

Academic Conduct Policy

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The University of Chester values its students’ contribution to the necessary quality of its academic standards and awards by adhering to the principles of academic conduct and fair play in assessment. These standards are upheld when students, completing work for assessment, act honestly and take responsibility for the fair presentation of the contents of any work they produce for assessment. This means that students will do nothing that has the potential for them to gain an unfair advantage in assessment.

PART A: THE ACADEMIC CONDUCT POLICY

1. Maintaining Academic Conduct

1.1 In order to adhere to the University’s definition of academic conduct, students are expected to abide by the following conventions when completing work for assessment:

- 1.1.1. Acknowledge all sources of information, knowledge and ideas used when completing work for assessment by consistently and correctly using an acceptable referencing system;
- 1.1.2. Produce work that is the product of their own, individual efforts. An exception to this is where an assignment brief specifically requires a single piece of work be submitted on behalf of a group of students.
- 1.1.3. Declare when they have used work before in a previous assessment (whether successful or not) using an acceptable referencing system;
- 1.1.4. Present accurate information and data that has been obtained appropriately and which is a fair representation of their own endeavours, knowledge and understanding;
- 1.1.5. Adhere to and comply with all applicable regulatory, legal and professional obligations and ethical requirements therein.

The University will make information on how to maintain academic conduct available to students in ways that are appropriate and accessible. However, at all times, it is the sole responsibility of the student to act in a way that is consistent with the Academic Conduct Policy and to seek advice and guidance if they are unclear.

Academic Services (AS) will maintain and manage the Academic Conduct Policy.

2. Breaches of Academic Conduct

A student will be regarded as being in breach of the Academic Conduct Policy if they act or behave in a manner that is inconsistent with the University's general definition of academic conduct or the specific statements given in 1.1.

A breach of the Academic Conduct Policy may occur when a student knowingly acts in a way that is contrary to the policy or does so inadvertently by means of careless scholarship.

Inexperience, intention, lack of intention or unfamiliarity with the Academic Conduct Policy will not be regarded as a defence in the event that the policy is breached.

The decision of whether a student has breached the Policy is one of Academic Judgement.

Any breach of the Academic Conduct Policy will be categorised as either unacceptable academic practice or academic misconduct. These are dealt with in different ways according to the published procedure described in Part B onwards.

Examples of unacceptable academic practice:

Plagiarism: the use of ideas, intellectual property or work of others without acknowledgement or, where relevant, permission.

Reuse of previously submitted material: the use of work, without appropriate referencing, that has been submitted for assessment, whether successful or not, by the same student in this University or any other institution. This will not apply where a student is making a resubmission for the same assessment component in the same module, unless specifically prohibited in the assessment information.

Collusion: the unauthorised collaboration between two or more students resulting in the submission of work that is unreasonably similar, but which is submitted as being the product of the submitting student's individual efforts.

Unacknowledged use of Artificial Intelligence: Where artificial intelligence has been used to support the assessment without proper acknowledgement.

Examples of academic misconduct include:

Falsification: the presentation of fictitious or distorted documents, data, evidence or any other material, including submitting the work of another person as if it is their own. This includes the submission of false evidence in an application for Exceptional Circumstances or to the Academic Appeals Board.

Falsification by Artificial Intelligence: A misrepresentation of knowledge. Where a student used artificial intelligence to complete the assessment [*in part or full*].

Research misconduct: failure to obtain ethical approval for a research project or failure to comply with regulatory, legal and professional obligations for research projects.

Cheating: any action before, during or after an assessment or examination which has the potential for the student to gain an unfair advantage in assessment or assists another student to do so. This includes failure to adhere to the examination regulations.

Commissioning (Contract Cheating): engaging another person or organisation to complete or undertake an assessment, in part or in full, whether a financial transaction has taken place or not.

These lists are not exhaustive and the Academic Conduct Policy might be breached in ways not specifically referred to here.

The University will take steps to detect potential breaches of the Academic Conduct Policy which might not be immediately apparent when work is marked anonymously. Following completion of the marking process, once marks have been de-anonymised, the Chair of the Module Assessment Board might authorise a viva voce. The purpose of this will be to confirm the authenticity of the work that has been submitted.

