

Approved by: Senate

Student Guide on Good Academic Practice and the Avoidance of Plagiarism

Good Academic Practice and the Avoidance of Plagiarism

Guidelines for Students

Foreword

A University education is not simply about passing exams to gain a good degree. It is about growing as a member of the academic community by learning about your chosen discipline, developing research skills and finding your own academic voice to speak authoritatively in your areas of expertise.

As members of the academic community, you are responsible for ensuring that your work abides by the conventions and rules of that community. That includes ensuring that the correct citation and referencing conventions are applied in your work when you use or quote the work of other people. This ensures that everyone receives the credit due to them for their work and helps to demonstrate your intellectual integrity.

Developments on the internet and in technology, the fact that essay banks and ghostwriting services now advertise their services freely, the expansion of off-campus learning and the growth in the use of group work and assessed coursework rather than closed examination have increased opportunities for plagiarism. At the same time, increasing pressures on you as students, whether external (i.e. caring responsibilities or the need to undertake paid employment) or internal (i.e. lack of time and doubts about the worth of your own work), have increased the temptation to plagiarise.

Opportunities and pressures notwithstanding, the majority of students continue to demonstrate their academic integrity by producing work which complies with academic conventions, taking care to ensure that sources are properly accredited. However, there are a number of students each year who have to face disciplinary procedures for plagiarism at Departmental or University level. Many of these state either that they had not intended to plagiarise or that they had not understood that what they had done constituted plagiarism. These guidelines have therefore been written to encourage academic integrity and good academic writing, to help you understand what plagiarism is, and to help you to avoid plagiarism in your own work.

Your course/Department may use specific plagiarism detection software to assist academic staff to identify and deal efficiently and effectively with cases of plagiarism where they exist. The most common software currently in use across the University is Turnitin (see Appendix 1 for details of this software and its use).

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Please contact the Governance, Management and Policy Team if you have any queries.

What is plagiarism?

Plagiarism is the unacknowledged use of another person's work or ideas, whether intentionally or unintentionally, and is a form of intellectual theft. Ignorance or lack of understanding, while perhaps understandable in a student in the early stages of their academic career, does not excuse plagiarism. Remember it is up to you, as a member of the academic community, to find out what the academic conventions are and to stick to them.

The following examples, which apply both to conventional sources and information downloaded from the internet, are illustrative and not exhaustive:

- inclusion of phrases or ideas from another's work without the use of quotation marks and appropriate acknowledgement of the source;
- summarising somebody else's work without acknowledgement;
- paraphrasing somebody else's work by changing a few words or altering the order of presentation without acknowledgement;
- copying somebody else's work;
- using somebody else's ideas, theories or opinions without acknowledgement or presenting work which is substantially somebody else's ideas as one's own;
- collusion or the representation of a piece of unauthorised group work as the work of a single candidate;
- duplication or the inclusion in coursework of material identical or substantially similar to material which has already been submitted for another assessment or for the award of another degree;
- commissioning, stealing or acquiring an assignment done by another person and submitting it as your own work;

- copying data/experimental results/statistics/references from whatever source (ie work of fellow students, notes provided by lecturers/tutors, textbook etc) without acknowledgement
- copying tables, graphs, diagrams or other visual material without acknowledgement

Why does it matter?

Adherence to the academic conventions on citation and referencing is very important as **the quality and reputation of your final award depends upon the academic integrity of your work**. Your degree is awarded, and your classification decided, on the understanding that the work submitted, other than in the case of formal groupwork (which has its own conventions), is your own and not that of somebody else. Should it be demonstrated at a future date that this was not in fact the case, you may be stripped of your degree.

Even if you were to get away with plagiarism now, it may come back to haunt you in the future. In recent years there have been a number of well-publicized cases from across the world in which established members of academic staff (from Vice-Chancellors down), broadcasters and others have had to resign from their posts or have had their works withdrawn because of the revelation of instances of plagiarism which had taken place as much as 20 or 30 years previously.

How can I avoid it?

Use your own words

Always seek to express your own ideas in your assignments, using your own words. An important part of your learning is the formulation of your own views and opinions, the ability to express these clearly and explain them to others, and the development of your own writing style. While you can, and indeed should, study ideas and information from a variety of sources, subjecting these to critical analysis and using them to support your own analysis and arguments, it must be clear to the reader what is your own work and what is brought in from elsewhere. It is helpful to comment on direct quotations to show, for example, why you have selected them, how they support your argument, or what they add to your discussion. If you wish to paraphrase or summarise an argument used by someone else try doing this without looking at the original, relying only on your understanding and memory of what you have read and your notes.

Citation and Referencing

Citing the work of others is a means of strengthening and supporting your own ideas and arguments, not replacing them. In addition, it allows you to comment on the validity and usefulness of their ideas or arguments. Obviously, you must state the source of any direct quote but, even when you summarise or paraphrase the work of others, you must properly cite the original source in accordance with the conventions of your academic discipline. **You will not be accused of plagiarism if the sources of any information, ideas or writing you have used have been properly acknowledged.**

The conventions on citation and referencing can vary between disciplines so it is very important that you read any materials on this subject provided by the department(s) in which you study and **seek clarification from your lecturers and tutors** if you are still unsure about the conventions which apply. If in doubt, however, it is always best to cite your sources.

