academic Conduct Officer from another Department within the Faculty⁷ to investigate. (Where the academic misconduct has previously been upgraded from poor academic practice to a more serious form of academic misconduct by an ACO (see A7 above), that ACO shall assume responsibility for taking the investigation forward)
- B6** The Academic Conduct Officer shall then proceed in accordance with Section 4 below.

⁵ In cases of alleged academic misconduct not involving written materials, appropriate equivalent measures should be taken.

⁶ If the work is due to be returned to the student before the Academic Conduct Officer has contacted the student, the Programme Administrator shall advise the student of the allegation and the name of the investigating Academic Conduct Officer, if known.

⁷ Where the programme is delivered by a Collaborative Partner and the Dean has appointed an Academic Conduct Officer from within the Department to deal with all investigations that arise from that Collaborative Partner, the matter shall be referred to that Academic Conduct Officer.

- B7** It is in the interests of all parties that allegations of unfair advantage should be resolved promptly and in order to promote this, the Academic Conduct Officer shall normally be notified no later than five working days (or within ten working days if a viva voce interview is required) of the deadline for the return of the work. This process shall be completed as quickly as possible but this will depend on when the problem is identified. If the process is completed within the normal period for marking and returning work, the student shall be informed by the ACO in accordance with Section 4 below.
- B8** Where the assessment is not written in English (for example Collaborative Partners outside the UK), the Academic Conduct Officer shall consult with the University's Academic Liaison Officer who is familiar with the language.

Process C Cheating in an Exam or Practical Assessment

- C1** Where an invigilator in an exam suspects a candidate of attempting to gain improper advantage, they shall take as many of the following actions, which are applicable to the situation:
- a) confiscate any unauthorised materials, electronic or communication devices in the possession of the candidate, or if the material consists of notes written upon the body or clothing, gain a witness to the material and if possible make a record (eg a photo) and pass to Registry as soon as possible after the exam has ended;
 - b) if the suspected offence was in a written exam, the invigilator shall complete a report form noting the time when the alleged infringement was discovered, the details of the suspected offence and the name(s) of the candidate(s) involved. Where possible they shall ask another invigilator to witness the report;
 - c) allow the candidate(s) in question to continue with the exam;
 - d) inform the candidate(s) at the end of the exam, that a written report of the incident will be submitted to Registry and the Faculty for further investigation;
 - e) submit their report on the alleged incident to the Exams Officer in Registry as soon as possible after the exam has finished;
- C2** The Exams Officer shall forward the script, the report and any confiscated materials, where retained, to the Chair of Faculty Academic Development Committee responsible for Learning & Teaching in the relevant Faculty.
- C3** The FADC Chair shall appoint an Academic Conduct Officer from another Department within the Faculty⁸ to investigate.
- C4** The Academic Conduct Officer shall then proceed in accordance with Section 4 below.

⁸ Where the programme is delivered by a Collaborative Partner and the Dean has appointed an Academic Conduct Officer from within the Department to deal with all investigations that arise from that Collaborative Partner, the matter shall be referred to that Academic Conduct Officer.

Process D Attempting to Obtain Unauthorised Access to Exam Question Papers, Bribery Attempts, Unethical Conduct and Submission of False Declarations and/or Evidence for special consideration

- D1** The staff member who has received evidence or information relating to any one of the above or a similar offence shall report the incident and provide any evidence, as appropriate, to the Chair of Faculty Academic Development Committee, responsible for Learning & Teaching, who will appoint an Academic Conduct Officer from another Department within the Faculty⁹ to investigate;
- D2** It is in the interests of all parties that allegations of unfair advantage should be resolved promptly and in order to promote this, the Academic Conduct Officer must normally be notified within 5 working days of the possible offence having been detected;
- D3** The Academic Conduct Officer shall then proceed in accordance with Section 4 below.

⁹ Where the programme is delivered by a Collaborative Partner and the Dean has appointed an Academic Conduct Officer from within the Department to deal with all investigations that arise from that Collaborative Partner, the matter shall be referred to that Academic Conduct Officer.

Process E Personation

- E1** Where staff member involved in an assessment or placement is either informed by a third party or where they themselves believe that a student may be impersonating another student or may be personated by another individual, they shall ask the alleged impersonator to provide some form of identification (preferably with a photograph) at the earliest opportunity and, at the same time, ask Registry or the Faculty to provide a photo of the student(s) involved in an attempt to resolve conclusively any identity issue.
- E2** If evidence is provided that makes clear that 'personation' has been attempted or it is evident from the behaviour or comments expressed by those involved, the details of the participants (where known), copies of any forms of identification provided (whether valid or invalid) and details of the actions and conversations of the participants shall be written up in a report of the incident and emailed to Registry as soon as possible and normally no later than five working days after the personation has been detected.
- E3** Where an invigilator or staff members present at an exam is either informed by a third party or where they themselves believe that a student may be impersonating another student or may be personated by another individual, they shall check or (re)check the student's face against the student ID card placed on the student's desk. If the two do not appear to match, the invigilator(s) shall contact Registry and request assistance in identifying the student. This may also require the student being asked to stay behind at the end of the exam. This should be done without disturbing any of the candidates.
- E4** If no photographic identification has been provided, the invigilator shall contact Registry to arrange for a photo of the student to be brought to the venue in order that a check can be made. This should be done without disturbing any of the candidates
- E5** If the invigilator(s) believe that the student was impersonated, then they shall complete a report on the day of the exam to be submitted to the Exams Officer in Registry
- E6** Registry shall submit the report arising from E1 or E4 above to the Chair of Faculty Academic Development Committee, responsible for Learning & Teaching, who shall appoint an Academic Conduct Officer from another Department within the Faculty to investigate¹⁰.
- E7** It is in the interests of all parties that allegations of personation should be resolved promptly and in order to promote this, so the Academic Conduct Officer shall normally be notified within 1 working day of the possible offence having been detected.
- E8** The Academic Conduct Officer shall then proceed in accordance with Section 4 below.

¹⁰ Where the programme is delivered by a Collaborative Partner and the Dean has appointed an Academic Conduct Officer from within the Department to deal with all investigations that arise from that Collaborative Partner, the matter shall be referred to that Academic Conduct Officer.