Suspected breaches of the Academic Conduct Policy will be initially referred by the relevant marker to the relevant Chair of the Module Assessment Board in accordance with the published procedure described in Part B onwards. The decision of the Chair of the Module Assessment Board will be communicated to Academic Services who will confirm the decision and notify the student, Registry Services and the division which presented the case, of any penalties or other impact.

Except in the case of unacceptable academic practice by students studying at Level 3 or Level 4, a breach of the Academic Conduct Policy can only be confirmed by Academic Services, the Academic Conduct Review Panel or an independent Chair of the Academic Conduct Review Panel.

PART B: OVERVIEW OF PROCEDURE

3. Introduction

3.1. The University of Chester expects that when completing work for assessment, students will act honestly and take responsibility for the contents of the work that they submit. This means that students must adhere to the University's Academic Conduct Policy and do nothing that has the potential for them to gain an unfair advantage in assessment.

3.2. Where a tutor responsible for marking work suspects that a student has submitted work that breaches the Academic Conduct Policy, they have an obligation to report it for investigation. This ensures that:

3.2.1. Marks and academic credit are awarded for work which accurately reflects the true efforts and abilities of the student;

3.2.2. The efforts of students who have not breached the Academic Conduct Policy are recognised by ensuring that those who have produced work by unfair means are not advantaged for doing so; and

3.2.3. Employers and members of the public can have confidence that everyone who holds a University of Chester award has undergone a rigorous assessment process and has achieved an award that reflects their true knowledge and ability.

3.3. Throughout this procedure, where reference is made to a specific post-holder, the line manager of that post-holder may nominate another person to act instead.

3.4. Throughout this procedure, where reference is made to a particular timescale, it is given in calendar days. Where communications are sent via email no later than 5pm Monday-Friday, they will be deemed to have been received the same day.

4. Roles, Rights and Responsibilities

4.1. The University accepts that when a student is accused of submitting work that breaches the Academic Conduct Policy, they might find the process stressful. The University takes steps to minimise any distress caused to the student by:

4.1.1. Dealing with the matter as quickly as possible, whilst ensuring that this procedure is followed correctly;

4.1.2. At every stage, giving clear information about the procedure and the role that the student is expected to take;

4.1.3. Recognising that breaches of academic conduct relate to pieces of assessment and are not judgements about the character of the individual student involved; and

4.1.4. Arriving at an outcome that is just, proportionate and, where appropriate, takes into account the individual circumstances of the student.

4.2. To ensure that each case is dealt with fairly, different people will be involved at each stage. These are referred to throughout the procedure. Some of the key figures involved are:

4.2.1. The Examiner: this is the tutor who is responsible for marking assessment submissions;

4.2.2. The Monitor: this is another tutor who will review the assessment submission and agree a mark to be released if the student is eligible to receive a mark at the end of the procedure.

4.2.3. Chair of the Module Assessment Board: this is usually the Head of Division (or equivalent) who is responsible for making an allegation, conducting a meeting with the student and determining, on the balance of probability, whether the Policy has been breached. The Chair of the Module Assessment Board can also nominate other members of academic staff to undertake this role for them. Reference in this procedure to the Chair of the Module Assessment Board should be taken to refer to their nominee where another person is appointed to act instead.

4.2.4. Academic Services (AS): the Student Casework team in Academic Services is responsible for administering this procedure once allegations are sent from divisions.

4.3. In some cases, for students at Level 3 or Level 4, the Chair of the Module Assessment Board is able to make a decision that a piece of work is in breach of the Academic Conduct Policy without the case being confirmed by Academic Services or considered by the Academic Conduct Review Panel. However, a student is allowed to ask for a review of that decision if they have good reason to do so.

4.4. For students at Level 5 or higher, the Chair of the Module Assessment Board uses their academic judgment, based on evidence, to determine whether or not a piece of work is in breach of the Academic Conduct Policy. Students are given the opportunity to present a

defence and, as appropriate, any mitigation to the Chair of the Module Assessment Board to assist them in making that determination.

4.5. If the Chair of the Module Assessment Board determines that, in their academic judgement, a piece of work does breach the Academic Conduct Policy, this decision must be confirmed by Academic Services before any penalty is applied. This ensures a consistent approach across the University. Academic Services will normally confirm the decision of the Chair of the Module Assessment Board as long as the available evidence clearly supports the decision.

