

# CANTERBURY CHRIST CHURCH UNIVERSITY

## ACADEMIC MISCONDUCT PROCEDURE

2015

### What is the Scope of the Academic Misconduct Procedure?

1. The policy and procedures set out in this document apply to all undergraduate and taught postgraduate programmes of the University. The policy and procedures apply to all cases initiated after 1 January 2015.
2. Cases of plagiarism will be dealt with under the arrangements set out in the Assessment Procedures Manual.
3. These procedures cover all behaviour that affects the conduct of assessments and examinations which breaches University processes and which
  - (i) is likely to give an unfair advantage to the student
  - (ii) affects the integrity of examinations, whether oral, practical, coursework or time constrained written assessments
  - (iii) causes disruption of the examination process.
4. Academic misconduct includes, but is not restricted to:
  - (i) deliberate introduction into the examination room of any materials other than those permitted;
  - (ii) making use of unauthorised items or texts during the examination;
  - (iii) deliberate unauthorised removal of an examination script, any part of an examination script or blank examination stationery, from the examination room;
  - (iv) any attempt to confer with, or gain access to the script of, any other student during the period of the examination;
  - (v) copying from the script of another student during the examination;
  - (vi) inappropriately receiving help from or giving help to another person during the examination;
  - (vii) any attempt to tamper with examination scripts or coursework after they have been relinquished by students;
  - (viii) any use of prohibited materials during the period of the examination;
  - (ix) any unauthorised absence of a student from the examination room during the period of an examination;
  - (x) personating or attempting to personate a student;
  - (xi) other conduct likely to give an unfair advantage to the student;
  - (xii) unauthorised access to unseen examination papers;
  - (xiii) obtaining, or to seeking to obtain, any examination stationery or examination papers that are the property of the University;
  - (xiv) attempted or proven offering of financial or other inducements to those concerned with the examination process;
  - (xv) commissioning or attempting to commission others to produce assessments, including the use of commercial websites for this purpose;
  - (xvi) acting improperly in any way, whether before, during or after the examination, so as to obtain, or give to another student, an unfair advantage in the examination.

5. In respect of any postgraduate research, misconduct includes, but is not restricted to
  - (i) fabrication or falsification, deception in proposing, conducting or reporting the findings or outcomes of research;
  - (ii) deliberate, dangerous or negligent deviations from accepted research or ethical conduct
  - (iii) failure to follow approved research protocols particularly if this results in unreasonable risk or harm to research participants, other researchers or others in the environment/institution.
  - (iv) collusion in, or concealment of, such actions by others will also be regarded as misconduct.

## What happens if the Alleged Offence took Place in an Examination Organised by the University Registry?

### How is the Procedure initiated in Relation to Written Examinations?

6. The Chief Invigilator is responsible for reporting a case of suspected irregularity in a written examination to the Examinations Officer responsible for the oversight of the examination no later than the end of the daily session during which the suspected irregularity occurred, and to provide the relevant documentary evidence.
7. In respect of allegations of an examination irregularity, relevant documentation is to include:
  - (i) The examination script(s) or other work implicated in the suspicion of examination irregularity, and the question paper
  - (ii) The report(s) of the Invigilator(s) of the written examination(s) concerned
  - (iii) Any notes, or other items which may have conferred an unfair advantage, found in the possession of a student while in the examination room
  - (iv) The record of any interview held with the student(s) concerned conducted by the Chief Invigilator
  - (v) The statement provided by the student(s) concerned.
8. The relevant documents will be passed to the Director of Academic Administration, who will appoint a case officer. The case officer will arrange for the relevant documents to be copied to the Deputy Chair of the Board of Examiners concerned. The case officer may interview the person(s) concerned to establish the facts.

### What Role does Informal Resolution play in the Procedures?

9. Where the case officer deems, on the evidence presented, that the allegation of an examination irregularity is of a minor or technical nature, the case officer, after consultation with Deputy Chair concerned, may decide either that the Board of Examiners concerned may deal with the matter or that no further action is taken. In either case, the case officer shall take no further action, other than to inform the student in writing of the outcome.