4 ACADEMIC CONDUCT OFFICER'S RESPONSE TO AN ALLEGATION OF ACADEMIC MISCONDUCT

Informing the student and reaching a conclusion

- 4.1 The Academic Conduct Officer shall, normally, within 5 working days of receipt of an allegation email the student to inform them that academic misconduct is suspected including, where appropriate:
- details of the nature of that offence;
 - a copy of the Academic Misconduct Policy;
 - a summary of the evidence which supports the allegation;
 - a copy of all the evidence, a copy of the marked-up assessment including the original source(s) for the plagiarised assessment, where known;
 - a request that the student respond to confirm or deny the allegation and inviting them to put forward any mitigating circumstances to be taken into account in the determination of any penalty (see paragraph 1.1 above);
 - the deadline to reply is within ten working days of the Academic Conduct Officer's email.

See Appendix 2 for a template email.

- 4.2 If more time is needed to investigate the allegation or seek further evidence, the Academic Conduct Officer shall write to the student to confirm the details of the offence and that the investigation is on-going and estimate, where possible, when this might be completed. They shall also include a web link to the Academic Misconduct Policy.

- 4.3 Once the additional investigation has been concluded, the Academic Conduct Officer shall email the student as detailed in 4.1 above.

- 4.4 Within 15 working days of the date of the email to the student confirming the full details of the allegation and outcome of any investigation, the Academic Conduct Officer shall prepare a report on the incident taking into account all available evidence (including a response from the student, if received) before reaching one of the following conclusions:

- no case to answer
- poor academic practice
- academic misconduct

- 4.5 Once a conclusion has been reached the Academic Conduct Officer, shall draft an email according to the Actions listed below and confirm the details with the Student Conduct Officer in Registry before sending the email to the student.

Action to be taken where there is 'no case to answer'

- 4.6 In the event that the Academic Conduct Officer's report concludes there is no case to answer, the Academic Conduct Officer shall consult with the Student Conduct Officer in Registry to draft an email to the student. Once the email has been agreed, the Academic Conduct Officer shall:

- liaise with all staff involved to ensure that all records of the allegation are destroyed;
- forward the agreed email to the student to inform them of the outcome of the investigation and to confirm that they have been wholly exonerated and that all relevant documents both hard and electronic copies have been destroyed.

Action to be taken where 'poor academic practice' is identified

- 4.7 In the event that the Academic Conduct Officer's report concludes that the offence is one of poor academic practice, the Academic Conduct Officer shall contact Registry for confirmation that this is a first offence and consult with the Student Conduct Officer in Registry to draft an email to the student in accordance with A4b) onwards as detailed above.

Action to be taken where 'academic misconduct' is identified

- 4.8 In the event that the Academic Conduct Officer's report concludes that the offence is one of academic misconduct, they shall then send to the Student Conduct Officer in Registry:
- a) their report, including any necessary information regarding the possible implications of a penalty for the student's status with any relevant Professional Statutory Regulatory Bodies (PSRB);
 - b) a recommendation for a particular penalty, in accordance with Section 10, taking into account the seriousness of the academic misconduct, the precedent for its application, the view of the programme (where provided) and any valid mitigating circumstances;
 - c) a copy of the student's response (if submitted);
 - d) all other relevant documentation.
- 4.9 The ACO shall also send an email to the student, via Unimail, confirming that they have submitted their report to Registry and the student shall normally be informed of the outcome within 10 working days but there may be a short delay if this period falls wholly or partly within a student vacation.

5 ACTION IN RESPONSE TO THE INVESTIGATION AND THE STUDENT'S RESPONSE

Student admits academic misconduct

- 5.1 If the student has admitted the alleged academic misconduct, the Student Conduct Officer in Registry shall liaise with an Academic Conduct Officer of a Faculty, other than that in which the student is enrolled, normally within 5 working days of receiving the report from the ACO. They shall confirm whether they endorse the penalty recommended by the original ACO and ask the second ACO to approve the proposed penalty;
- 5.2 If the second ACO approves the proposed penalty, the Student Conduct Officer shall write to the student via Unimail, normally within 10 working days of receiving the report, confirming:
- a) the academic misconduct offence;
 - b) the penalty imposed and any implications for further study;
 - c) details of how to appeal against the decision and on what grounds as outlined in Section 11.
- (A copy of the email shall be forwarded to the Chair of FADC, both ACOs, the first marker, Programme Administrator the Programme Leader and, where appropriate the ALO.)
- 5.3 If the second ACO does not agree with the penalty proposed by the first ACO and endorsed by the Student Conduct Officer or the Student Conduct Officer does not endorse the proposed penalty, the second ACO shall contact the first ACO to discuss the issue and come to an agreement.
- 5.4 If the student has admitted misconduct, but the student's response nevertheless still gives rise to doubt about what occurred, the Academic Conduct Officer shall consult with the Student Conduct Officer in Registry to determine if the matter should proceed to a Hearing.

Student denies the allegation of academic misconduct and/or poor academic practice

- 5.5 If the student wishes to deny the allegation, they must write to the Academic Conduct Officer detailing within 10 working days of receiving the email from the Academic Conduct Officer. In this email they may also include details of any mitigating circumstances (see paragraphs 1.5 - 6). After this date, they may only appeal against the decision on grounds that due process was not followed.
- 5.6 If the student writes to deny an allegation academic misconduct, the Academic Conduct Officer shall take this into account in their report which they shall submit to the Student Conduct Officer in Registry (or nominee) as detailed in B2c) above.
- 5.7 If, following the student's denial of the allegation, the Academic Conduct Officer has concluded that there is no case to answer then action will be taken in accordance with 4.6 above.
- 5.8 If the Academic Conduct Officer has concluded that there is an instance of poor academic practice or academic misconduct, despite the student's denial, the Student Conduct Officer in Registry shall

write to the student, normally within 5 working days of receipt of the report from the Academic Conduct Officer. The email will include:

- a) a summary of the evidence and copies of the report and all relevant correspondence;
- b) an invitation for the student to add to any statement they may previously have made and to attend a Hearing at which the case will be considered;
- c) a statement that since the student believes that they are not guilty of academic misconduct or poor academic practice, any subsequent assessments submitted after the date of this email, which raise a further allegation of poor academic practice or academic misconduct shall not be considered as concurrent.
- d) The deadline by which the student must submit any additional statement shall be 10 working days of the letter from the Student Conduct Officer in Registry.
- e) The Hearing, at which the case will be considered, will normally be held within a further 10 working days.

Student does not respond to emails from Academic Conduct Officer

- f) If the student does not respond to the Academic Conduct Officer's email confirming that there is an allegation of academic misconduct being investigated, the University shall interpret this to mean that the student does not wish to deny the allegation and the matter will not proceed to a Hearing but will be resolved in accordance with 5.1 above, as appropriate.