4.6. A student whose work is suspected of breaching the Academic Conduct Policy will, in every case, be invited to a meeting with the Chair of the Module Assessment Board. They may choose to attend this meeting and/or make written statements. If a student chooses not to attend the meeting nor provide the Chair of the Module Assessment Board with any written statements, it will be assumed that they do not wish to present a defence of the allegation.

4.7. A student who chooses not to present a defence of an allegation is still entitled to send a statement and/or evidence outlining any mitigating factors, as per Clause 12, to Academic Services, by email, within seven days of the meeting with the Chair of the Module Assessment Board.

4.8. To ensure that the procedure is handled as efficiently as possible, all communication will normally be sent to the student's University of Chester email address only. It is the responsibility of each student to check their email account regularly.

4.9. When determining whether or not a piece of work is in breach of the Academic Conduct Policy, the University does not take into consideration whether or not the student concerned acted deliberately.

4.10. Where a piece of work found to be in breach of the Academic Conduct Policy is nevertheless eligible for marking, it is the responsibility of the Chair of the Module Assessment Board to ensure that this is done so in accordance with Handbook F, Section 5 of the Quality and Standards Manual.

4.11. In all circumstances, where an allegation of a breach of the Academic Conduct Policy is found to have been proven, the student shall not normally be permitted a deferral of the assessment component.

4.12. At the point of submitting an application to defer an assessment after submission, students will be advised that a proven breach of the Academic Conduct Policy in the assessment component(s) for which they are seeking a deferral will normally override any decision to approve the request.

5. Categorisation and Recording Breaches of the Academic Conduct Policy

5.1. In order to deal appropriately with the different ways in which the Academic Conduct Policy might be breached, each allegation will be provisionally categorised. The assigned category will be determined by the nature of the suspected breach.

5.2. The following will normally be categorised as unacceptable academic practice:

- 5.2.1. Plagiarism
- 5.2.2. Reuse of previously submitted work
- 5.2.3. Collusion
- 5.2.4. Unacknowledged use of Artificial Intelligence

5.3. The following will normally be categorised as academic misconduct:

- 5.3.1. Commissioning (Contract Cheating)
- 5.3.2. Falsification
- 5.3.3. Research misconduct. Including falsification of data
- 5.3.4. Failure to abide by the examination regulations
- 5.3.5. Cheating or other types of dishonesty
- 5.3.6. Fabrication of evidence or official documentation
- 5.3.7. Falsification by use of Artificial Intelligence

5.4. Other acts, not specifically listed here, might also be regarded as breaches of the Academic Conduct Policy. Where this happens, the Chair of the Module Assessment Board may take advice from the Assistant Manager (Student Casework) before making a decision about the provisional category.

5.5. In the case of students registered at Level 3 or Level 4, the Chair of the Module Assessment Board can confirm that a student has breached the Policy by means of unacceptable practice and impose a penalty as detailed in Part C8. For allegations at all other levels, or allegations of academic misconduct, the Chair of the Module assessment Board can determine, in their academic judgment, that the Policy has been breached, but Academic Services must confirm the decision.

5.6. Allegations of breaches of the Academic Conduct Policy that are confirmed proven will be recorded as academic offences. Details of allegations and recorded offences will be held electronically by Academic Services. Registry will hold details of recorded offences and any penalties applied.

5.7. In the event that a student has multiple allegations brought against them at Level 5 or higher, any previous offences of unacceptable academic practice will be considered as either spent or unspent for the purposes of determining an appropriate penalty. Offences that are spent will not be considered as factors when determining a penalty for any further breaches of the Academic Conduct Policy by means of unacceptable academic practice.

5.7.1. Offences of unacceptable academic practice relating to assessments at Level 3 or Level 4 will be regarded as spent when the student starts study at Level 5.

5.7.2. One initial offence of unacceptable academic practice at Level 5 or higher, if the student was eligible for a standard penalty, will be regarded as spent if the student successfully completes or attempts the Academic Conduct Course.

