Academic Services

Academic Misconduct Procedure: UNNC

This procedure is effective from 28 October 2021. Students whose case was already being considered under the previous version of the policy and procedure will continue to have their case considered in accordance with the provisions of that procedure. Those students will be provided with details of that procedure.

The following document should be read in conjunction with the Academic Misconduct Policy set out in the Quality Manual. The procedure set out below applies to students based at the Ningbo campus.

Reporting and investigation

Any reference to the Head of School is to be taken to include a reference to a Head of School or Department or to a member of staff **authorised** by the Head of School or Department to act on their behalf (such as an Academic Misconduct Officer), which can include a delegate at the International Campuses. Decision-making staff will be appropriately trained, enabling the consistent and fair application of these Regulations. Any reference to the Secretary to the Academic Misconduct Committee should be taken to refer to a **panel Secretary** on each campus who manages the procedure on behalf of the Academic Misconduct Committee. The procedure set out in relation to Academic Misconduct Committee hearings should be read in conjunction with guidance documentation relating to arrangements on **each campus**. Staff and students should ensure they understand the procedure relating to the relevant campus (UK, China, and Malaysia) and liaise with the correct Secretary.

Note: Allegations that arise pertaining to assessments from previous academic years can be investigated retrospectively, provided that there is compelling evidence to instigate the investigation.

Reporting a suspicion of academic misconduct

Where a member of staff suspects that academic misconduct has taken place, they will report the matter in writing to the **Head of School** or Department in which the work was undertaken, providing reasons and any relevant evidence.

In cases of suspected **misconduct in an examination**, the invigilator will write a report and the examination script will be annotated to indicate the point at which the suspected misconduct was identified. This report will be forwarded to the Head of School or Department in which the work was undertaken.

In cases of **false authorship,** the reporting staff member is expected to outline their reasoning for suspecting that the student is not the author of the work submitted and provide any pertinent evidence. This may include (but is not limited to): inconsistency in writing style, language and grammar;the assignment not properly addressing the question set; inappropriate referencing and bibliography. This may also involve inconsistency in grades/standard of work, and allegations from third parties.

Where a student has reason to **suspect a fellow student** of academic misconduct, they may report this, to the Head of the School or Department in which the work was undertaken. Anonymity cannot be guaranteed as the

Related Policy and Procedures

Academic Misconduct Policy

Code of Discipline for Students

Academic Misconduct Policy-prior to 24 September 2018

UNNC Academic Misconduct Committee Procedure-prior to 24 September 2018

Guidance on the Application of Academic Misconduct Penalties

Templates and Forms

Virtual Panel Reqeust Form

Review Request Form

Student Statement

accused student has a right of access to information pertaining to their personal data. If the reporting student does not give their consent for their identity to be revealed, no further action can be taken, unless additional and/or compelling evidence is identified by an academic member of staff. Reports which are motivated by malice will not be considered and will be addressed by the University's Unacceptable Behaviour Policy and/or Code of Discipline for Students.

Where a **third party has reported a student** as having committed academic misconduct and the member of staff authorised by the Head of School or Department believes there is compelling evidence to investigate further, the student will be made aware of all allegations made against them. Details of the case will not be shared with the reporting third party due General Data Protection Regulations (GDPR).

Where the student suspected of misconduct is **registered in a different School** or Department, the Head of that School or Department will also be informed that an investigation is underway and of the outcome.

The Head of the School or Department in which the work was undertaken is required to conduct an **investigation**.

Investigation by an Academic Misconduct Officer

The Academic Misconduct Officer will **consider the evidence** and may **question** appropriate people to gain additional information.

The Academic Misconduct Officer will ask the student to **attend a meeting, giving the student at least 5 calendar days' notice.** Reasonable requests for a different notice period will be considered. Evidence to support the request may be required. Meetings may be held in person or online. For cases of suspected collusion, joint or group allegations may be considered at a single meeting with all students in attendance.

