

# Academic Misconduct

## 1 Principles

1.1 The **academic enterprise** at the University of Nottingham, whether scholarship, research or innovation, is based on the values of academic integrity, honesty and trust.

1.2 Any improper activity or behaviour by a student which may give that student, or another student, an **unpermitted academic advantage** in a summative assessment is considered to be an act of academic misconduct and unacceptable in a scholarly community. Such action(s) will be considered under these Regulations and this may lead to a penalty being imposed.

1.3 These Regulations may be applied to **all** students of the University, whether currently registered or not, and to **former** students where appropriate.

1.4 The University's **Fitness to Practise** procedures may also be applied to students on programmes of study which lead to professional registration and whose actions are considered under these Regulations.

1.5 Schools/departments will provide **advice** and **examples** to students as to what constitutes academic misconduct and make them aware of these Regulations and the possible outcomes of action constituting academic misconduct.

1.6 Students are expected to **take responsibility** for the integrity of their own work, including asking for clarification where necessary.

1.7 Instances of academic misconduct and any penalty awarded may be referred to in student **references** or notified to an accrediting body.

## 2 Academic Misconduct

2.1 The following is a non-exhaustive list of examples of academic misconduct which will be considered under these Regulations:

2.1.1 **Plagiarism:** representing another person's work or ideas as one's own, for example by failing to follow convention in acknowledging sources, use of quotation marks etc. This includes the unauthorised use of one student's work by another student and the commissioning, purchase and submission of a piece of work, in part or whole, as the student's own.

Note: A proof-reader may be used to ensure that the meaning of the author is not misrepresented due to the quality and standard of English used, unless a School/Department policy specifically prohibits this. Where permitted, a proof-reader may identify spelling and basic grammar errors. Inaccuracies in academic content should not be corrected nor should the structure of the piece of work be changed; doing so may result in a charge of plagiarism.

**2.1.2 Collusion:** cooperation in order to gain an unpermitted advantage. This may occur where students have consciously collaborated on a piece of work, in part or whole, and passed it off as their own individual efforts or where one student has authorised another to use their work, in part or whole, and to submit it as their own.

Note: legitimate input from University tutors or approved readers or scribes is not considered to be collusion.

**2.1.3 Misconduct in examinations** (including in-class tests). Including, for example, when an examination candidate:

- copies from the examination script of another candidate;
- obtains or offers any other improper assistance from or to another candidate (or any other person unless an approved reader or scribe);
- has with them any unauthorised book (including mathematical tables), manuscript or loose papers of any kind, unauthorised electronic devices (including mobile telephones) or any source of unauthorised information [see the University's [Examination Guidance](#) for further information];
- allows himself/herself to be impersonated or when any person impersonates another examination candidate.

**2.1.4 Fabrication or misrepresentation:** the presentation of fabricated data, results, references, evidence or other material or misrepresentation of the same. Including, for example:

- claiming to have carried out experiments, observations, interviews or other forms of research which a student has not, in fact, carried out;
- claiming to have obtained results or other evidence which have not, in fact, been obtained;
- in the case of professional qualifications, falsely claiming to have completed hours in practice or to have achieved required competencies when this is not the case;

**2.1.5 Failure to disclose previous experience or qualifications** that are a bar to enrolment on a module (for example, enrolment on inter-faculty language modules).

**2.1.6 Failure to obtain ethical approval:** where work is undertaken without obtaining ethical approval when there is a clear and unambiguous requirement to do so.

## 2.2 Recycling

The multiple submission by a student of their own material is not, in itself, considered as academic misconduct. Submission of material that has been submitted on a previous occasion for a different summative assessment is, however, unlikely to be academically appropriate. The merit of such material will therefore be a matter of academic

judgement and it may attract fewer (or no) marks than would have been the case if it had not been assessed previously.

## 3 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 his or her behalf, which can include a delegate at the International Campuses. Any reference to the Secretary to the Academic Misconduct Committee should be taken to refer to the **panel Secretary** on each campus who manages the procedure on behalf of the Academic Misconduct Committee. The procedure set out in sections 3 and 4 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, Malaysia) and liaise with the correct Secretary.