6 CONVENING AN ACADEMIC MISCONDUCT HEARING PANEL

- 6.1 As soon as it has been confirmed that the student has denied the allegation, the Student Conduct Officer in Registry shall proceed to convene a meeting of an Academic Misconduct Panel at the earliest possible opportunity, in consultation with the student and other relevant persons.
- 6.2 The Hearing shall be held at the University of Winchester.
- 6.3 The student, members of the Academic Misconduct Panel together with the Academic Conduct Officer and any other witnesses due to appear before the Panel, shall receive at least 5 working days written notice of the date, time and place of the meeting of the Panel (sent by email). The email shall be accompanied by:
 - a) a copy of the Academic Conduct Officer's report together with supporting documentation;
 - b) a copy of the student's statement in response to the allegation, together with any supporting documentation;
 - c) a list of the names and status of all witnesses to appear before the Panel;
 - d) a copy of the Academic Misconduct Policy;
 - e) a copy of any other relevant documents.
- 6.4 The Student Conduct Officer in Registry shall inform the Programme Leader of the time and date of the Hearing.
- 6.5 Where the student is unable to attend the Hearing in person, they shall normally be offered the option to participate via a video conference call or similar arrangement.
- 6.6 If a student is unable to attend the Hearing due to ill health, they shall be required to submit medical evidence and the Hearing shall be postponed.
- 6.7 Where the student who is the subject of the allegation, does not appear at the hearing, the Panel may proceed to deal with the allegation in their absence provided the Chair of the Panel is satisfied that the Student Conduct Officer in Registry has properly notified the student of the sitting of the Panel.

7 CONSTITUTION OF THE ACADEMIC MISCONDUCT HEARING PANEL

7.1 The Academic Misconduct Panel shall consist of:

- Chair: Director of Academic Quality & Development or nominee
- the Dean or Chair of Faculty Academic Development Committee responsible for Learning & Teaching of a Faculty other than that which offers the programme or module in which the alleged misconduct occurred
- an Academic Conduct Officer (Academic Conduct Officer) of a Faculty other than that which offers the programme or module in which the alleged misconduct occurred
- Secretary (non-voting): Student Conduct Officer in Registry or nominee

7.2 Panel members shall not normally have taught any module on which the student is currently enrolled, nor taught the student or be closely connected with the student in any way.

7.3 So far as is practicable, the Panel shall include at least one member of the same gender as the appellant. If it appears that the case may raise particular cultural or other sensitivities, the Chair may co-opt an additional member able to advise on these issues, or otherwise seek advice as they see fit. In the event of any disagreement about the suitability of any Panel member, the decision of the Chair shall be final.

7.4 The Academic Misconduct Panel shall make every attempt to conclude its proceedings at the one meeting.

7.5 The membership of the Academic Misconduct Panel shall remain constant throughout the hearing of any particular case, and the Chair shall be present throughout. However, should the Panel find it necessary to adjourn its proceedings, no more than one of its members may be absent when it is reconvened; when such a member is absent from a meeting, that member may not subsequently rejoin the proceedings.

7.6 Others present at the Hearing will comprise:

- the student;
- the student's friend, where the student has chosen to be accompanied by a friend, who shall be independent of the allegation. (The friend shall normally be a member of the University's student body or a representative of the Student Union);
- the Academic Conduct Officer who carried out the initial investigation.

7.7 All proceedings and papers associated with the Hearing shall be confidential to those who attend it.

8 PROCEDURE FOR CONDUCT OF THE ACADEMIC MISCONDUCT PANEL HEARING

8.1 All meetings of the Academic Misconduct Panel shall be minuted. A record of the minutes shall be kept by the Student Conduct Officer in Registry. Normally, if the student is present or participating via a video conference link or similar arrangement, they shall be informed of the Panel's decision at the conclusion of the meeting.

8.2 The Secretary to the Panel shall meet the student (if attending) outside the meeting before the Hearing and shall offer to explain the procedure, check that the student has copies of the documents circulated to members of the Panel and, if not, provide a set. If the student is participating via video conferencing, or similar, the Secretary shall liaise with the student, in advance, to confirm the procedure and copies of all documents have been received by the appellant.

8.3 This section defines the steps which should be followed during the Hearing itself. The Chair has discretion to vary the practicalities of these arrangements as they see fit provided any changes do not contravene the basic principles.

- a) before seeing any of the parties involved, the Panel shall review the documentation relating to the case and have a preliminary discussion;

- b) if there are any witnesses (in addition to the student, their friend and the Academic Conduct Officer) the Chair shall decide if they may attend throughout the proceedings until all parties withdraw, or whether they shall attend the meeting only while required to provide information and answer questions;
- c) the Secretary shall escort the student (if attending), the friend (if attending), and the Academic Conduct Officer into the meeting;
- d) the Chair shall invite everyone present to introduce themselves by name and explain their role;
- e) the Chair shall explain the role and powers of the Panel, as set out in these Regulations, confirm that all questions should be asked through the Chair and detail the possible outcomes of the meeting;
- f) the Chair shall then invite the Academic Conduct Officer to present the case against the student;
- g) the student and/or friend, and then Panel members, will then be able to question the Academic Conduct Officer;
- h) any witnesses, called by the Academic Conduct Officer, shall then be asked to give their comments and then questioned by the Academic Conduct Officer, the student and/or friend and Panel members;
- i) the student and/or friend shall then present their case. If the friend presents the case, the Chair shall ask the student if they wish to add anything. The Chair shall then explain that the Appeal Panel wishes to hear directly from the student in their own words, and that they shall be expected to answer questions. The Academic Conduct Officer and the Panel members shall then be able to question the student;
- j) any witnesses, called by the student, shall then be asked to give their comments and then questioned by the Academic Conduct Officer, the student and/or friend and Panel members;
- k) the Academic Conduct Officer shall then be invited to make a concluding statement;
- l) the student and/or friend shall be invited to make a concluding statement.
- m) the Chair shall ask each member of staff and any witnesses still present, in turn, and finally the student (or the friend) if they wish to make any closing statement, and if they are satisfied that they have had a full opportunity to explain their case to the Panel;
- n) unless the offence has been admitted during the proceedings, The Chair shall ask everyone except the members of the Panel to leave the meeting, and shall ask them to wait, pending the Panel's decision;
- o) The Panel shall discuss the case in private. The discussion and minutes of the meeting of the Panel are confidential to its members;
- p) If for any reason during its discussion the Panel requires clarification of any aspect of the case, by further questioning either the student or Academic Conduct Officer, they shall normally all be invited back into the meeting while the questioning takes place. They shall then all leave the meeting again.
- q) If, for any reason during its discussion, the Panel decides that further evidence is required from another witness, they may adjourn the meeting for this purpose;
- r) The Panel shall make its decision;
- s) The student and/or friend and Academic Conduct Officer shall normally be invited to rejoin the Panel to be advised verbally of the decision. Where the decision concludes that there is an academic misconduct offence, the student and/or friend may, at this point, ask for mitigating circumstances to be taken into account in the determination of the penalty (see paragraphs 1.5 - 6 above).
- t) The meeting of the Panel shall then be concluded.