In the case of a student taking examinations at the time the investigation is initiated, notice of the meeting will be given after the student has finished their examinations. Meetings will not take place whilst the student has ongoing exams. The student is entitled to have a supporter attend the meeting with them. The supporter must be either: a fellow student, a member of staff. The supporter may take notes on the student's behalf, make representations and ask questions on the student's behalf, but may not answer questions on the student's behalf. The supporter cannot attend the meeting in the student's absence. The student should inform their School/Department who will be attending as supporter in advance of the meeting. It is not appropriate for a student to be supported by a fellow student who is being investigated for the same suspected collusion.

If the student does **not respond** to a written request to attend the meeting, the Head of School may continue with the meeting without the student's involvement and (provided the student has been given adequate opportunity to make representations) make a decision. The student will be sent **written notification** of the outcome.

The meeting will be attended by a **third-party**, such as a module convenor, personal tutor or an Examinations Officer, who should take notes.

The student will be **notified in advance** of the meeting of any other people who will be attending (for example to provide evidence or further information at the Academic Misconduct Officer's request).

Ordinarily, the student will be provided with the evidence of suspected misconduct in advance of the meeting, so the student is clear regarding the allegations. However this may not be applicable in all cases, particularly concerning cases of false authorship (see below). In cases where a Head of School believes it more appropriate to inform the student of the details of the allegation in person, it will be ensured that the student is not put at a disadvantage as a result.

In the meeting the Academic Misconduct Officer will:

i. Ensure the student is aware of the **definition** of academic misconduct.

ii. Outline the **Regulations** on Academic Misconduct, including the procedure and possible outcomes.

iii. **Explain** the reasons for suspecting the student of academic misconduct and ask the student if the student understands these reasons. **All material** relating to the case should be made available to the student.

Paperwork required for a referral

Template-Invitation to School meeting

Template-School Decision Letter

Self-referral Request Form

Contact us

If you have any queries with relation to academic misconduct procedure, please contact: academic-misconduct@nottingham.edu.cn

- For cases of suspected plagiarism, where possible, the evidence will not rely solely on a Turnitin text matching report but should refer to the student's assessment and (unless unavailable for good reason) the original source(s) to demonstrate the extent of any plagiarism.
- For cases where the authorship of the assessment is contested, the meeting will be conducted in the manner of oral questioning: the student will be asked questions regarding the assessment subject to the allegation. This will not be used as a form of assessment, only as a form of questioning as part of the investigation.

Questions will be designed to give the student the opportunity to demonstrate that they are the sole author of the piece of work. Students may be requested to provide drafts of their work and explain the development of the assessment. For these cases it is recommended a subject specialist is present at the meeting.

It is recognised that there are factors which may impact a student's ability to respond to questioning, such as spoken English Language ability, a Specific Learning Difference or stress. Any decision made will take into account all available evidence (including responses to questioning) and a decision will be made on the balance of probabilities.

iv. Ask the student about any training/guidance they had received relating to academic misconduct and, in the case of suspected plagiarism, determine whether, upon submission of the piece of work, the student had declared that the work was their own. The Academic Misconduct Officer should also ascertain what training/guidance was available to the student.

v. Ask the student to **respond**, including providing details of any mitigating circumstances. Mitigating circumstances will not exempt a student from a finding of academic misconduct. However, if the School is satisfied that the mitigating circumstances have a direct impact on the case they may take this into account when determining a proportionate penalty, should academic misconduct be deemed to have taken place.

vi. Ask the student to provide a brief, written, signed **statement** [link to student statement template here] which:

• acknowledges what it is the student is alleged to have done

• acknowledges why what is alleged counts as academic misconduct

• provides the student's own account of events, which may include an explanation for their behaviour.