## What is the Role of Formal Investigation?

10. Where the case officer deems that there is reason to believe there has been a breach of the examination procedures, the case officer will inform the student of the decision to refer the matter to the Investigator. A student may be referred whether or not there is evidence of an intention to deceive; that is, a judgement by the case officer that serious negligence has occurred is sufficient.
11. Before undertaking the Formal Investigation, the Investigator will:
  - a. inform the student of the nature of the alleged offence and, having given reasonable notice, enable the student to have an opportunity to be heard in accordance with the Framework for Student Procedures; and
  - b. advise the student that assistance and support is available from Student Support, Health and Wellbeing or the Students' Union; and
  - c. of the right to be accompanied to the meeting in accordance with the Framework for Student Procedures.

## What happens if the Alleged Offence took Place in an Assessment Organised by the Faculty, School, Department or Partner Institution?

### How is the Procedure initiated in Relation to Assessments undertaken within the Faculty, School, Department or Partner Institution?

12. The examiner is responsible for initiating procedures in relation to a case of suspected irregularity or misconduct in all cases other than those that are the responsibility of the Director of Academic Administration by reporting any suspected irregularity or misconduct as soon as possible after it has been detected, and in any case no later than seven working days from the date of its detection.
13. The examiner is to provide the Deputy Chair with all relevant documentation, including the record of any interview held with the student concerned, and at the same time notify the student concerned in writing that the matter is being reported to the Deputy Chair.

## What Role does Informal Resolution play in the Procedures?

14. Where the Deputy Chair deems on the evidence presented that the allegation of an examination irregularity or academic misconduct is of a minor or technical nature, the Deputy Chair, after consultation with the Chair concerned, may decide either that the Board of Examiners concerned may deal with the matter or that no further action is taken. In either case, the Deputy Chair shall take no further action, other than to inform the candidate in writing of the outcome.

## What is the Role of Formal Investigation?

15. Where the Deputy Chair deems there is reason to believe there has been a breach of the examination procedures or academic misconduct, the Deputy Chair will inform Registry and the student of the decision to refer the matter to the Investigator. A student may be referred to an Investigator whether or not there is evidence of an intention to deceive; that is, a judgment by the Deputy Chair that serious negligence has occurred is sufficient.
16. Before undertaking the Formal Investigation, the Investigator will:
  - a. inform the student of the nature of the alleged offence and, having given reasonable notice, enable the student to have an opportunity to be heard in accordance with the Framework for Student Procedures; and
  - b. advise the student that assistance and support is available from Student Support, Health and Wellbeing or the Students' Union; and
  - c. of the right to be accompanied to the meeting in accordance with the Framework for Student Procedures.

## How is the Student's Perspective considered?

- 17 The Investigator must ensure the student has adequate opportunity to be heard.
- 18 The student has the right to request support in the preparation of the case from the University's Department of Student Support, Health and Wellbeing or from the Students' Union.
- 19 The student is to be given a copy of the evidence requested by and presented to the Investigator.
- 20 The student has the right to make personal statement in writing. The Investigator must consider all such statements presented by, or on the specific written authorisation of, the student. The Investigator is to be satisfied that any written statements made on behalf of the student have been made available to the student.
- 21 Where an Investigator upholds the position of the student based on a reading of the written case, and the student agrees the outcome, there is no requirement that the student is invited to talk with the Investigator.
- 22 Where a case requires further investigation, the Investigator must give the student the opportunity to be heard either in a face to face meeting or at a distance by making use of any appropriate means of telecommunication, including telephone and Skype.
- 23 When attending in person, the student has the right to be accompanied by a friend, defined as a registered student of Canterbury Christ Church University, a member from the same cohort as the student, a member of the Students' Union Council, an officer of the Students' Union or a current member of staff of the University. In all cases, the friend may speak on behalf of the student.