5.7.3. All other offences will be considered unspent.

5.8. If a student withdraws from the University, or signals their intention to withdraw, before an allegation of a breach of the Academic Conduct Policy has been resolved, the matter will continue to be investigated in accordance with this procedure. The purpose of this will be to determine what, if any mark, should appear on the former student's transcript for the assessment concerned.

PART C: ACADEMIC DIVISION PROCEDURE (COURSEWORK)

6. Identifying a Suspected Breach of the Academic Conduct Policy

6.1. This clause does not apply where work submitted for a Level 3 or Level 4 module is suspected of breaching the Academic Conduct Policy by means of unacceptable academic practice (plagiarism, reuse of previously submitted material or collusion only). In these cases, clause 8 applies.

6.2. Where the examiner believes that there is evidence that a piece of work is in breach of the Academic Conduct Policy, they will make a report to the Chair of the Module Assessment Board by submitting Form AC-1. This will detail the suspected breach and be accompanied by evidence.

6.3. If the examiner suspects that the student may have submitted work that has been completed by someone else, but where there is no documentary evidence to substantiate this, the examiner should consult with the Chair of the Module Assessment Board. Where necessary, the student may be required to attend a *viva voce* (see Clause 7).

6.4. If, in an application for ethical approval, an academic appeal or exceptional circumstances request there is suspicion that the documents in support of an application may have been falsified or fabricated, the relevant member of staff may make some limited investigation in order to verify the authenticity of those documents. If, having undertaken these investigations, they suspect that the student might be in breach of the Academic Conduct Policy, using Form AC-1 they will make a report to the relevant Chair of the Module Assessment Board who will deal with the matter as if a suspected breach had been referred by the examiner.

6.5. No mark will be disclosed to the student. However, if the suspicion arises after a provisional mark has been disclosed, this will not constitute a procedural irregularity. Where provisional marks have been entered onto electronic student systems, they should normally be removed while the matter is investigated.

6.6. The Chair of the Module Assessment Board will review the report from the examiner and decide whether to investigate the matter further.

6.7. If the Chair of the Module Assessment Board decides that there is no case to answer, they will give reasons to the examiner. The examiner will then complete the assessment according to the normal process.

6.8. If the Chair of the Module Assessment Board decides that the matter should be investigated further they will:

6.8.1. Write to the student (by email), to notify them of the allegation and give an opportunity for the student to request a meeting to discuss it. A template for this purpose is given at Form Allegation Notification.

6.8.1.2. The time and date of the meeting will be at the discretion of the Chair of the Module Assessment Board but will normally take place no sooner than 7 days after the allegation has been sent and no later than 21 days after.

6.8.1.3. The letter inviting the student to the meeting will be accompanied by a copy of the Form AC-1 and the evidence being relied upon.

6.8.1.4. The student can attend the meeting with another registered student of the University or by an officer of Chester Students' Union if they wish.

6.8.1.5. The student will be invited to present any documents or evidence that provide a defence to, or mitigation, of the allegation presented.

6.9. The purpose of the meeting will be to assist the Chair of the Module Assessment Board in their investigation to establish whether on the balance of probability the student's work breaches the Academic Conduct Policy. Where appropriate, it may also be taken as an opportunity to talk to the student about approaches to good academic practice.

6.10. In the event that the Chair of the Module Assessment Board determines that a piece of work has breached the Academic Conduct Policy, any mitigation that has been presented by the student will be taken into consideration for the purposes of determining an appropriate penalty from Part H. Mitigation however, will never void a proven allegation that an assignment was in breach of the Academic Conduct Policy.

6.11. If the student does not attend the meeting, it should not be delayed. Instead the Chair of the Module Assessment Board should decide on an outcome to their investigation in the student's absence.

6.12. A student may defer the meeting with the Chair of the Module Assessment Board on one occasion, with, where reasonable, 48 hours' notice and only on the reasons cited within clause 20.1.

7. Use of a *Viva Voce*

7.1. If the examiner suspects that a student may have submitted work that has been completed by someone else, but there is no documentary evidence, they may ask the Chair of the Module Assessment Board to authorise a *viva voce*. This is similar to an oral examination and gives the examiner the opportunity to talk to the student about the contents of the work.