vii. The Academic Misconduct Officer will permit the student **up to 5 working days** to provide the written statement. If, this course of action having been agreed, the student fails to submit the statement within the timescale, the Head of School will proceed based on the findings of the investigation. If the student fails to submit the statement within the timescale, the Academic Misconduct Officer will proceed based on the findings of the investigation. A final determination or penalty will not be given to a student until the student has had the opportunity to submit a written statement within the permitted timescales. However, if the Academic Misconduct Officer is satisfied during the course of the meeting that academic misconduct has not occurred, it is not necessary to request this statement and the student may be verbally notified of this finding. Additionally, if the student clearly states, in writing, they do not wish to submit a statement, the Academic Misconduct Officer may proceed with making a decision.

Once the meeting has taken place and the student has submitted their written statement (where they have chosen to submit one), the Head of School will **write** to the student [decision letter template available here], summarising the case and giving their decision for further action.

Outcomes from a School investigation

Decision of Head of School

If the Head of School is satisfied that academic misconduct has **not** taken place, no further action will be taken in relation to the case and no formal record of the issue will be kept. The student will be informed of this outcome in writing.

If the Head of School is satisfied, on the balance of probabilities, that academic misconduct **has** occurred, one of the following courses of action

will apply and the student will be notified of the outcome in writing.

Courses of action

1. **Referral to Academic Misconduct Committee**

Where the student:

i) Has a finding of False Authorship or impersonation

ii) Has falsified content or evidence provided as part of an Extenuating Circumstances claim

iii) Has two or more cases of academic misconduct recorded against them (not including findings of Poor Academic Practice) and where the subsequent offences occurred after the procedures for the first offence have been completed. If multiple instances are discovered and investigated at the same time or an instance occurs before the conclusion of the first academic misconduct meeting, this should be considered as one instance.

iv) Where the Academic Misconduct Officer believes an appropriate penalty for the instance is not available to them under these Regulations;

v) Is a Postgraduate Research student (unless the misconduct has taken place in a first year, taught module).

The Academic Misconduct Officer will forward the decision letter and supporting evidence [see attached list of paperwork required from School] of paperwork required from School] to the Secretary of the **Academic Misconduct Committee** (academic-misconduct@nottingham.edu.cn) for the case to be heard by a panel of the Academic Misconduct Committee. The referral to AMC must be made within two weeks of the student being notified of the final decision.

Where a case is reported to the Secretary of the Academic Misconduct Committee, the Head of School will inform the relevant **Board of Examiners**. The Board of Examiners must defer consideration of the work in question until the Committee has made a decision on the case. The results for modules unaffected by the suspected misconduct should be considered by the Board of Examiners and released to the student. In the case of research students, the Board of Examiners comprises the Internal and External Examiners, and the Joint Report Form should be deferred until the Academic Misconduct Committee has made its decision.

Where, as a result of the student's actions, it is considered that a **disciplinary offence** may have been committed (such as forgery, theft) and/or where the student's actions raise concerns about their fitness to practise, the Academic Misconduct Officer will refer the case to the Chair of the Academic Appeals and Misconduct Committee (via the Secretary to the AMC). This may also apply to the fabrication/falsifying of Extenuating Circumstances claims by a student in order to gain an academic advantage. The Chair of the Academic Appeals and Misconduct Committee will liaise with the University Assessor to determine whether the case should be considered under the Code of Discipline for Students in addition to, or instead of, the Regulations on Academic Misconduct. Where more than one student is involved all related cases will be referred. Once the Chair has decided on the appropriate course of action, the Secretary will write to the student and Academic Misconduct Officer giving further details.

Otherwise, the Academic Misconduct Officer will refer to penalties available to the School (below).