Advice can also be obtained from the following websites

A Quick Guide to Referencing

<http://www.jiscpas.ac.uk/documents/tipsheets/tipsheet3.pdf>

http://www.jiscpas.ac.uk/documents/tipsheetsv3/tp06_AQuickGuideToReferencing.pdf

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Effective Note-taking

In addition, it is helpful to learn to take notes effectively, putting direct quotations in quotation marks and including details of your sources for ideas, quotations, results, tables, diagrams etc so that these can be readily referenced when you come to complete your assignment or other piece of work. If you do choose to cut and paste something directly from the internet or other e-resources into your notes, be sure to put the pasted text in quotation marks and to note down the source (including the URL and the date viewed).

You should also refer to the following:

Being an information literate researcher: tips for avoiding plagiarism

http://www.jiscpas.ac.uk/documents/tipsheetsv3/tp11_BeingAnInformationLiterateResearcher.pdf

How can people tell if something has been plagiarized?

Often a member of academic staff recognizes the source as something which he or she has read (or indeed written!) or realizes that references are being made to works which you cannot have accessed. Also, it is often possible to detect a difference in writing style or command of the English language. Any suspicion can usually be quickly checked by using a search engine on the internet or through discussion with other members of academic staff who may well recognize the source.

In this context, the University now subscribes to plagiarism detection software – Turnitin – which is becoming increasingly widely used across the University. Some departments are using it to check on suspected cases of plagiarism; others now require all students to submit their assessments electronically so that all, or a sample of the total, can be uploaded into Turnitin for checking. Departments may also make the software available to you as a learning tool so that you can check your work at the draft stage.

You might like to view the following:

Identifying Plagiarism in Student Work

http://www.jiscpas.ac.uk/documents/tipsheetsv3/tp04_IdentifyingPlagiarismInStudentWork.pdf

What will happen if I am suspected of plagiarizing?

If you are suspected of plagiarizing, you will be called to a meeting with your Head of Department and asked to explain any similarities between your work and that identified as the possible source of material that you may have used without proper acknowledgement. If the Head of Department concludes that you are guilty of plagiarism, collusion or copying, you will be asked if there are any mitigating circumstances. After consideration of all the facts of the case, the Head of Department has the authority to refer you to the Centre for Academic Practice and Learning Enhancement for assistance with academic writing, and/or to reduce marks for poor scholarship (including reducing marks to zero), or to require you to repeat the assignment or class, or to decide that you cannot progress on your course, or to refer your case to the Senate Discipline Committee. A note of the meeting will be taken and the outcome noted. You will have an opportunity to comment on the accuracy of this note which will be kept on your file.

Cases must be referred to the Secretary to the University if the alleged plagiarism is considered to be sufficiently serious (for example, if you have been found guilty of repeated plagiarism, have lifted significant amounts of text from other sources without acknowledgement, or are in the final stages of

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your degree programme), or if the appropriate penalty would have serious consequences for your academic career (for example, if it would result in a lower classification or in the award of a lesser qualification, or indeed no award). The Secretary of the University then decides whether the case should be referred to the Senate Discipline Committee for consideration.

In this case you may be asked to appear before the Committee, which is convened by the Vice-Principal assisted by two members of the University Senate and two members of the Students' Executive. The Committee will interview you and a representative(s) of the Department to decide whether or not an offence has occurred and, if so, to consider any mitigating or aggravating circumstances. You and the Departmental representative(s) will be asked to leave the room while the Committee deliberates. Once a decision has been reached, you will be called back in to the meeting to hear the outcome of that deliberation.

Where can I get advice and support if I am accused of plagiarism?

If you are accused of plagiarism you can seek support and advice from ASK in the Students' Association and from the Student Advisory and Counseling Service. If you have to appear before the Senate Discipline Committee you will be permitted to bring a representative with you. This might be a member of ASK, of the Student Executive, a friend or advisor.

What penalties can be imposed by the University?

Plagiarism is something which the University takes very seriously. It is subject to both academic and disciplinary procedures. For example, while an allegation of *intentional* plagiarism may be dismissed, you may still incur an academic penalty (ie loss of marks, including the reduction of the mark to zero) for poor scholarship because the work you have submitted has few, if any, of your own ideas or arguments. Offences are assessed on a case by case basis. The existence of intention is important in determining whether or not disciplinary action should be taken and what kind of penalty should be imposed. Relevant aggravating and mitigating factors are also taken into consideration and can affect the severity of the outcome.

The penalties for academic dishonesty are formally set out in Regulations 5.4 and 5.9 in the University Calendar (see Appendix 2 below).

In each of the real examples given below the Secretary to the University had decided that the allegations and/or the penalty proposed by the Department were sufficiently serious to go before the Senate Discipline Committee.