9 DECISION OF THE PANEL AND PROCEDURES FOLLOWING THE APPEAL HEARING.

If the offence has not been admitted during the proceedings, the Panel shall sit in private to consider its decision. This shall be reached on the basis of the written and oral evidence, and the standard of proof required is balance of probabilities and the requirements defined in this Policy.

- 9.1 Following consideration of the evidence the Panel shall reach one of more of the following conclusions:
- a) no case to answer
 - b) poor academic practice
 - c) academic misconduct
- 9.2 The decision of the Panel shall be final.
- 9.3 The Student Conduct Officer in Registry shall inform the student, in writing, of the outcome of the Hearing and the, normally within 5 working days of the meeting of the Panel. A copy of the email shall be copied to the Programme Leader, Academic Liaison Officer (for Collaborative Partners), Head of Department and Chair of the Faculty Exam Board or Research Degrees Quality Committee, as appropriate.

Action to be taken where there is ‘no case to answer’

- 9.4 In the event that the Academic Conduct Officer’s report concludes there is no case to answer:
- a) The Student Conduct Officer in Registry shall liaise with all staff involved to ensure that all records of the allegation are destroyed;
 - b) the Academic Conduct Officer shall write to the student to inform them of the outcome of the investigation and to confirm that they have been wholly exonerated and that all relevant documents have been destroyed. If the Faculty Exam Board had previously been informed of the existence of an allegation, the Exam Board would be advised that the student had been wholly exonerated and that the student’s progress should be determined in the usual way.

Action to be taken where ‘poor academic practice’ is identified

- 9.5 Where the Panel concludes that that there has been an offence of poor academic practice, the Student Conduct Officer in Registry shall follow the policy as outlined in A3i) above.

Action to be taken where ‘academic misconduct’ is identified

- 9.6 Where the Panel concludes that the student has committed academic misconduct, it will determine a penalty as indicated in Section 10 below.

10 PENALTIES FOR ACADEMIC MISCONDUCT

- 10.1 Penalty 1 shall be applied in all confirmed cases of poor academic practice or academic misconduct.
- 10.2 In addition, the Academic Conduct Officer or the Academic Misconduct Hearing Panel shall determine whether one or more penalties listed from 2 to 9 shall also be applied based on the severity and occurrence of the offence.
- 10.3 The Academic Conduct Officer or the Academic Misconduct Hearing Panel will consider valid aggravating and/or mitigating circumstances, where submitted, when deciding upon the level of penalty. The penalty for a second or subsequent offence will normally be more severe than was applied for the first offence even if the second offence would normally merit a lower penalty. However, where the academic misconduct is of such significance, the penalty for a first offence may range as high as 9.
- 10.4 Mitigating circumstances shall not mitigate Penalty 1 and shall not normally reduce the penalty below the minimum level normally applied to an offence of that type as detailed in Table 2 below.
- 10.5 In addition to Table 2 below, the Student Conduct Officer in Registry (or nominee) is available to provide advice to the Panel on the levels of the penalties and the precedent for their application.
- 10.6 The student, if present, will be notified of the Panel’s decision.

Table 1 – List of Penalties

No.	Penalty
1	<p>In all cases of academic misconduct the student shall be formally notified, details shall be logged by Registry and the element of assessment involved shall receive a 1%¹¹ mark and grade PR or PF, as appropriate</p> <p>Students permitted to resubmit work or continue their studies shall also be instructed to view the online YouTube video '<i>Referencing and Plagiarism - a super-quick guide</i>', regardless of whether they have seen it before. Where appropriate, they shall also be advised to contact their Programme Leader and/or Academic Skills in Student Services to seek support and training in how to avoid academic misconduct in future and improve their academic skills.</p>
1a	<p>In all cases of a first offence¹² of poor academic practice an email confirming the offence shall be sent to the student (see Appendix 2.2), the details shall be logged by Registry and the element of assessment involved shall receive a 1%¹³ mark and grade R.</p> <p>Where the first offence is committed in a first attempt at an assessment, the student shall submit a second attempt for a capped mark, in the usual way.</p> <p>Where the first offence is committed in a second attempt at an assessment, the student shall be permitted an exceptional third attempt for a capped mark.</p> <p>All students shall also be instructed to view the online YouTube video '<i>Referencing and Plagiarism - a super-quick guide</i>', regardless of whether they have seen it before. Where appropriate, they shall also be advised to contact their Programme Leader and/or Academic Skills in Student Services to seek support and training in how to avoid academic misconduct in future and improve their academic skills.</p>
2	the student be permitted a second attempt at the assessment for the minimum pass mark for the level of study
3	the overall module mark reduced to the minimum pass mark for the award
4	failure in the module, dissertation or thesis with the possibility of repeating the module (or alternative) for a capped grade, subject to the approval of the Programme Leader. (Approval to repeat study is at the discretion of the Programme Leader only. If approval is withheld by the Programme Leader, then option 7 below shall apply.)
5	failure in the module, dissertation or thesis with no possibility to repeat the module (or alternative)
6	failure in all modules in the current semester or year, with the possibility of repeating the modules (or alternatives) for a capped mark, subject to the approval of the Programme Leader. (Approval to repeat study is at the discretion of the Programme Leader only. If approval is withheld by the Programme Leader, then option 7 below shall apply.)
7	failure in all modules in the current semester or year, with no possibility to repeat the modules (or alternatives)
8	referral of the case to the Vice Chancellor for the consideration of termination of studies with an exit award
9	referral of the case to the Vice Chancellor for the consideration of termination of studies with no exit award

¹¹ 1% indicates the work was submitted but has not received a mark for achievement in accordance with Appendix 2 of the Assessment Regulations

¹² A second offence shall be treated as Minor Academic Misconduct

¹³ 1% indicates the work was submitted but has not received a mark for achievement in accordance with Appendix 2 of the Assessment Regulations

Table 2 – Recommended Penalties to be applied to Breaches of Academic Conduct

The list below is not exhaustive and where the University deems an offence equivalent to one of the offences listed below the recommended penalty shall normally be applied.