2. School application of penalties

If the Head of School is satisfied that the academic misconduct came about because of a lack of understanding of good academic practice or convention (subject to the following paragraph), the student will receive a written caution. This will be recorded on the student's record as a case of **Poor Academic Practice** and reported to the Secretary to the Academic Misconduct Committee at the same time that the student is notified of the decision. A penalty will not be imposed although the lower standard of the piece of work is likely to be reflected in the mark awarded. The School will provide the student with relevant guidance to enable the student to develop their understanding of good practice. Should a further allegation of academic misconduct occur subsequent to a finding of Poor Academic Practice, this will be investigated by the Head of School as a first instance. If the Head of School is satisfied that the student had been provided with the appropriate information and guidance on how to develop skills about such practice and, in all the circumstances, could reasonably be expected to avoid the academic misconduct, a **penalty** will be imposed.

Where the misconduct relates to work undertaken in a taught module or as part of a taught programme of study, the Head of School will impose a penalty. The matter will be recorded on the student's School record as a case of Academic Misconduct and reported to the Secretary to the Academic Misconduct Committee at the same time that the student is notified of the decision. If appropriate, the School will provide the student with relevant guidance to enable the student to develop his or her understanding of good practice. Any penalty that impacts the marks of the assessment will be applied in conjunction any other penalty (e.g. late submission or exceeding the word count). All penalties should be appropriate and proportionate, taking into account the evidence presented by the School and the student and the impact of the penalty. The penalties available to the Head of School are:

i) **A written warning**. (Where relevant, the lower standard of the piece of work is likely to be reflected in the mark awarded but no further penalty will be imposed).

ii) **A mark of zero for the specific material** which is the subject of the academic misconduct or where the material does not constitute a specific paragraph or section. The amount of material deemed to be academic misconduct is a matter of academic judgment, and cannot be determined by a Turnitin report alone.

iii) **An overall percentage reduction** to the piece of work reflecting the percentage of the work which is the subject of the academic misconduct, as determined by the Head of School. The amount of material deemed to be academic misconduct is a matter of academic judgment, and cannot be determined by a Turnitin report alone.

iv) **A mark of zero for the entire piece of coursework** or assessment in which the academic misconduct has occurred. In the case of misconduct in examination a mark of zero will be recorded for the examination in question.

v) **A mark of zero for the entire module** in which the academic misconduct has occurred.

vi) To be applied in relation to 'failure to disclose previous experience or qualifications that are a bar to enrolment on a module' only, a mark of **zero for the module** with the requirement for the student to take a **different module** as a reassessment (where a reassessment opportunity is permitted).

Or:

vii) If the misconduct does not relate to work undertaken in a taught module or as part of a taught programme of study, the case should be referred to the Academic Misconduct Committee (see above).

viii) Where an academic penalty is not appropriate (eg where a student has been found to have assisted another to gain an unpermitted advantage), the Head of School may request that the Chair of the Academic Appeals and Misconduct Committee uses summary jurisdiction to apply a fine up to a maximum of £150. The Secretary to the Committee will liaise with the Chair on the Head of School's behalf. The Chair may approve the request or liaise with the University Assessor as outlined above if they believe it to be relevant to the case.

Student self-referral to Academic Misconduct Committee

Where a student is dissatisfied with a School's decision, they may be able to request a self-referral on the following grounds:

- A procedural irregularity occurred in the handling of the School's investigation which has a material impact on the outcome/decision making.
- A compelling argument that the decision and/or penalty was unreasonable and/ or disproportionate.

Note: Self-referral requests made on the above grounds must be supported by evidence and a clear rationale for the grounds claimed. Claims that amount simply to an expression of dissatisfaction with the decision or penalty imposed will not be considered. Please note that new evidence will not normally be considered within a self-referral request if it has not been submitted for consideration during the School investigation stage of the procedure, without compelling reason as to why it was not submitted for consideration by the School. Should a student self-refer their case to the Academic Misconduct Committee, they are expected to make every effort to attend the hearing, either in person or via Skype™/Video Conferencing where possible.