### 3.1 Reporting a suspicion of academic misconduct

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

3.1.2 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 the School or Department in which the work was undertaken.

3.1.3 Where a student has reason to suspect a **fellow student** of academic misconduct, they may report this, in confidence, to the Head of the School or Department in which the work was undertaken. Their identity will not be revealed as part of any investigation without their consent. If consent is not forthcoming, no further action will be taken unless additional evidence is identified by an academic member of staff.

3.1.4 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.

3.1.5 The Head of the School or Department in which the work was undertaken is required to conduct an **investigation**. In instances where misconduct is suspected in assessed work for which coursework feedback (without marks) is due to be returned during an exam period, the student should not be notified of the suspected misconduct not the investigation started until after the exam period has ended (please refer to the Feedback to Students policy).

### 3.2 Investigation by the Head of School

3.2.1 The Head of School will **consider the evidence** and may **question** appropriate people to gain additional information.

3.2.2 The Head of School will ask the student to **attend a meeting** [letter template available [here](#)]. In the case of a student taking examinations at the time the investigation is instituted, notice of the meeting will be given after the last paper of the suite of examinations. The student is entitled to have a supporter attend the meeting with them. The supporter must be either; an Education Adviser from the SU (or equivalent at UNNC/UMNC), a fellow student, a member of staff, or a Union representative (eg BMA, RCN). 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.

3.2.3 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 make a decision but must ensure that the student is sent **written notification** of the outcome.

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

3.2.5 The student should 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 Head of School's request).

3.2.6 In the meeting the Head of School should:

i. Ensure the student is aware of the **definition** of academic misconduct (section 1 above).

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 he or she understands these reasons. All material relating to the case should be made available to the student (this does not have to be provided to the student in advance). Where plagiarism is suspected, the evidence should 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.

iv. Ask the student about any **training/guidance** he or she had received relating to academic misconduct and, in the case of suspected plagiarism, determine whether or not, upon submission of the piece of work, the student had declared that the work was their own.

v. Ask the student to **respond**, including providing details of any mitigating circumstances.

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 his or her behaviour.

vii. At the student's request, the Head of School will permit the student up to **one week** 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 should proceed based on the findings of the investigation.

3.2.7 Once the meeting has taken place and the student has submitted his or her written statement, the Head of School should **write** to the student [decision letter template available [here](#)], summarising the case and giving his or her decision for further action.

## 4 Outcomes from a School investigation

### 4.1 Decision of Head of School

4.1.1 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.

4.1.2 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. It is expected that the student will be notified of the decision within two weeks of the meeting with the Head of School.

### 4.2 Referral to Academic Misconduct Committee

4.2.1 Where the student:

- i) is a research student in their second or subsequent year of study and/or,
- ii) has a previous case of academic misconduct recorded against them and/or
- iii) where the Head of School regards as appropriate a penalty other than those available to him or her under these Regulations;

the Head of School should forward the decision letter and supporting evidence [see attached [list](#) of paperwork required from School] to the Secretary of the **Academic Misconduct Committee** via **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.

4.2.2 Where a case is reported to the Secretary of the Academic Misconduct Committee, the Head of School should 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.

4.2.3 Where it is considered that a **disciplinary offence** may have been committed (such as forgery, theft) in order to commit academic misconduct, the Head of School should refer the case to the Chair of the Academic Misconduct Committee (via the Secretary to the AMC). The Chair of the AMC will liaise with the University Assessor to determine whether the case should be considered under the Code of Student Discipline in addition to, or instead of, the Regulations on Academic Misconduct. Where more than one student is involved (eg where one student has impersonated another and the other has allowed him or herself to be impersonated) all related cases should be referred. Once the Chair has decided on the appropriate course of action, the Secretary will write to the student and Head of School giving further details.

4.2.4 Otherwise, the Head of School should refer to section 4.3.

### 4.3 School application of penalties

4.3.1 If (subject to 4.3.2 below) the Head of School is satisfied that the academic misconduct came about because of a lack of understanding of good academic practice or convention, the student will receive a **written warning**. This will be recorded on the student's School 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 his or her understanding of good practice.