Where a second offence is committed, the penalty imposed shall normally be raised by a count of 1, eg a case of unethical conduct (normal penalty 1 and 2) is followed by a case of minor plagiarism (normal penalty 1 and 2), the offence for the minor plagiarism would be raised to '1 and 3'.

Warning: This list is advisory only as each case is individual so the severity or scale of the offence may vary considerably so that the penalty imposed may be lower or higher than suggested here.

First Offence	Penalty to be applied
Poor academic practice - first offence only	1a
Minor Plagiarism (including self-plagiarism) less than 20% of the assessed work was related to the misconduct OR this is a second offence of poor academic practice	1 and 2
Major plagiarism (including self-plagiarism) between 20% and 50% of the work was related to the misconduct OR this is a second offence of Minor plagiarism	1 and 3
Gross plagiarism (including self-plagiarism) over 50% of the work was related to the misconduct OR this is a second offence of Major plagiarism	1 and 4
Cheating: having at their desk or their person in an exam venue unauthorised materials, software, electronic or communication devices including a mobile phone or smart watch (unless expressly permitted by the specific examination rubric)	1 and 3
Cheating: communicating with, or copying from, any other candidate during an examination (unless expressly permitted by the rules of the specific examination rubric). This also includes students allowing someone else to copy from them;	1 and 3
Cheating: seeking to obtain a copy of a 'closed' exam paper in advance of the time and date for its release (exam papers which are given to students in advance are known as 'open' papers);	1 and 3
Cheating: bribing or attempting to bribe someone deemed to have an influence on the outcome of an assessment;	1 and 4
Cheating: giving extra marks when self-marking a test;	1 and 3
Cheating: any other breach of the Exam or Invigilator Regulations.	1 and 3
Collusion: where two or more students developing or producing a piece of work together which is subsequently submitted as the independent work of one individual	1 and 3
Collusion: where unauthorised pre-submission assistance from another person, to improve the accuracy of the language in which the assessment is written, to formulate a text, to adjust ideas, citations and referencing and/or improve the structure.	1 and 2

First Offence	Penalty to be applied
Contract cheating or 'ghosting' where a piece of work that has been produced in whole or part by another person and/or organisation on their behalf, eg the use of a 'ghost writing' service or similar via the Internet. This may include the purchase of an assessment from an organisation or an individual;	1 and 4
Contract cheating: making available (in hard copy or by posting on the internet) or sells instructions, briefs, essays, or other assessments to another student (of this University or elsewhere) whether in exchange for financial gain or otherwise.	1 and 4
Falsification: false citation(s)	1 and 2
Falsification: fictitious amendment(s) to actual data	1 and 3
Falsification: falsely claiming to have conducted experiments, observations, interviews or any form of research which has not been carried out	1 and 4
Falsification: invention of references, evidence, experimental results and/or false claims in relation to an activity which might result in an unfair academic advantage, eg requests for an extension and/or exemption from work, Learning Agreement or an academic appeal.	1 and 4
Unethical conduct: failure to gain ethical approval, where appropriate	1 and 2
Unethical conduct: coercion or bribery of project participants (excluding legitimate payment);	1 and 3
Unethical conduct: breach of confidentiality or improper handling of privileged or private information on individuals gathered during data collection.	1 and 3
Unethical conduct which deviates from the ethical standards for academic work, as defined in the Ethics Policy.	1 and 2
Personation either assuming the identity of a student, with intent to gain unfair advantage for the student or allowing oneself to be impersonated by another with intent of gaining unfair advantage for himself/herself.	1 and 4

- 10.7 Normally, within 5 working days, the Student Conduct Officer in Registry shall notify the student of the decision and that they have a right of appeal against the decision on procedural grounds only. The student may respond, in writing, to the Student Conduct Officer in Registry's formal notification of the outcome of the Hearing, indicating a decision to appeal and giving the grounds for that appeal. The response must be received by the Student Conduct Officer in Registry within 10 working days of the date of the Student Conduct Officer in Registry's email.
- 10.8 If the student appeals, the Student Conduct Officer in Registry shall set in motion the procedures set out below.
- 10.9 If the student does not respond to the notification of the decision, the Student Conduct Officer in Registry (or nominee) shall issue a Completion of Procedures Letter by email.

11 STUDENT APPEAL AGAINST THE DECISION

- 11.1 The only ground for appeal against the decision of the University regarding an offence of poor academic practice or academic misconduct is that the procedures detailed herewith were not followed and as a result the decision confirming poor academic practice or academic misconduct is rendered unsound.
- 11.2 There are no grounds for appeal on the basis of the following:
- a) new evidence (unless pertaining to procedures) not disclosed previously for whatever reason;
 - b) disputing the judgement of the Academic Conduct Officer;
 - c) disputing the judgement of the Panel where the matter proceeds to a Hearing;
 - d) disputing the academic competence of the Panel.
- 11.3 The appellant must submit their appeal to the First Deputy Vice-Chancellor within 20 working days of the issue of the email confirming the decision of the Academic Conduct Officer or the Panel, as appropriate.
- 11.4 The appellant must clearly identify the alleged procedural irregularity and must provide evidence of that irregularity.
- 11.5 If the First Deputy Vice-Chancellor concludes that there has been a breach in the University's procedures such that the decision confirming poor academic practice or academic misconduct may be unsound, they shall inform the appellant in writing and refer the matter back to the Student Conduct Officer in Registry to review the University's decision.
- 11.6 If the First Deputy Vice-Chancellor does not uphold the challenge, the appellant shall be informed via email and a Completion of Procedures Letter (see Section 12 below) shall be issued by the Student Conduct Officer in Registry.
- 11.7 If the student does not consider that they have grounds for an appeal as outlined in 11.1 above but they wish to submit a complaint, they may do so in accordance with the *Complaints Policy*.