Penalties imposed recently by the Senate Discipline Committee include:

Example 1

It was alleged that coursework submitted by a *first year undergraduate student* for two classes had substantial elements plagiarized from identified sources. The student, who had admitted to both cases of plagiarism stating lack of time as the explanation for this, did not attend the hearing. Noting that the student had not submitted information about any mitigating circumstances the Committee upheld the case and resolved that:

- The marks for the two pieces of coursework be set to zero
- The student be formally reprimanded
- The student be suspended from the course for the following session

Example 2

It was alleged that coursework submitted by a *third year part-time undergraduate student* for two classes had substantial elements plagiarized from identified sources. The student did not attend in person but was represented by the Ask Advisor from USSA who circulated a statement from the student including details of mitigating circumstances. Although the Committee was sympathetic to the student's circumstances it upheld the case and resolved that:

The mark for the two pieces of coursework be set to zero, and
The student be required to withdraw from the course.

Example 3

It was alleged that coursework submitted by a *third year undergraduate student*, for two classes had elements plagiarized from identified sources. The student attended the hearing and admitted copying the work of others but averred lack of awareness that this constituted plagiarism. The Committee upheld the case and resolved that:

The marks for the assignments in question be set to zero
The student be not permitted to proceed to Honours year
Should the student's academic record require re-attendance at the current year of study, the Department should ensure that the student received personal tuition regarding plagiarism.

Example 4

It was alleged that the dissertation submitted by a *final year undergraduate student* had elements plagiarized from identified sources. The student attended the hearing. The student did not dispute the allegation but stated that the method used for note-taking had led inadvertently to the use of text from a book as the student's own work. The Committee resolved that:

The mark for the dissertation should be set to zero
The student should not be awarded an honours degree.

Example 5

It was alleged that the project submitted by a *taught postgraduate student* had substantial elements plagiarized from identified sources. The student attended the hearing with three representatives and gave details of mitigating factors. The Committee upheld the case and resolved that:

The student be formally reprimanded
The mark for the assignment be set to zero

Given the mitigating factors presented, the Committee also resolved that:

The student be permitted to resubmit the assignment and that the subsequent mark be recorded as a second attempt
Prior to resubmission, the student should meet with the department to confirm the content of the resubmission, the rules on academic dishonesty and the timescale for resubmission
This instance of academic dishonesty should not bar progression to the masters qualification which should be judged on academic merit.

Example 6

It was alleged that the final dissertation submitted by a *distance learning taught postgraduate* had substantial elements plagiarized from identified sources. The student did not attend the hearing and declined the use of video-conferencing facilities. Consideration was given to aggravating circumstances. The Committee upheld the case and resolved that:

The student not be permitted to graduate with the Masters award but be considered for the maximum award of Postgraduate Diploma
The student be formally reprimanded.

What is Turnitin?

Turnitin is a software programme which has been developed to facilitate the speedy comparison of students' work against a whole host of electronic sources. It can be a useful learning tool to enable you to identify your own poor academic practice and improve your academic writing, but it can also assist the lecturer or tutor in the detection of plagiarism, including collusion, by checking students' work for matches much more quickly than they can do themselves using a search engine. Turnitin does not decide whether or not there has been plagiarism in a particular piece of work. That decision is made by the member of academic staff.

How does Turnitin work?

- 1) Either you or a member of staff uploads your work into the software.
- 2) Turnitin then checks it against its databases. These include a current and archived copy of the internet, a database of books and journals and a database of the student papers previously submitted to Turnitin.
- 3) Turnitin produces an originality report which highlights sections of text within the piece of work which have been found in other sources within the database, including those which have been correctly cited and referenced, and gives you a direct comparison with the source.
- 4) The lecturer/tutor or student reviews the report and identifies any passages which have either been incorrectly cited or which are unacknowledged.
- 5) Decisions can then be taken on what actions are required.

What are the draw backs?

The text highlighted in the originality report includes all duplicated text, including that which has been correctly cited and referenced. However, the software now includes a feature which allows you to exclude quoted and bibliographic material from a search.

Who uses Turnitin?

Turnitin currently covers over 9.5 million high school, college and university students in over 90 countries. It is used by approximately 90% of Universities in the United Kingdom.

How is it used?

Different institutions use it in different ways. A study carried out by the Association of Managers of Student Services in Higher Education in November 2006 showed the following patterns of usage:

- Available for use by students as an educational tool to help them recognize plagiarism and improve their writing skills;
- Available for students as a submission tool only;
- Used by all staff, University-wide, and every piece of student work is submitted and checked as a matter of policy;
- Used by particular departments/faculties/colleges/schools for particular programmes for which every piece of student work is submitted and checked as a matter of policy;
- Used to sample student work;
- Available for staff to use on an ad hoc basis, as and when suspicion arises.

It can be used within WebCT, Blackboard and Moodle and can be used with open or anonymous marking.