The request must be made in writing, to the Secretary to the Academic Misconduct Committee (academic-misconduct@nottingham.edu.cn), within **5 working days** of the date of the outcome of the School investigation. This does not apply where the course of action is to refer the case to the Academic Misconduct Committee. The Secretary will request from the Head of School the decision letter and supporting evidence as required.

The Academic Misconduct Committee

The procedure relating to the Academic Misconduct Committee is managed by the **panel Secretary** on behalf of the Academic Misconduct Committee on each campus. Staff and students should ensure they understand the full detail of the procedure relating to the relevant campus (UK, China, Malaysia) and liaise with the correct Secretary. The full detail of the procedure should be read in conjunction with the below summary.

Summary of Academic Misconduct Committee procedures

Ordinarily, cases will be heard by a **panel** on behalf of the Academic Misconduct Committee in the form of a formal hearing. The panel will comprise three members, two of whom will be academic staff members of the Academic Misconduct Committee. One of the academic staff members will act as Chair. The third member will be a trained student representative or, where no student representative is available, a third academic staff member of the Academic Misconduct Committee. The student whose case is being heard may insist that the panel does or does not include a student representative.

i) Paper-based review without student attendance

In some circumstances, the case may be considered by a virtual panel, without need for formal hearing (or for the student to be in attendance). In this instance, the evidence and student representations considered by the School are sent to three academic staff members of the Academic Misconduct Committee. Students can request this, following instructions in their School outcome letter. As a minimum, all of the following criteria should be met:

- The student does not dispute the School's finding of academic misconduct
- The facts of the case are not in dispute and there is no additional evidence to present (other than that already presented at the School meeting)
- Due to 1 and 2, there would be little to discuss at panel and therefore the case is suitable for paper-based consideration.

Students will be informed of the outcome in writing. Students who are dissatisfied with the outcome can request a review of the decision by the Director of Service Development (or nominee). Students cannot appeal the finding of academic misconduct, but may appeal against the penalty only on the grounds that a different penalty be imposed. Claims that amount simply to an expression of dissatisfaction with the penalty imposed will not be considered.

ii) Academic Misconduct Committee hearing

If the case is not to be heard by a virtual panel, the School or Department representative and the student will be notified of the date of the next available hearing. For cases of suspected collusion, joint or group allegations may be considered at a single meeting with all students in attendance. The School or Department representative(s) are required to attend to present their case. If the student is unable to attend, the hearing will take place in the student's absence and the Chair will have a duty to ensure that the members of the panel are fully aware of all the facts including the points made in the student's statement.

The hearing documentation will be circulated in advance of the hearing and will include the Head of School's decision letter and supporting evidence. The student will be invited to submit an additional written statement for inclusion in the documentation.

Panel members, the student and the School or Department representative will all have access to the same documentary and verbal evidence. An exceptional arrangement may be made at the discretion of the Chair, if a student wishes to request that additional evidence be made available to the

panel only (e.g. properly certified medical evidence that the student felt unable to share with the School or Department).

If the student has a **previous case** of Academic Misconduct on their record, the panel will only be told of this after a verdict is reached but before a penalty is decided upon (if appropriate). The only **exception** to this will be if, in making his or her case to the panel, **the student chooses to disclose a previous instance or makes false representation about previous instances** of academic misconduct in which case the School may correct matters of fact.

The School or Department and the student may invite **witnesses** to attend.

The student is entitled to bring a supporter to the hearing. The supporter must be either; a fellow student, a member of staff. The supporter may take notes on the student's behalf, make representations on the student's behalf and ask questions, but may not answer questions on the student's behalf. The student may be asked to choose a different supporter if, for example, it is perceived that the chosen supporter may cause a conflict of interest or if their presence may prejudice the meeting. The supporter cannot attend the meeting in the student's absence.

The names and roles of those attending, whether as supporter or witness, must be **notified** to the Secretary at least three working days in advance of the hearing.

