

Regulation on Unacceptable Academic Practice

1. Introduction

1.1 Throughout this document the term 'University' refers to the Aberystwyth University. The terms 'Chair of the Examination Board' and 'Pro Vice-Chancellor' may include designated members of staff acting on behalf of these staff.

1.2 Students and members of staff should read this document in conjunction with the Guidance on Academic Practice.

1.3 The University will normally resolve all cases within four weeks of sending initial notification of the allegation to the candidate.

2. Definition of Unacceptable Academic Practice

2.1 It is unacceptable academic practice to commit any act whereby a person may obtain, for himself/herself or for another, an unpermitted advantage. The Regulation shall apply, and a candidate may be found to have committed unacceptable academic practice, regardless of a candidate's intention and the outcome of the act, and whether the candidate acts alone or in conjunction with another/others. Any action or actions shall be deemed to fall within this definition, whether occurring during, or in relation to, a formal examination, a piece of coursework, the presentation of medical or other evidence to Examination Boards, or any form of assessment undertaken in pursuit of a University qualification or award.

2.2 The University recognises the following categories of unacceptable academic practice. These are not exhaustive, and other cases may fall within the general definition of unacceptable academic practice. **(i) Plagiarism**

Plagiarism is defined as using another person's work and presenting it as one's own, whether intentionally or unintentionally.. Examples of plagiarism include

- Use of quotation without the use of quotation marks
- copying another person's work
- unacknowledged translation of another person's work
- paraphrasing or adapting another person's work without due acknowledgment
- unacknowledged use of material downloaded from the internet
- use of material obtained from essay banks or similar agencies

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(ii) Collusion

Collusion occurs when work that has been undertaken by or with others is submitted and passed off as solely the work of one person. When the work of one or more individuals is submitted in the name of others with the knowledge of the originator(s) of the work, all parties concerned may be considered to have committed Academic Misconduct.

(iii) Fabrication of evidence or data

Fabrication of evidence or data and/or use of such evidence or data in assessed work includes making false claims to have carried out experiments, observations, interviews or other forms of data collection and analysis. Fabrication of evidence or data and/or use of such evidence or data also includes presenting false or falsified evidence of special circumstances to Examination Boards or Appeal Panels.

(iv) Unacceptable academic practice in formal examinations

Examples of unacceptable academic practice in formal examinations include the following:

- introducing into an examination room and/or associated facilities any unauthorised form of material such as a book, a manuscript, data or loose papers, information obtained via any electronic device, or any source of unauthorised information, regardless of whether these materials are of relevance to the subject in question
- copying from, or communicating with, any other person in the examination room and/or associated facilities except as authorised by an invigilator
- communicating electronically with any other person, except as authorised by an invigilator
- impersonating an examination candidate or allowing oneself to be impersonated
- presenting an examination script as one's own work when the script includes material produced by unauthorised means

(v) Recycling of data or text

Recycling of data or text in more than one assessment, when this is explicitly not permitted by the Institute or Department.

3. Reporting of Suspected Unacceptable Academic Practice

3.1 All staff who suspect that unacceptable academic practice has occurred should submit a written report to the Chair of the relevant Examination Board, along with the relevant documentary evidence.

3.2 It is the responsibility of members of staff who submit a report of suspected unacceptable academic practice to provide all relevant documentary evidence, including statements from witnesses and copies of suspected sources.

3.3 When it is suspected that a candidate is engaging in unacceptable academic practice in a formal examination, the candidate shall be informed, preferably in the presence of a witness, that the circumstances will be reported. The candidate shall, however, be allowed to continue the examination and any subsequent examination(s) without prejudice to any decision that may be taken. Failure to give such a warning shall not, however, prejudice subsequent proceedings.

3.4 When appropriate, the invigilator of a formal examination shall confiscate and retain evidence relating to any alleged unacceptable academic practice, so that it is available to any subsequent investigation. The invigilator shall, as soon as possible, submit a written report, with any evidence retained, to the Chair of the relevant Examination Board.

3.5 In the case of a test contributing to the final module result, which is conducted under the aegis of the Institute, the invigilator shall report to the Chair of the relevant Examination Board.

3.6 An internal or external examiner or any other person who, whether during the marking period or subsequently suspects that a candidate has engaged in unacceptable academic practice, shall report the matter in writing to the Chair of the relevant Examination Board as soon as possible

4. Suspected Academic Misconduct in research degrees

4.1 If a member of staff or an examiner suspects unacceptable academic practice in a research thesis or other work submitted for examination for a research degree, the case shall be referred to the Academic Quality and Records Office, who will convene the University Panel to consider the case, according to sections 9-10 of the Regulation.