At present the pattern of usage at Strathclyde varies between Departments. However, staff are now being advised to ask all students to submit their work electronically and either to upload all student work for a particular assessment or to upload a sample (say 15%) of that work. Staff are also being advised to permit you to upload your own work onto Turnitin to assist you to improve your citation and referencing skills and academic writing more generally.

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REGULATIONS FOR STUDENT DISCIPLINE EXTRACT FROM THE UNIVERSITY CALENDAR

5 Regulations for Student Discipline

[*Note:* These regulations are to be read in conjunction with Ordinance 12, Regulation 4 and the University's Procedures and Guidelines: Dealing with Instances of Academic Dishonesty]

5.1 Jurisdiction General

- 5.1.1 In terms of the Charter and Statutes, the University has general disciplinary authority over all student members of the University.
- 5.1.2 Students are required at all times during their period of study to be of good behaviour and to observe all regulations affecting them which may be made from time to time by the University or other approved body which they attend as part of a University course.
- 5.1.3 Students shall be held responsible for making themselves acquainted with all Ordinances, Regulations and official notices and any amendments thereto which affect them.
- 5.1.4 In addition to the provisions contained herein the University may from time to time
 - (i) approve regulations governing the conduct of students in or in connection with the University such as the Library, the Halls of Residence, the Students Association, the Centre for Sport and Recreation and other similar areas of activity;
 - (ii) make provision for the appointment of individuals or committees to conduct disciplinary investigations into alleged breaches of these regulations, making and issuing decisions thereon.
- 5.1.5 Failure to meet the regulations for all ICT equipment, including those for Faculties, Departments and the University, and regulations for Health and Safety may result in disciplinary action.
- 5.1.6 The Deans, the Director of Library Services, the Director of IT Services, the Accommodation Services Manager, the Head of the Centre for Sport and Recreation and the Security Manager, as appropriate officers of the University, shall be entitled to deal with disciplinary matters of a minor nature. These officers are referred to in these regulations as Disciplinary Officers.

5.2 Minor Offences

- 5.2.1 Disciplinary matters of a minor nature shall be held to mean and include any offence of a general nature which is prejudicial to good conduct and good order within the University and will normally be dealt with by a Disciplinary Officer.
- 5.2.2 Where the relevant Disciplinary Officer considers that the offence in question is of a more serious nature than at first appeared, the matter shall forthwith be reported to the Chief Operating Officer, whereupon the Chief Operating Officer shall instruct an investigation into the alleged offence and, if required, arrange for a formal hearing before the Senate Discipline Committee.
- 5.2.3 Proceedings for handling minor offences are given in Regulation 5.5. Any committee, sub-committee or other group established in accordance with Regulation 5.1.4 may deal with minor offences.

5.3 Offences Relating to Academic Dishonesty

- 5.3.1 The University's degrees and other academic awards are granted in recognition of a candidate's personal achievement.
- 5.3.2 Any action that circumvents the established academic practice regarding assessments may be deemed to be academically dishonest.
- 5.3.3 Any action on the part of a candidate that involves academic dishonesty (such as plagiarism or cheating in examinations that are assessed as part of the requirements for an academic award) shall be regarded as a serious offence pending investigation.
- 5.3.4 Potential acts of academic dishonesty are subject to both academic and disciplinary procedures. Both forms of procedure may be appropriate and relevant in that an allegation of academic dishonesty may be dismissed but the student may still incur an academic penalty for poor scholarship.
- 5.3.5 Where an apparent case of academic dishonesty is detected by an examiner or assessor either directly or, for example, through a report from an invigilator or an external examiner, this shall be formally reported by the examiner or the Course Supervisor or the Head of Department to the relevant undergraduate or postgraduate Board of Examiners, stating the course of action taken, be it:
- (i) that the examiner was satisfied that the matter required no further formal action but should be noted by the Head of Department; or
 - (ii) that the nature and/or extent of the academic dishonesty was such that, in the opinion of the examiner and/or the Course Supervisor or the Head of Department or nominee, the matter required further formal action. In such a case, the examiner, upon agreement with the Head of Department or nominee has the discretion to adjust the marks and results to the point where the academic rating for the piece of work in question is reduced to zero with whatever consequences would normally follow from such performance. Alternatively, a candidate may be asked to resubmit an assignment or repeat a practical examination; or
 - (iii) that the nature of the academic dishonesty, and/or its extent, was so significant that it was the opinion of the examiner and the Course Supervisor and/or the Head of Department or nominee, that sanction over and above the disallowance of work is appropriate and that the case should be referred to the Chief Operating Officer, whom failing the Director of Corporate Services, who shall decide whether the matter should be referred to the Senate Discipline Committee. The student shall be allowed to continue with their studies (or take any outstanding resit examinations) pending this decision or the hearing of the Senate Discipline Committee. Where a meeting of the Senate Discipline Committee is involved the relevant Board of Examiners shall be informed and shall defer any decision concerning that particular student.
- 5.3.6 If a matter has been referred to the Senate Discipline Committee, the relevant Course Supervisor and/or Head of Department or nominee shall inform the student concerned in writing that such action has been taken and that they will be contacted in due course by the Chief Operating Officer, whom failing the Director of Corporate Services, with information on the procedure to be followed.