4.3.2 If the Head of School is satisfied that the student had been provided with the appropriate information and skills about such practice and, in all the circumstances, could reasonably be expected to avoid the academic misconduct, a **penalty** may be imposed.

4.3.3 Where the misconduct relates to work undertaken in a taught module or as part of a taught programme of study, the Head of School may 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. 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, 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.

iii) **A mark of zero for the entire piece of coursework** or assessment in which the academic misconduct has occurred

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

v) To be applied in relation to 2.1.5 above 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:

vi) 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 4.2 above).

vii) 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 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 and/or refer to 4.2.3 above if he or she believes it to be relevant to the case.

#### 4.4 Student self-referral to Academic Misconduct Committee

If a student is dissatisfied with the procedure or outcome of the Head of School's investigation, including the penalty awarded, or if he or she believes that he or she had not received appropriate training or guidance from the School in the first instance, he or she may request that his or her case is heard by a panel of the Academic Misconduct Committee. The request must be made in writing, to the Secretary to the Academic Misconduct Committee, within one week of receiving notification of the outcome of the School investigation. This does not apply where the course of action is one stated in section 4.2 above. The Secretary will request from the Head of School the decision letter and supporting evidence as set out in section 4.2 above.

## 5 The Academic Misconduct Committee

5.1 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 section 6 of these Regulations.

## 6 Summary of Academic Misconduct Committee procedures

6.1 Cases will be heard by a **panel** on behalf of the Academic Misconduct Committee. 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 student delegate or, where no student delegate 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 delegate.

6.2 The School or Department representative and the student will be notified of the **date** of the next available hearing. The School or Department representative(s) are required to attend to present their case.

6.3 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 a written statement for inclusion in the documentation.

6.4 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 (eg properly certified medical evidence that the student felt unable to share with the School or Department).

6.5 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.

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

6.7 The student is entitled to bring a supporter to support them at the hearing. The supporter must be either; an Education Adviser from the SU (or equivalent at UNNC/UMNC), a fellow student, a member of staff, or a Union representative (eg BMA, RCN). 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. If the student chooses not to attend, they may elect to have an SU Education Adviser attend on their behalf. Only SU Education Advisers may attend in lieu of the student. 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.

6.8 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.

6.9 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.

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

6.11 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.

## 7 Penalties available to the Academic Misconduct Committee

7.1 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 in **4.3** above
- b) 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
- c) 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)
- d) 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
- e) require the student to **register** with the University and enrol 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
- f) 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
- g) require a research student to **resubmit** a thesis with or without a viva
- h) require a research student to **register** for a period of supervision before being allowed to resubmit a thesis
- i) **suspend or terminate** the student's course
- j) **withdraw the award** of a degree or other qualification from a former student of the University
- k) if because of the student's pattern of study, the panel believes that the application of any of the penalties/actions available will lead to an inappropriate penalty, the panel has the discretion to **substitute the mark of zero** for a number of credits of its choosing
- l) where an academic penalty is not appropriate (ie where a student has been found to have assisted another to gain an unpermitted advantage), the Academic Misconduct Committee has the **power to fine any amount**.

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 his or her reassessment opportunities), the Committee may decide additionally to grant the student one further reassessment opportunity notwithstanding regulations.

## 8 Next steps

8.1 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 may write to the Director of Service Development to **request a review** of their case. 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 Misconduct Committee in conducting the review and in determining an appropriate outcome. The Chair of AMC may substitute a decision on behalf of the University.

8.2 To contact the Secretary of the Academic Misconduct Committee please email **academic-misconduct@nottingham.edu.cn**

8.3 Where the penalty awarded by the Academic Misconduct Committee is to terminate the student's programme (7.1i), the student may refer to Ordinance XXIII, **Council Grievance Procedure**.

### Links:

[Template School Decision letter](#)

[Template letter to inform student of school hearing](#)

[Template student statement](#)

[UNUK procedure](#)

[Examination guidance](#)

[Code of Research Conduct and Research Ethics](#)

[Unacceptable Behaviour Policy](#)

[Policy on Communications with Third Parties](#)

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