5. Initial Action to be taken by the Chair of the Relevant Examination Board

5.1 On receipt of a written report concerning suspected unacceptable academic practice, the Chair of the relevant Examination Board shall review the report and the evidence which has been provided, and apply one of the following procedures, after consulting the relevant section of the Guidance on Academic Practice:

- i) Investigation by Chair of the Examination Board
- ii) Investigation by Institute Panel

iii) Investigation by University Panel

6. Investigation by the Chair of the Examination Board

6.1 On receipt of a report concerning suspected unacceptable academic practice, the Chair shall inform the candidate of the suspected case, and enclose documentary evidence. The candidate shall be invited to respond in writing within three working days.

6.2 The Chair of the Examination Board shall consider the written report and any other evidence relating to the case, including evidence submitted by the candidate. If the candidate fails, without good reason, to submit a written response, the Chair shall proceed to consider the suspected case.

6.3 If satisfied, on the balance of probabilities, that unacceptable academic practice has occurred, a written report shall be completed by the Chair of the Examination Board, and submitted to the Academic Quality and Records Office. The Academic Quality and Records Office will check that procedures have been correctly followed, and will inform the candidate of the outcome, and the penalty which will be applied, and also of the right of appeal.

6.4 If satisfied that there is no case of unacceptable academic practice, the Chair of the Examination Board shall inform the candidate that no further action will be taken, and shall also submit a written report to the Academic Quality and Records Office.

7. Investigation by Institute Panel

7.1 On receipt of a report concerning suspected unacceptable academic practice, the Institute shall convene a small panel to investigate the case. The panel shall be composed of the Chair of the Examination Board and at least one member of academic staff not associated with the assessment in question.

7.2 Staff who have made the allegation of unacceptable academic practice should not be members of the panel and should take no part in the decision.

7.3 The Institute shall inform the candidate of the date, place and time of the panel meeting, and that he/she has the opportunity to attend the meeting.

7.4 The candidate shall have the opportunity to submit written evidence in advance of the panel meeting, including evidence of special circumstances

7.5 Documentary evidence shall be sent to the candidate before the date of the meeting and circulated to panel members. Any further evidence made available on the date of the meeting may be presented to the panel, but only with the express permission of the Chair.

7.6 The candidate may be represented by an advisor from the Students' Union. Representation by other persons will be at the discretion of the Chair, and any requests for such representation should be made in writing to the Chair in advance of the panel meeting. Legal representation at the meeting will not normally be permitted.

7.7 Where a candidate, without good reason, fails to attend a panel meeting, the meeting may proceed in his/her absence.

8. Investigation by University Panel

8.1 The University shall establish a Standing Panel to investigate suspected cases of unacceptable academic practice. The panel shall consist of members of academic staff, chosen to represent the Institutes.

8.2 On receipt of an allegation of unacceptable academic practice from the Chair of an Examination Board, the Academic Quality and Records Office shall arrange for a University Panel to be convened. The Chair of the Examination Board shall submit a written report relating to the case, along with all relevant written evidence.

8.3 The University Panel shall consist of three members selected from the Standing Panel, one of whom shall be designated as the Chair. No member of any University Panel shall be drawn from the candidate's Institute(s).

8.4 The Secretary to the University Panel shall inform the candidate of the date, place and time of the panel meeting, and that he/she has the opportunity to attend the meeting.

8.5 The candidate shall have the opportunity to submit written evidence in advance of the panel meeting, including evidence of special circumstances.

8.6 Documentary evidence shall be sent to the candidate before the date of the meeting and circulated to panel members. Any further evidence made available on the date of the meeting may be presented to the panel, but only with the express permission of the Chair.

8.7 The candidate may be represented by an advisor from the Students' Union. Representation by other persons will be at the discretion of the Chair, and any requests for such representation should be made in writing to the Chair in advance of the panel meeting. Legal representation at the meeting will not normally be permitted.

8.8 Where a candidate, without good reason, fails to attend a panel meeting, the meeting may proceed in his/her absence.

9. Functions of the Institute/University Panel

9.1 The function of such panels shall be:

- i) to consider the evidence submitted to it on the suspected unacceptable academic practice;
- ii) to determine whether the allegation has been substantiated on the balance of probabilities;
- iii) to determine, in cases where the allegation has been substantiated, any penalty to be applied.

10. Procedure during the meeting

10.1 When two or more candidates are suspected of related instances of unacceptable academic practice, the Chair of the panel may decide to deal with the cases together. However, each candidate shall be given the opportunity to request that the cases be heard separately.