5.4 Other Disciplinary Offences

- 5.4.1 The following list (or examples) of breaches of discipline is illustrative only and in no way prevents the University or any disciplinary committee thereof from considering and adjudicating upon any other conduct or action which appears to constitute a breach of discipline.
- 5.4.2 A student may be deemed to be in breach of discipline who:

- (i) wilfully or negligently defaces, injures or harms the property of the University or of an institution attended as part of a University course;
- (ii) is convicted by a court of an offence of a scandalous, immoral, disgraceful or criminal nature;
- (iii) disregards any regulation for the conduct of students or disobeys any member of the University authorised to check disorderly conduct;
- (iv) persistently fails to attend the classes, tutorials or laboratories in the curriculum;
- (v) uses offensive or improper language or behaves in an offensive or improper way;
- (vi) falsifies or seriously misuses University records including degrees, diplomas or certificates;
- (vii) engages in riotous or disorderly conduct in a manner contrary to the best interests of the University or seriously affects good order in or outwith the University;
- (viii) disregards any regulation governing the conduct or obligations of students within the jurisdiction of a Disciplinary Officer (see Regulation 5.1.6) or of the Students Association;
- (ix) brings the University into disrepute.

5.5 Proceedings before Disciplinary Officers or Authorised Committees (Minor Offences)

- 5.5.1 The student concerned shall be advised in writing of the date of the hearing, the details of the alleged offence, including the formal complaint or charge, and shall be asked whether or not they intend to admit or deny responsibility. Cases shall normally be heard as soon as is practicable. Normally not more than four weeks shall elapse between the date of notification to the student of the details of the offence and the date set for the hearing of the case.
- 5.5.2 If the offence is admitted or proved, the student shall be given the opportunity of making a statement in extenuation or mitigation. The Disciplinary Officer or committee hearing the case shall thereafter impose a suitable penalty, which shall not exceed those prescribed in the appropriate regulations (for example the Library Regulations). In the absence of a specific regulation any one or more of the following penalties may be imposed:
- (i) a fine not exceeding an amount determined by the Senate (set in Session 2007/08 at £100);
 - (ii) a reprimand, a suspension of facilities, services or privileges for a stated period not exceeding one semester;
 - (iii) a requirement to make good in whole or in part any damage caused.
- Subsequent failure to pay a fine or to make good damage by the date specified will constitute a major offence.
- 5.5.3 The decision of the Disciplinary Officer or committee concerned as to penalty or sentence shall be final, subject to the student's right to appeal to the Senate Discipline Committee against the sentence or penalty imposed.
- 5.5.4 Where the student has not admitted the offence and, after a full hearing of the case, does not accept the decision or findings or the sentence or penalty imposed by the Disciplinary Officer or committee concerned, the student may appeal to the Senate Discipline Committee.
- 5.5.5 Any Note of Appeal concerning a minor offence shall be submitted to the Chief Operating Officer within fourteen days from the hearing of the case and must state the grounds upon which the appeal is made. The Appeal shall be heard by the Senate Discipline Committee.
- 5.5.6 Normally not more than four weeks shall elapse between the receipt of the Note of Appeal and the date set for the first hearing of the appeal by the Senate Discipline Committee.

Proceedings before the Senate Discipline Committee (Major Offences)

- 5.6.1 The Senate Discipline Committee shall deal with all offences of a major nature. Examples of breaches of discipline are set forth in Regulations 5.4.2 but such examples are illustrative only and shall in no way limit or restrict the jurisdiction of the Senate Discipline Committee.
- 5.6.2 The Senate Discipline Committee shall also deal with Appeals, in the case of minor offences, from a decision of or against sentence imposed by a Disciplinary Officer or by a committee or sub-committee formed in terms of Regulation 5.1.4.

5.7 Senate Discipline Committee: Constitution

- 5.7.1 The Senate Discipline Committee shall be drawn from:
- (i) a Senior Officer (other than the Vice-Principal) who shall be Convener except that, in the absence of a Senior Officer, one of the Senate members identified in (ii) below shall be elected Convener by the Committee for that meeting;
 - (ii) fifteen members of the academic staff appointed by the Senate with three members drawn from the Senate membership of each Faculty. The Senate representatives shall hold office for a period of three years from the first day of August following the date of their appointment. They shall, however, cease to be members of the committee on ceasing to hold the appointment by virtue of which they became members. Members shall be eligible for re-appointment.
 - (iii) the President of the Students Association (*ex officio*);
 - (iv) one member of the Students Representative Council appointed by the President of the Students Association, or in the President's absence, by the Deputy President.
- 5.7.2 A legal adviser may be invited by the Convener to sit with the Senate Discipline Committee and the Convener may also invite not more than two persons from outwith the University to attend any meeting of the Senate Discipline Committee. None of the said persons so invited shall be entitled to vote, but may give advice to or address the Committee at the invitation of the Convener.
- 5.7.3 Persons who have been involved, in any capacity, in a particular case at an earlier stage shall be disqualified from membership of the Senate Discipline Committee in respect of meetings at which that case is to be considered. Where this situation arises, the Convener is authorised to appoint on behalf of the Senate substitute members in lieu of those persons so disqualified and shall report the action to the next meeting of the Senate. Substitute members shall demit office when the particular case has been disposed of by the Senate Discipline Committee.
- 5.7.4 Five members (including the Convener) shall constitute a quorum.