12 COMPLETION OF PROCEDURES LETTER

- 12.1 As the internal procedures have been completed the student will be informed that a Completion of Procedures is available on request and that this will be required if the student wishes to take a complaint to the OIA and the timescale for doing so. A Completion of Procedures Letter:
- a) establishes the date when the University's internal appeals procedures are complete;
 - b) clarifies the issues considered by the University under those procedures;
 - c) will confirm the timescale for a student to take a complaint to the Office of the Independent Adjudicator (OIA);
 - d) reconfirms to the student the possibility of taking a complaint to the OIA.
- 12.2 The Completion of Procedures Letter shall contain:
- a) a summary of the appeal the student has made to the University;
 - b) the title of the regulations which were applied;
 - c) a summary of the issues considered at the final stage of the internal complaints procedures;
 - d) the final decision taken by the University and the reason for that decision;
 - e) information about the role of the OIA.

13 OFFICE OF THE INDEPENDENT ADJUDICATOR (OIA)

- 13.1 A student who is dissatisfied with the University's internal processes or its conduct has the right to submit an application to the OIA, an independent review body, that their dissatisfaction be reviewed independently of the University.
- 13.2 This right may only be exercised once the internal processes have been exhausted, as outlined in Section 11 above.

Further information on the OIA and its services is available on <http://www.oiahe.org.uk>

14 MONITORING ACADEMIC MISCONDUCT DECISIONS

The Academic Registrar shall be responsible, on behalf of Senate Academic Development Committee (SADC), for the assurance of quality and standards in the operation of this Policy. In particular, they shall monitor the consistency of decisions and submit an annual report to SADC detailing the number and type of allegations and their outcomes, and any issues relating to the principles, process or procedure.

APPENDIX 1 ACADEMIC CONDUCT OFFICERS

Academic Conduct Officers are appointed by the Dean of Faculty for a period of three years (renewable) and notified to the Student Conduct Officer in Registry annually. They shall be experienced members of academic staff who have sufficient overview of academic conduct issues to enable University procedures to be applied consistently and fairly across the University.

Where the programme is delivered by a Collaborative Partner, the Academic Department may request the Dean to appoint an Academic Conduct Officer from within the Department to deal with all investigations that arise from that Collaborative Partner. The principle is that the Academic Conduct Officer must not be involved in the teaching or assessment of the students.

Responsibilities:

- a) To ensure that staff in their Faculty are aware of and are consistently applying the University's Academic Misconduct Policy;
- b) To work with colleagues in the Faculty on issues related to the prevention and detection of Poor Academic Practice and Academic Misconduct;
- c) To receive reports of suspected Poor Academic Practice and other forms of Academic Misconduct;
- d) To write to students who are guilty of Poor Academic Practice and to report the matter to Registry;
- e) To consider cases of alleged Academic Misconduct and to ensure the procedures outlined in the Academic Misconduct Policy are followed;
- f) To inform the University's review and enhancement of its Academic Misconduct Policy and processes.

Conflict of interest

If the Academic Conduct Officer has a personal interest in the student (for example as a close personal friend, relative, personal tutor, teacher or marker in the current year), they must declare a conflict of interest and request the Chair of Faculty Academic Development Committee responsible for Learning & Teaching to appoint another Academic Conduct Officer from the Faculty to take responsibility for responding to the allegation.

The principle is that the Academic Conduct Officer must not be involved in the teaching or assessment of the students, whose conduct they are considering.

Ensuring consistent decisions

The Student Conduct Officer in Registry shall be responsible for maintaining an anonymised log of all referrals for academic misconduct and their outcomes, which Academic Conduct Officer may consult when determining a potential penalty for proven cases of academic misconduct.

APPENDIX 2 TEMPLATE EMAILS AND FORMS

2.1 Template Email Advising Student of an Allegation and Summary of Evidence Form

[date]

Dear [name]

Re: Allegation of academic misconduct

I am writing to inform you that I have been advised by a colleague that you are suspected of academic misconduct. I have reviewed the assessment(s) and the evidence submitted and have found that there is evidence to support this allegation.

Academic misconduct is defined by the University as '**any attempt by a student to gain improper advantage in any assessment by infringement of the University's regulations, or by any attempt to assist another student to gain improper advantage**'. Please find enclosed a copy of the University's Academic Misconduct Policy, which includes further explanation of these terms, the details of the procedures that must be followed as a result of this allegation and the penalties that shall be imposed for proven cases of academic misconduct.

Attached is a summary of the evidence that supports this allegation.

Under the terms of the Academic Misconduct Policy Section 4, you are invited to provide a response within 10 working days of the date of this email. I urge you most strongly to reply as fully as possible, either admitting or denying the allegation and including any evidence you deem appropriate. In your response you may forward any mitigating circumstances that may be taken into account in the determination of any penalty that would be set if there is a case to answer (please see Sections 1.5-6). **Please note that this is your only opportunity to deny the allegation.**

Within 15 working days of the date of this email, I shall prepare an initial report on the incident and will take into consideration your response if one is received by the date outlined above. This report will then be forwarded to the Student Conduct Officer in Registry.

I understand if this has come as rather a shock so if you have any queries about this email, please do not hesitate to contact me, the Student Conduct Officer in Registry or a representative of the Student Union.

I look forward to hearing from you within 10 working days of the date of this email.

Yours sincerely

Academic Conduct Officer, Faculty of [details]

Enc. Copy of the Academic Misconduct Policy

cc: First marker

Programme Leader (for students at a Collaborative Partner)

Programme Administrator (for students at the University of Winchester)

Student Conduct Officer in Registry

Academic Liaison Officer (for Collaborative Partners)

Summary of Evidence Form

Allegation of misconduct against	[full name]:	Student No.	1234567
Programme/Subject(s)		Assessment No. & type: <i>eg Ass 02 - essay</i>	
Summary of allegation			
Signature Academic Conduct Officer			
Faculty of		Date	

Please attach your response to the above allegation and any supporting documentation and return to the Academic Misconduct Officer within 10 working days of the date of the attached email.

2.2 Template Email Confirming Poor Academic Practice

[date]

Dear [name of student]

Finding of Poor Academic Practice in:

Module: [Code and Title]

Assessment: [details]

I am writing on behalf of the Faculty to confirm that a marker for the above assessment suspected that you had **[Enter details: Inaccurate citation or reference for a phrase, couple of lines or paragraph or Inaccurate citation of a quote within a quote]**.

In line with the Academic Misconduct Policy (click [here](#) to access the Policy on the University website), this assessment was referred to another marker, who agreed that there was evidence of poor academic practice as detailed above. Poor academic practice means there is a material deficiency in the academic integrity of the assessment and, as such, is a minor form of academic misconduct. Although not as serious as other forms of academic misconduct, such as plagiarism, it is nevertheless unacceptable and cannot simply be noted in the feedback for the assessment. While students might be expected to evidence poor academic practice early in their academic studies, a second or subsequent infringement is considered as a more serious form of academic misconduct. For this reason, you are required to view the online YouTube video '*Referencing and Plagiarism - a super-quick guide*', within 5 working days of receiving this email even if you have already seen it before (click here to access the [Canvas page](#)).