A panel of the Academic Misconduct Committee acts with the full delegated authority of **Senate**. It has the power to:

a) **require** members of the staff of the University to make written submissions, attend, give evidence and answer questions

b) **apply a penalty** if it is satisfied, on the balance of probabilities, that academic misconduct has taken place.

Once the panel has made its decision the student and School or Department will be notified of the **outcome in writing**.

If the panel identifies any **shortcomings** in the School or Department procedure, details of these will be recorded by the Secretary who will report them to the School or Department.

Penalties available to the Academic Misconduct Committee

A panel of the Academic Misconduct Committee has the **power** to apply **one or more** of the following penalties/actions:

a) any of the penalties/actions listed as available to the Head of School/Department

b) award a mark of zero for the entire module in which the academic misconduct has occurred

c) award a **mark of zero for all the assessments in the semester** (even where this will lead to, for example, a reduction in degree class or the award of a lower qualification). In the case of year-long modules, this penalty may affect both semesters

d) award a **mark of zero for the whole year** (even where this will lead to, for example, a reduction in degree class or the award of a lower qualification)

e) require the student to **take reassessments** (as a result of being awarded zero marks) in the following session before being allowed to progress or complete their course.

f) require the student to **register** with the University and enroll on modules in which they need to take reassessments (as a result of being awarded zero marks) in the following session before being allowed to progress or complete their course.

g) in the case of PhD students, confirm the student's probationary status and require the student to undertake another **annual (confirmation) review** in line with the Quality Manual guidance

h) require a research student to **resubmit** a thesis with or without a viva

i) require a research student to **register** for a period of supervision before being allowed to resubmit a thesis

j) **suspend or terminate** the student's course

k) **withdraw the award** of a degree or other qualification from a former student of the University

Any of the penalties/actions may also be applied to a student found to have committed academic misconduct during a **reassessment**. Where the penalty would lead to the termination of the student's course through the automatic application of University regulations (i.e. because the student has exhausted their reassessment opportunities), the Committee may exercise its discretion and decide to grant the student one further reassessment opportunity notwithstanding regulations.

Next steps

Students who consider that the University has failed to carry out its duty to act fairly in the application of the Regulations on Academic Misconduct should submit a Review Request form to academic-misconduct@nottingham.ac.uk to **request a review** of their case by the Director of Service Development (or nominee). Dissatisfaction with the outcome alone does not constitute grounds for requesting a review. In order for a review request to be considered the student must establish the following grounds:

- A procedural irregularity occurred in the handling of the AMC hearing
- A compelling argument that the decision and/or penalty was unreasonable and/ or disproportionate.

Such requests should be made within **one month** of the student being notified of the decision of the Committee. Where necessary, the Director, or delegate acting on the Director's behalf, may liaise with the Chair of the Academic Appeals and Misconduct Committee in conducting the review and in determining an appropriate outcome.

The review stage will not usually consider the issues afresh or involve further investigation. The reviewer can:

- Reject the claim and issue the student with a Completion of Procedures letter
- Uphold the claim and refer to the Chair of the Academic Appeals and Misconduct Committee. The Chair may substitute a decision on behalf of the University.

Completion of Procedures

As required by the Office of the Independent Adjudicator (OIA), if we are unable to resolve the case to the student's satisfaction, and there are no further steps available to the student, we will issue a formal "Completion of Procedures" letter within 28 days of the outcome being determined. This provides formal confirmation that the student has exhausted the internal procedure and is required for their case to be considered by the OIA.

Office of the Independent Adjudicator

Once the internal procedures of the academic misconduct policy have been completed, if the student is still not satisfied with the outcome, they may take their case to the Office of the Independent Adjudicator (OIA). The OIA operates externally to the University. It will not normally look at a case unless and until all relevant internal procedures have been exhausted. Further information is available from the OIA website.

199 Taikang East Road, Ningbo, 315100, China
T. +86(0)574 8818 0000 F. +86(0)574 8818 9372

浙ICP备12026790号 浙公网安备 33021202001714号