5.8 Senate Discipline Committee: General Procedure (Major Offences)

- 5.8.1 It shall be the duty of the Chief Operating Officer, whom failing the Director of Corporate Services, to decide whether an alleged breach of discipline falls into the category of an offence of a major nature in terms of Regulation 5.4.2. If such a breach is identified as a major offence, it shall be referred in due course to the Senate Discipline Committee. If the alleged offence is not classified as major it shall be remitted to a Disciplinary Officer of the University or a committee, duly authorised under Regulations 5.2.1 and 5.2.3, for attention and disposal.
- 5.8.2 If the identity of the student or students alleged to have committed a serious offence is not known, the Chief Operating Officer may appoint a Committee of Inquiry (consisting of not more than three persons) to ascertain the relevant facts. The Committee of Inquiry may include a student nominated by the President of the Students Association but shall not include any member of the Senate Discipline Committee. Every student interviewed or

questioned by the Committee of Inquiry shall be informed that it is not necessary to make a statement.

The Committee of Inquiry shall report its findings to the Chief Operating Officer. The Chief Operating Officer shall then decide whether or not there is a *prima facie* case against any student or students. If there is a case, the Chief Operating Officer shall arrange for the preparation and presentation of the case before the Senate Discipline Committee and the formulation of the complaint or charge against the student or students concerned.

- 5.8.3 In cases where it is thought that a student may be involved in criminal conduct, the Chief Operating Officer in consultation with the Principal shall, where deemed appropriate, report the matter to the police.

The fact that the criminal authorities are unable to obtain a conviction or are unwilling to proceed with a criminal prosecution does not preclude the University from taking such disciplinary action against the student in question as may be thought to be fitting or necessary.

- 5.8.4 Students against whom allegations have been made shall be advised in writing by the Chief Operating Officer, whom failing the Director of Corporate Services, of the details of the alleged offence and the date of the hearing of the Student Discipline Committee. At least fourteen days notice of the meeting of the Senate Discipline Committee shall be given.

Normally not more than six weeks shall elapse between the date of formal notification from the Chief Operating Officer to the student of the details of the complaint or charge against the student and the date set for the first hearing of the case. Each student shall also be advised in writing that they may be legally represented or be accompanied by a person of their own choice, who shall be entitled to address the Senate Discipline Committee, and that they are entitled to call witnesses in support of their case.

- 5.8.5 Any evidence which the student wishes to be considered by the Senate Discipline Committee must be submitted to the Chief Operating Officer at least seven days before the hearing.

Each student must inform the Chief Operating Officer, at least five days before the hearing, of the names of any witnesses and any representative whom the student wishes to attend. The student shall be entitled to receive from the Chief Operating Officer, a note of the names of the witnesses who shall be appearing on behalf of the University.

- 5.8.6 The case for the University shall be presented before the Senate Discipline Committee by the Chief Operating Officer or a member of staff designated by the Chief Operating Officer. At the instigation of the Chief Operating Officer, the University may be legally represented.

- 5.8.7 The student, their representatives and the University's representatives shall withdraw while the Senate Discipline Committee considers its decision and shall return to hear it delivered.

- 5.8.8 Where the charge is found proven, the student or the student's representative may address the Senate Discipline Committee in extenuation or mitigation before it proceeds to deal with the matter of penalty or sentence.

- 5.8.9 It shall be competent for the Senate Discipline Committee at any stage on cause shown to adjourn, continue or postpone a hearing for a period not normally exceeding four weeks.

- 5.8.10 If the student wishes to admit the offence this may be done in writing before the date of the hearing.

The student shall still be entitled to appear before the Senate Discipline Committee and, after consideration of the case, the student or the student's representative may address the Senate Discipline Committee in extenuation or mitigation before sentence or penalty is pronounced.

- 5.8.11 The student has the right to appeal against a decision or finding of the Senate Discipline Committee. Such an appeal may be against sentence or penalty, on a point of law or fact or on a point of mixed law and fact. The Note of Appeal must be lodged with the Chief

Operating Officer within fourteen days of the date of the disposal of the case by the Senate Discipline Committee and must state the grounds upon which the appeal is made.