You are also strongly advised to consult with your Programme Leader or Academic Skills in Student Services (academicskills@winchester.ac.uk) **[delete reference to Student Services for students at Collaborative Partners]** within 5 working days of the date of this email to ensure that you receive appropriate counselling and training to improve your academic skills and avoid this problem recurring in your work. You are advised to arrange this training/counselling to be completed within 15 days of the date of this email, or as soon as possible thereafter.

Because you have not previously been reported for poor academic practice, you are subject to the following penalty, as specified in Process A4 iii) of the Academic Misconduct Policy:

[please delete a) or b) as appropriate.]

- a) You have been awarded a mark of 1% for this piece of and you are permitted a second attempt for a capped mark, ie the minimum pass mark appropriate for the module level, as follows:

[Second attempt assignment details, including submission date if known. Submission date shall normally follow opportunity to complete the online module]

- b) You have been awarded a mark of 1% for this piece of work and you are not permitted a second attempt due to the following programme or Professional, Statutory or Regulatory Body restriction:

[details]

- c) Please note that if a subsequent allegation of poor academic practice is suspected and confirmed by a marking team, whether for this module or any other module, this shall be considered as plagiarism and shall normally be subject to a stricter penalty.

If you disagree with the decision that poor academic practice has taken place, please write to me within 10 working days of the date of this email, in accordance with Section 4 of the Policy.

If you wish to appeal against this decision on the grounds that the University has failed to follow the procedures of the Academic Misconduct Policy, you need to write to the First Deputy Vice-Chancellor in

accordance with Section 11 of the Academic Misconduct Policy within 20 working days from the date of this email.

If no correspondence is received by you about this case by the date(s) above, then this email confirms that the internal process is at an end.

I understand if this has come as rather a shock but hopefully once you have accessed the support detailed above, you will gain confidence in your academic abilities and manage to avoid such errors in future.

If you have any queries about this email, please do not hesitate to contact me, your Personal Tutor, another member of academic staff or a member of staff from Academic Skills in Student Services.

Yours sincerely

Academic Conduct Officer, Faculty of [details]

cc: First marker
Programme Leader
Programme Administrator (for students at the University of Winchester)
Personal Tutor (for students at the University of Winchester)
Academic Skills in Student Services (academicskills@winchester.ac.uk)
(for students at the University of Winchester)
Student Conduct Officer in Registry
Academic Liaison Officer (for students at a Collaborative Partner)

2.3 Template Email Inviting Student to Viva Voce Interview

[date]

Dear [name of student]

Allegation of Academic Misconduct:

Module: [Code and Title]

Assessment: [details]

I am writing to inform you that we suspect that academic misconduct has occurred in the above module in relation to coursework that you have recently submitted. You are therefore required to attend a Viva Voce Interview on:

Date:

Time:

Place:

If this date or time presents any difficulties, please contact me as soon as possible.

You have been invited to attend this viva because academic staff have reason to believe that the assignment (or part of it) includes ideas, words, phrases, theories, and/or concepts that have previously been written by someone else, and that these should have been referenced to show they are not your own. The aim of the viva voce interview is to give you an opportunity to show that the assignment in question is your own work. Further information is available in the attached *Student Guide to Viva Voce Interviews*.

The purpose of this viva and the procedure to be followed at it are described in our Academic Misconduct Policy (click [here](#) to access the Policy on the University website).

The University defines academic misconduct as means any attempt by a student to gain improper advantage in any assessment by infringement of the University's regulations, or by any attempt to assist another student to gain improper advantage.

Examples of such misconduct include the submission of material (written, visual or oral), originally produced by another person or persons or oneself, without due acknowledgement, so that the work could be assumed to be the your own or the submission of work produced in collaboration for an assignment based on the assessment of individual work. (Such misconduct is typically described as plagiarism and collusion.)

You are entitled to be accompanied at the meeting by a friend and you may also wish to seek the guidance of the Winchester Student Union. The friend should be a member of the University's student body or a representative of the Student Union).

If you fail to attend the meeting, any reasons advanced for non-attendance will be considered and the proceedings may be adjourned to a later date. If no reasons are advanced, or if they are judged invalid, the staff will conclude that you have admitted academic misconduct and will forward details of the matter will be referred to an Academic Conduct Officer, in accordance with the Academic Misconduct Policy.

I understand if this has come as rather a shock so if you have any queries about this email, please do not hesitate to contact me, the Student Conduct Officer in Registry or a representative of the Student Union.

Please confirm that you will be attending this meeting.

Yours sincerely,

[name of marker]

[attach copy of Appendix 5 - Viva Voce Interview regarding academic misconduct – Guidance for Students]

APPENDIX 3 PERMITTED ASSISTANCE FOR LANGUAGE CORRECTION

Policy

It is the University's policy that students should be assessed on their skills and abilities, including skill in using written language. Students will be provided with education and training appropriate for the development of such skills. Nevertheless, students may obtain assistance from another person, whether paid for or not, for the correction of the written language of their assessments, under the following conditions:

- a) where it is not forbidden to do so by their Programme as stipulated in the Programme Specification, Module Handbook or in the assessment description; and
- b) where the assistance provided is explicitly acknowledged.

Exceptions

Students who hold a learning agreement with Student Services for which regular academic skills support, or language support, is recommended are not required to acknowledge this assistance but may wish to do so.

Limits of Assistance

'Language correction' is the use of pre-submission assistance from another person or equivalent online service, to improve the accuracy of the language in which an assessment is written. Such assistance, for summative assessments, shall be limited to:

- a) identifying errors in spelling, punctuation, typographical mistakes, poor grammar and suggest alternatives;
- b) highlighting redundancy or missing words;
- c) highlighting formatting errors;
- d) highlighting general clarity of written English - where the meaning of a passage is unclear this may be highlight but not rewritten

Such assistance shall not include:

- e) rewriting or edit sections or sentences in order to improve the clarity of the argument/meaning or develop an argument or idea;
- f) rearranging passages of text or reformat the material;
- g) correcting factual errors or change any factual information;
- h) adding any material or comment on the content of the work;
- i) correcting or assisting with academic referencing;
- j) translating the work into English (or any other language);
- k) significantly altering the length of the work;
- l) checking calculations, formulae or equations, or re-label diagrams, charts or figures.