10.2 The Chair shall present an outline of the case against the candidate, referring to the evidence which has been submitted for consideration by the panel. The panel may ask questions of the candidate.

10.3 The candidate shall have the right to hear all the evidence relating to the case before responding to the allegation, and to make a response in person to the panel. Additional documentary evidence including evidence of special circumstances may not be presented to the panel on the day of the meeting without the express permission of the Chair.

10.4 When the presentation of the evidence and the candidate's response are completed, all persons, other than members of the panel, and the secretary if present, shall withdraw.

10.5 If the panel is satisfied, on the balance of probabilities, that the allegation of unacceptable academic practice has been substantiated, a written report shall be submitted to the Academic Quality and Records Office. The Academic Quality and Records Office will check that procedures have been correctly followed, and will inform the candidate of the outcome, the penalty which will be applied, and also of the right of appeal.

10.6 If the panel is satisfied that there is no case of unacceptable academic practice, a written report shall be submitted to the Academic Quality and Records Office. The Academic Quality and Records Office will check that procedures have been correctly followed before informing the candidate of the outcome, and that no further action will be taken.

10.7 Whether or not the finding of the panel is that the case has been substantiated, the candidate may be informed orally of the outcome; but there shall be no discussion of the decision with the candidate.

11. Penalties for unacceptable academic practice in taught schemes (undergraduate and postgraduate)

11.1 Institute and University panels shall apply one, or a combination, of the penalties which are set out in the Guidance on Academic Practice. Penalties shall be applied on the basis of a points-based system, with consideration of the following elements:

- (i) previous record of Academic Misconduct;
- (ii) extent and severity of misconduct;
- (iii) level of study;
- (iv) evidence of intention to disguise misconduct or to deceive invigilators, markers or examination boards.

11.2 Panels may not take special circumstances into consideration in determining whether unacceptable academic practice has occurred. Panels may however take exceptional personal circumstances into consideration in applying penalties, where it can be shown that these are relevant to the case. In such cases the candidate must show good reason why such personal circumstances could not previously have been submitted to the Institute so that an extension to the submission deadline, or other adjustments to the assessment concerned, could be considered. Recommendations to reduce penalties on grounds of special circumstances shall be submitted to the Academic Quality and Records Office for consideration by the Pro Vice-Chancellor as Chair of the Senate Examination Board.

11.3 Penalties shall be applied to the individual modules concerned, regardless of the impact of the penalty on progression or final award. The maximum penalty to be applied shall be a mark of zero for the module with no opportunity to resit. Notwithstanding, in exceptional cases the Chair of the relevant Examination Board / Chair of the Institute or University Panel may recommend a more severe penalty. Recommendations should be submitted to the Academic Quality and Records Office, providing a full case in writing in support of the recommendations. In such cases the Pro Vice-Chancellor as Chair of the Senate Examination Board shall apply one, or a combination, of the following penalties:

- (i) cancellation of the candidate's marks in part or in whole for any or all assessments taken during the semester or year in question, with no reassessment permitted;
- (ii) exclusion of the candidate from the University for a specific period or permanently;
- (iii) disqualification of the candidate from any future examination in the University.

12. Penalties for unacceptable academic practice in postgraduate research degrees

12.1 The University shall apply one of the following penalties:

- i) Failure of the thesis, with an opportunity to resubmit
- ii) Failure of the thesis, with no opportunity to resubmit

13. Action to be taken following the panel meeting

13.1 The University will not make any public pronouncements of decisions of Institute/University panels unless a candidate, in respect of whom a determination has been made, requests the publication of any such determination.

14. Pass-lists

14.1 If a case of suspected unacceptable academic practice Academic Misconduct is under investigation at the time of the meeting of the relevant Examination Board, the Board shall defer consideration of the candidate's work until the outcome has been conveyed by the Academic Quality and Records Office to the candidate and the Chair of the Examination Board.

14.2 Should a case be under investigation when a pass-list is due for completion, the name of the candidate concerned shall be withheld from the pass-list, and a supplementary pass-list issued subsequently as appropriate.

14.3 If a case of Academic Misconduct arises after the issue of the original pass list, or after a qualification has been conferred, the Examination Board shall have authority to cancel or amend a result previously confirmed and to issue a supplementary pass list.

15. Appeal

15.1 A candidate found to have committed Academic Misconduct may only lodge an appeal on grounds of:

- i. irregularities in the conduct of the Academic Misconduct procedure and/or
- ii. exceptional personal circumstances that could not have been brought to the attention of the Institute/University Panel and can be shown to be relevant to the Academic Misconduct.