5.9 Senate Discipline Committee: Penalties

5.9.1 A student who is deemed to be in breach of discipline may be liable to one or more of the following penalties:

- (i) an admonition;
- (ii) a reprimand;
- (iii) a fine;
- (iv) in the case of abuse of any of the University services or facilities, disqualification from using these services or facilities for a stipulated period;
- (v) requirement to make good to the satisfaction of the University any damage or injury caused to the property of the University or an institution attended as part of a University course;
- (vi) in the case of academic dishonesty such as plagiarism and cheating in examinations, the deduction of marks in a particular assessment or assessments, and/or the requirement to resubmit an assessment or assessments, and/or the requirement to resit a class or a diet of examinations, and/or the requirement to reattend any part of the course, and/or preventing progress to the next stage of the course, and/or the capping of degree classification, and/or the withholding of award (final or exit), and/or the deferment of an award for up to twelve months. Other penalties may be imposed such as, but not exclusively, those stated in Regulations 5.9.1(vii) and 5.9.1(viii);
- (vii) suspension from attendance at the University for a stipulated period;
- (viii) expulsion from the University;
- (ix) such other penalties as may be appropriate.

The above list of disciplinary penalties is not exhaustive and the University reserves the right to impose other penalties it deems appropriate and proportionate to the offence.

5.9.2 Any of the above penalties may be suspended for a period of time on specified conditions.

5.9.3 Where a student is found to be in breach of discipline, the Senate Discipline Committee may defer sentence for a period not exceeding six months. For the avoidance of doubt, such deferral shall be without further disruption to the student's studies.

5.10 Senate Discipline Committee: General Procedure (Appeals against Penalties Imposed for Minor Offences)

5.10.1 The appellant shall be given at least fourteen days' notice in writing by the Chief Operating Officer, whom failing, the Director of Corporate Services of the time and place of the meeting of the Senate Discipline Committee

Normally not more than four weeks shall elapse between the receipt of the Note of Appeal and the date set for the hearing of the Appeal.

5.10.2 Where the Senate Discipline Committee decides to hear the case *de novo* or alternatively to admit new evidence, the appellant shall be informed in writing by the Chief Operating Officer, whom failing the Director of Corporate Services, that witnesses may be called in support of the appellant's case.

The appellant shall also be informed that they may be legally represented or be accompanied by a person of their choice who will be allowed to address the Senate Discipline Committee.

5.10.3 Any evidence, including extenuating or mitigating circumstances not previously notified, which the appellant wishes to be considered by the Senate Discipline Committee must be submitted to the Chief Operating Officer at least seven days before the hearing,

5.10.4 The appellant must inform the Chief Operating Officer, at least five days before the hearing of the Appeal, of the names of the representative and witnesses who will be appearing on

the appellant's behalf. The appellant shall be entitled to receive from the Chief Operating Officer a note of the names of the witnesses who will be appearing on behalf of the University.

- 5.10.5 The Senate Discipline Committee may request the attendance of additional witnesses where it considers that their evidence would be of assistance.
- 5.10.6 At the hearing of an Appeal, the appellant shall be heard first and thereafter the case on behalf of the University shall be presented by the Chief Operating Officer or a Disciplinary Officer or a member of staff designated by the Chief Operating Officer. The appellant may at the discretion of the Senate Discipline Committee be heard in reply.
- 5.10.7 All persons giving evidence may be cross-examined and may be questioned by any member of the Senate Discipline Committee, by the appellant, by the representative of the appellant, and by the Chief Operating Officer or a Disciplinary Officer or the designated member of staff.
- 5.10.8 It shall be competent for the Senate Discipline Committee at any stage on cause shown to adjourn, continue or postpone a hearing for a period not normally exceeding four weeks.
- 5.10.9 The appellant and their representatives and the University's representatives shall withdraw while the Senate Discipline Committee considers its decision and shall return to hear it delivered.
- 5.10.10 It shall be competent for the Senate Discipline Committee to set aside, vary or confirm the decision or penalty previously imposed by a Disciplinary Officer (see Regulation 5.1.6).
- 5.10.11 The appellant has the right to appeal against a decision or finding of the Senate Discipline Committee. Such an appeal may be against sentence or penalty, on a point of law or fact or on a point of mixed law and fact. The Note of Appeal must be lodged with the Secretary to the University within fourteen days of the date of the disposal of the case by the Senate Discipline Committee and must state the grounds upon which the appeal is made.

5.11 Senate Discipline Committee: Records and Reports

- 5.11.1 The Senate Discipline Committee shall keep a report of its proceedings and, where necessary, a summary of evidence given at hearings conducted by it. The report shall give the name of the student or students, the nature of the alleged offence and the outcome of the proceedings.
- 5.11.2 An anonymised report shall also be submitted to the Senate at its next meeting.
- 5.11.3 A copy of all such reports shall be held by the University and, except as directed by the Chief Operating Officer, shall be available only to individuals or committees authorised to conduct disciplinary investigations.
- 5.11.4 The report shall be made available to the student.