Submission of work by the student as their own work where such amendments have been made would constitute academic misconduct by the student.

Acknowledgement

Any language correction assistance must be explicitly acknowledged in the following signed declaration at the front of the submitted work:

'I, *[insert name]*, received particular assistance in the writing of this work in respect of matters of grammar, style, vocabulary, spelling or punctuation.

The assistance was provided by (*delete as appropriate*):

A member of the academic staff

A non-academic member of staff

A fellow student

Other person or source (eg software tools or online service, which direct attention to grammar mistakes (please specify))

Infringements

Suspected use of non-permissible types of adjustment will be treated as plagiarism and will be dealt with in accordance with this Policy.

Advice

Please seek assistance and advice from academic staff, your Personal Tutor or Academic Skills staff in Student Services for further details about this process.

Staff in the English Language Teaching and Support Unit are available for students whose first language is not English and will provide assistance to help students improve spelling, grammar and communication skills.

APPENDIX 4 CONDUCTING A VIVA VOCE INTERVIEW – GUIDANCE FOR STAFF

If academic misconduct has been alleged because a marker suspects that the work submitted is not entirely the student's own work, but has not been able to identify the sources from which the work (or parts of it) has (or have) been taken, then a viva voce interview may be arranged.

A viva voce interview shall normally be conducted by the marker and the Module Leader. Where the marker and the Module Leader are one and the same, the Module Leader shall invite another colleague involved in the marking for the assessment or the module to join them for the interview. If one or both of these members of staff are unavailable, the marker or Module Leader shall consult with the Programme Leader to determine a suitable alternative, who has relevant knowledge of the subject and/or the assessment.

The Module Leader shall email the student to invite them to attend a viva voce interview (Refer Appendix 2 Email 2.3 above) and will attach a copy of the to *Viva Voce Interviews – Guidance for Students* (see Appendix 5). The student shall be asked to bring their sources for the work to the viva voce interview, which will start with the assessor asking the student a number of questions about the work.

At the discretion of the Module Leader, the student may also be asked to write briefly on the topic dealt with in their work. (If any support (approved by a Learning Agreement) applied when the work was undertaken, this should be made available when the student is asked to write these paragraphs.)

The person leading the viva voce interview shall begin by informing the student that it is suspected that they may not have written the work and that viva represents an opportunity for the student to demonstrate that they did. They shall also explain that, if authorship remains in doubt at the end of the meeting, the matter shall be referred to an Academic Conduct Officer and it is likely that a Panel Hearing may be held at which the student shall have a further opportunity to put their case.

Different pieces of work will suggest different types of question, but it is suggested that the person leading the viva shall begin by asking the student to explain how the work was researched and produced. The student's answers will suggest other questions and the following should be considered.

For example:

- a) If the work incorporates a bibliography, or reference list, which includes sources that were not mentioned during the module's delivery, where and how did the student find these?
- b) If the work employs elaborate vocabulary, is the student able to offer adequate definitions of individual words?
- c) If the work includes ideas and theories that were not mentioned during the Module's delivery, is the student able to explain these?

The viva shall normally take about 15 minutes (it is not an academic assessment of the student's work), but may last longer, if the person leading the viva decides to ask the student to write a short paragraph on one aspect of the work (in explanation, for example, of one of the key concepts examined in the work).

At the end of the viva voce interview, the person leading the interview shall inform the student either:

- that it is accepted that they wrote the work in question; or
- that doubts remain and the matter shall be referred to an Academic Conduct Officer, who will contact the student shortly.

Where the matter is referred to an Academic Conduct Officer, the staff involved in the viva voce interview shall write a brief report of the viva and attach a copy of any work written by the student during it (these shall be made available to a Hearing Panel, if a Hearing is necessary).

APPENDIX 5 VIVA VOCE INTERVIEW – GUIDANCE FOR STUDENTS

Occasionally, students may be asked by their Programme Leader to attend a viva voce interview when academic misconduct is suspected, in accordance with paragraph B2 of the University's *Academic Misconduct Policy*:

'Where the marking tutor is unable to establish the source(s) from which the work (or parts of it) has (or have) been taken, they should explain why they believe the work is not that of the student, enclosing evidence of the student's own style from previous work, where possible, since the standard of proof required is a balance of probabilities and may request the student to attend a viva voce interview.'

(click [here](#) to access the Policy on the University website)

What is a *viva voce* interview?

'*Viva voce*' is a form of oral exam. The viva voce interview (hereafter called the 'viva') is where you will be asked questions about the work you have submitted. You will be asked about your assignment and about the sources that you used to prepare the assignment. You will have chance to explain your understanding of the words and ideas that you have written about.

You will be invited to the viva, normally via email, and you may bring a friend, if you wish. (The friend shall normally be a member of the University's student body or a representative of the Student Union). You are advised to bring a copy of the work you submitted and any notes on the references and sources you used.

There will be two members of staff at the viva: normally this will be the marker and the Module Leader but if one or both are unavailable, then other members of staff with appropriate knowledge of the subject shall be selected.

What is the purpose of the viva?

The viva has been called because the academic staff have reason to believe that the assignment (or part of it) includes ideas, words, phrases, theories, and/or concepts that have previously been written by someone else, and that these should have been referenced to show they are not your own. The aim of the *viva voce interview* is therefore to give you an opportunity to show that the assignment/essay in question is your own work.

Please note that if you do not attend, the academic staff shall make a judgement on whether the work is your own based on the balance of probabilities.

What will happen at the viva voce interview?

The person leading the viva will tell you that it's been suspected that the work in question may not have been written in your own words and that the viva will give you an opportunity to show that it was. The viva will normally take approximately 15 - 30 minutes. You will be asked questions about the work, and the sources, ideas and theories it contains. Your answers will help the academic staff make a decision as to whether the work you submitted is your own work, or whether you have used the work of another without citing the reference. You may also be asked to write a short paragraph on one part of the work. This will be compared with the original work you submitted.

What happens then?

At the end of the viva one of three things will happen, either:

- a) The staff conducting the viva shall confirm that they accept that you wrote the assessment in question; or
- b) The staff are still doubtful and the matter will be referred to an Academic Conduct Officer, who will then contact you again by email as to the next steps; or
- c) You accept that you plagiarised and the matter shall be referred to an Academic Conduct Officer to determine the penalty to be imposed.

If you have any further questions, please do not hesitate to consult the *Academic Misconduct Policy* and/or consult the Winchester Student Union.