- 24 When a student declines to meet with the Investigator, the Formal Investigation will be concluded based on the evidence collected. The right to Representation to the Vice-Chancellor will be unaffected by non-attendance at a meeting.
- 25 It is aimed to complete the Formal Investigation stage within twenty working days of the appointment of the Investigator. The general exception is where notification is received outside the published term dates for the programme, when the aim is to complete the Formal Investigation stage within forty working days of the appointment of the Investigator.

## What Decisions might be made by an Investigator investigating Academic Misconduct?

- 26 After consideration of the evidence, the Investigator shall determine whether misconduct or an irregularity has been committed and shall consider what action to take in respect of the student or students involved.
- 27 If the Investigator establishes an irregularity has been committed by the student, the Investigator shall determine:
- (i) the seriousness of the offence;
  - (ii) the relation of the assessment in question to the structure of the programme of study for which the student is registered;
  - (iii) the arrangements for resitting the examination/retaking the assessment in question;
  - (iv) the effect concerning outcome that failure of the paper(s) or assessment(s) in question would have on a student in normal circumstances.
- 28 The Investigator will determine the outcome, which might include one or more of the following, which are indicative and do not constrain the Investigator:
- (i) That no irregularity/misconduct has been committed and that no further action is taken.
  - (ii) That there has been an irregularity/evidence of academic misconduct but no further action is taken.
  - (iii) That a person designated by the Investigator informally reprimands the student, and reminds the student of the need to observe strictly assessment/examination procedures. Such an informal reprimand shall not be entered on the student's record.
  - (iv) That the student be formally reprimanded and reminded of the need strictly to observe the provisions of the procedures. The Director of Academic Administration shall put such a reprimand in writing as soon as is practicable. Such a formal reprimand shall be entered on the student's record.
  - (v) That a reduced mark be given for the performance of the student in the assessment in question. That no mark be given for the performance of the student in part or in all of the assessment in question.
  - (vi) That the student fails the module in which the assessment in question falls, with or without the opportunity to resit.
  - (vii) That the student be permitted to resit part or all of those assessments or examinations on the next normal occasion, either to enable the student to gain a marginal pass mark for the course or a marginal pass mark.

- (viii) That the student not be permitted to resit the assessment or examination.
- (ix) Recommend, in writing, to the Academic Board the award be reduced by one or more classification.
- (x) Recommend, in writing, to the Academic Board that no award is made or that the student be excluded from any future assessments or examinations of the University or that an award already made should be revoked.

## What are the Arrangements for Representation to the Vice-Chancellor?

- 29 The student may make a Representation to the Vice-Chancellor in writing against the decision of the Investigator within twenty working days of the date of the formal written response.
- 30 In exceptional circumstances, the Vice-Chancellor may extend the time allowed for submission of a Representation if satisfied there were valid reasons why the request was not submitted within twenty working days. Such circumstances might include, but are not limited to, the student being ill or having other pressing reasons.
- 31 The Vice-Chancellor will nominate a suitable individual to review the Representation. Normally, this will be the Pro Vice-Chancellor (Education and Student Experience). The arrangements for delegation may include arrangements to cover any period of absence from the University.
- 32 The Vice-Chancellor's nominee is not limited in the means of seeking a resolution. The nominee may, for example, propose a particular course of action, recommend mediation be undertaken subject to the agreement of the student or determine that a further investigation is to be undertaken.
- 33 The outcome of the Review Stage may be a confirmation that the procedures were followed, the outcome was reasonable and there was no further action that the University should take.
- 34 It is aimed to complete the Review Stage within twenty working days of the Vice-Chancellor acknowledging the notification. The general exception is where the notification is received outside the published term dates, when the aim is to complete the Review Stage within forty working days of the notification being acknowledged.
- 35 The decision of the Vice-Chancellor's nominee represents the completion of the internal procedures of the University.

## What happens after the Internal Procedures of the University are complete?

- 36 Once the student completes the internal procedures of the University but believes the issue has not been appropriately addressed, the student may complain to the Office of the Independent Adjudicator for Higher Education (OIA).