15.2 The Chair of the Academic Progress Committee has power to disallow appeals.

15.3 The Chair of the Academic Progress Committee shall refer appeals (which he/she has not disallowed) to the Academic Progress Committee.

15.4 Details of the process of Appeal are given in the Appendix to this Regulation.

15.5 The Academic Progress Committee may decide

- (i) to reject the appeal;
- (ii) to refer the case back to the original Institute/University panel for review of the penalty imposed;
- (iii) to require a new panel to re-hear the case.

16. Formal Reporting Mechanism

16.1 The Academic Quality and Records Office shall maintain records of all investigations into suspected Academic Misconduct, and shall present an annual report for consideration by the Academic Board of the University.

Appendix 1: Appeals by Candidates found to have committed Academic Misconduct

1. The University is only prepared to consider appeals that are based on one or both of the following grounds:
 - Irregularities in the conduct of the Academic Misconduct procedure;
 - exceptional personal circumstances that were not known to the panel when the candidate's case was considered, and can be shown to be relevant to the Academic Misconduct. (In appeals based on these grounds the appellant must show good reason why such personal circumstances were not previously made known to the Institute.)
2. Any appeal against a decision of a panel shall be sent in full, in writing not later than ten days after despatch to the candidate of the panel's decision. Simple notice of appeal given in writing by a candidate within the above deadline shall not be deemed to constitute an appeal proper and shall not be accepted. The Chair of the Academic Progress Committee shall have discretion to declare inadmissible any matter introduced by the appellant, or by any member of staff or student accompanying the appellant, if he/she deems it not directly related to the contents of the appeal previously lodged in writing within the stipulated deadline.
3. The Chair of the Academic Progress Committee is required to disallow an appeal that is based wholly on factors known to the Committee of Inquiry when the penalty was imposed.
4. Appeals shall be considered by the Academic Progress Committee.
5. The Academic Progress Committee shall base its decision on the evidence of the appellant's submission and the testimony of the Chair of the Institute/University panel concerned, together with any further evidence that it considers relevant, including evidence of special circumstances where this is appropriate.
6. An appellant shall have the right to attend a hearing by the Academic Progress Committee and may be accompanied by a person of his/her choice, for example a fellow student, or a Sabbatical Officer of the Students' Union, or a member of the academic staff. If that person is acting as a legal representative, the University must be informed at least three working days before the date of the Committee.
7. The Academic Progress Committee may decide:

- i. to reject the appeal;
 - ii. to refer the case back to the original Institute/University Panel for review of the penalty imposed;
 - iii. to require a new panel to re-hear the case.
8. Where a new Panel of Inquiry is required to re-hear a case, the membership of that Panel must be entirely different from that of the previous Panel. The new Panel shall not be provided with any evidence of any penalty imposed by the previous Panel, or of any other matter discussed by the previous Panel or Appeal Board other than that it is re-hearing a case on appeal.

An obligation to hear the case on the basis of the facts presented before them at the hearing and not in the light of anything that they may have heard or discovered outside the Panel, shall be framed within any Terms of Reference applying to the Panel members.

9. The decision of the Academic Progress Committee shall be conveyed to the appellant and the Chair of the Panel of Inquiry as soon as possible.
10. Under the Higher Education Act 2004 the University subscribes to the independent scheme for the review of student complaints. Once all internal procedures have been exhausted a candidate may submit a complaint to the OIA (Office of the Independent Adjudicator), providing the complaint is eligible under its rules.

Should a candidate decide to make a complaint to the OIA, his/her OIA Complaint Form must be received by the OIA within three months of the date of the Completion of Procedures letter.

The OIA's leaflet, An Introduction to the OIA for Students can be downloaded from http://www.oiahe.org.uk/media/34396/oia_intro_leaflet.pdf and a link to the OIA Complaint Form is available below. Alternatively, the OIA can be contacted as follows:

Telephone – 0118 959 9813

E-mail – enquiries@oiahe.org.uk

Post – OIAHE, Third Floor, King's Reach, 38-50 Kings Road, Reading, RG1 3AA.

Guidance on submitting a complaint to the OIA and the OIA Complaint Form can also be found on the OIA's website <http://www.oiahe.org.uk/making-a-complaint-to-the-oia.aspx>. The candidate may also wish to seek advice from the Students' Union about taking his/her complaint to the OIA.

The OIA will normally only review issues that have been dealt with through the University's internal procedures.