5.12 Proceedings before the Senate Discipline Appeals Board

- 5.12.1 Appeals against decisions of the Senate Discipline Committee in matters of a major or serious nature may be taken to the Senate Discipline Appeals Board, in accordance with the procedure laid down in Regulation 5.14.
- 5.12.2 An appeal against a decision of a Disciplinary Officer or by a committee or other body duly authorised as above, may be taken to the Senate Discipline Appeals Board provided that the Senate Discipline Appeals Board gives its permission for such a further appeal, being satisfied that an important point of principle is involved.
- 5.12.3 The decision of the Senate Discipline Appeals Board ratified by Senate shall be final, subject to the student's further rights of external appeal.

5.13 Senate Discipline Appeals Board: Constitution

- 5.131 The Senate Discipline Appeals Board shall be drawn from:
 - (i) the Vice-Principal who shall be Convener;

- (ii) two members of the Senate, appointed by Senate;
 - (iii) the Honorary President of the Students Association or the Honorary President's nominee, who shall not be a student;
 - (iv) a member of the University Court, appointed by Court, who shall not be a member of the academic staff;
 - (v) two members of the Students Representative Council appointed by the Executive Committee of the Students Association
- 5.13.2 Persons who have been involved, in any capacity, in a particular case at an earlier stage shall be disqualified from membership of the Senate Discipline Appeals Board in respect of meetings at which that case is to be considered. Where this situation arises, the Convener is authorised to appoint on behalf of the Senate substitute members in lieu of those persons so disqualified and shall report the action to the next meeting of the Senate. Substitute members shall demit office when the particular case has been disposed of by the Senate Discipline Appeals Board.
- 5.13.3 Five members (including the Convener) shall constitute a quorum.
- 5.14 Senate Discipline Appeals Board: General Procedure**
- 5.14.1 The appellant shall be given at least fourteen days' notice in writing by the Chief Operating Officer, whom failing the Director of Corporate Services, of the time and place of the meeting of the Senate Discipline Appeals Board. Normally not more than four weeks shall elapse between the receipt of the Note of Appeal and the date set for the hearing of the Appeal.
- 5.14.2 Where the Senate Discipline Appeals Board decides to hear the case *de novo* or alternatively to admit new evidence, the appellant shall be informed in writing by the Chief Operating Officer, whom failing the Director of Corporate Services, that witnesses may be called in support of the appellant's case. The appellant shall also be advised that they may be legally represented or be accompanied by a person of their choice who will be allowed to address the Senate Discipline Appeals Board.
- 5.14.3 Any evidence including extenuating or mitigating circumstances not previously notified which the appellant wishes to be considered by the Senate Discipline Appeals Board must be submitted to the Chief Operating Officer at least seven days before the hearing,
- 5.14.4 The appellant must inform the Chief Operating Officer, at least five days before the hearing of the Appeal, of the names of the representative and witnesses who will be appearing on the appellant's behalf. The appellant shall be entitled to receive from the Chief Operating Officer a note of the names of the witnesses who will be appearing on behalf of the University.
- 5.14.5 The Senate Discipline Appeals Board may request the attendance of additional witnesses where it considers that their evidence would be of assistance.
- 5.14.6 At the hearing of an Appeal, the appellant shall be heard first and thereafter the case on behalf of the University shall be presented by the Chief Operating Officer or a member of staff designated by the Chief Operating Officer. The appellant may at the discretion of the Senate Discipline Appeals Board be heard in reply.
- 5.14.7 All persons giving evidence may be cross-examined and may be questioned by any member of the Senate Discipline Appeals Board, by the appellant, by the representative of the appellant, and by the Chief Operating Officer or the designated member of staff.
- 5.14.8 It shall be competent for the Senate Discipline Appeals Board at any stage on cause shown to adjourn, continue or postpone a hearing for a period not normally exceeding four weeks.
- 5.14.9 The appellant and their representatives and the University's representatives shall withdraw while the Senate Discipline Appeals Board considers its decision and shall return to hear it delivered.

5.14.10 In the event of the Senate Discipline Appeals Board rejecting the Appeal, the appellant or the appellant's representative may address it in extenuation or mitigation before the Senate Discipline Appeals Board proceeds to deal with the matter of penalty or sentence.

5.14.11 It shall be competent for the Senate Discipline Appeals Board to set aside, vary or confirm the decision or penalty previously imposed by the Senate Discipline Committee.

5.15 Senate Discipline Appeals Board: Records and Reports

5.15.1 The Senate Discipline Appeals Board shall keep a report of its proceedings and, where necessary, a summary of evidence given at hearings conducted by it. The report shall give the name of the appellants, the nature of the alleged offence and the outcome of the proceedings.

5.15.2 An appellant shall be entitled to ask for a verbatim record of the evidence to be made but if the appeal is dismissed the appellant may be required to meet the expenses so incurred.

5.15.3 An anonymised report shall also be submitted to the Senate at its next meeting.

5.15.4 A copy of all such reports shall be held by the University and, except as directed by the Chief Operating Officer, shall be available only to individuals or committees authorised to conduct disciplinary investigations.

5.15.5 The report shall be made available to the appellant.

5.16 Service of Notices and Documents

See Statute XXV.