7.2. If a *viva voce* is required, it is regarded as a continuation of the assessment. Its only purpose will be to help to decide whether, on the balance of probabilities, the student is the author of the work that they have submitted.

7.3. The *viva voce* will be conducted in accordance with the procedure set out at *Viva Voce Policy (Appendix 6D)*.

7.4. Under no circumstances will an allegation of a breach of the Academic Conduct Policy be put formally to a student during or immediately following the conduct of a *viva voce*.

Instead, a report of the *viva voce* must be sent to the Chair of the Module Assessment Board, who will decide whether to conduct an investigation into a possible breach of the Academic Conduct Policy and follow the procedure set out in Clause 6.

7.5. If the student fails to attend a *viva voce* the Chair of the Module Assessment Board may draw any conclusion from this that they wish when deciding whether to conduct an investigation.

7.6. The Academic Conduct Process may be paused at any time for a *viva voce* to be conducted where, through the academic conduct investigation, the examiner or Chair of the Module Assessment Board believes that the assessment may not be the student's own work (commissioned).

8. Unacceptable academic practice at Level 3 and Level 4 only

8.1. If the examiner believes that work submitted for a Level 3 or Level 4 module breaches the Academic Conduct Policy by means of unacceptable academic practice (plagiarism, reuse of previously submitted material or collusion), they should continue to mark the work, but shall disregard those elements that they believe constitute the breach. The provisional mark will be based on the remainder of the work, which the examiner believes to have been produced by fair means, and with reference to the applicable marking criteria.

8.2. The examiner should markup the submission to show which parts of it have been disregarded and give feedback as appropriate.

8.3. The examiner must complete Form AC-X Level 3 or Level 4 unacceptable academic practice. This form confirms that the mark has been affected by a breach of the Academic Conduct Policy and gives a brief description of the suspected breach.

8.4. The Form AC-X should be submitted to the Chair of the Module Assessment Board with a copy of the work and any other evidence required to substantiate the breach of the Academic Conduct Policy.

8.5. The Chair of the Module Assessment Board will decide either:

8.5.1. That the submission does breach the Academic Conduct Policy by means of unacceptable practice and that they should be warned as to their future conduct; or

8.5.2. That the submission breaches the Academic Conduct Policy, but suspects academic misconduct; or

8.5.3. That the submission does not breach the Academic Conduct Policy.

8.6. Where the Chair of the Module Assessment Board decides that the submission does breach the Academic Conduct Policy by means of unacceptable academic practice, they will:

8.6.1. Make provision for the student to have a meeting with a member of staff from the division to discuss the case and support to aid their development of good academic practice;

8.6.2. Send a copy of the Form AC-X to the student which shall act as a warning as to their future conduct and invite them to a meeting;

8.6.3. Act to agree an appropriate provisional mark that should be awarded for the work; and

8.6.4. Following the date of the meeting with the student, send a copy of the Form AC-X to Academic Services for statistical monitoring.

8.7. Where the Chair of the Module Assessment Board suspects that the submission breaches the Academic Conduct Policy, but by means of academic misconduct, they will follow the procedure set out in Clause 6.

8.8. Where the Chair of the Module Assessment Board decides that the submission does not breach the Academic Conduct Policy, they should give reasons to the examiner and instruct that the work is marked in its entirety in the normal way. All paperwork relating to the case will be destroyed.

9. Independent Review Mechanism (Level 3 or Level 4 only)

9.1. In the case of a student registered at Level 3 or Level 4, the Chair of the Module Assessment Board can decide that the Academic Conduct Policy has been breached by means of unacceptable academic practice. However, the student may request an independent review of that decision.

9.2. Within 7 days of the date that the Form AC-X was signed by the Chair of the Module Assessment Board, a student who wishes to dispute the decision may email academicconduct@chester.ac.uk to request a review. Such a request will only be considered if, in the opinion of the Deputy Head of Academic Services or nominee, the following criteria have been met:

9.2.1. The student attended a meeting with the Chair of the Module Assessment Board arranged to discuss the matter; and

9.2.2. The student advances a reasonable case for their disagreement with the finding. Statements that the Chair of the Module Assessment Board was simply mistaken in their decision without a compelling explanation will not be admissible.

9.3. Where a student fails to advance a reason for disagreement within 7 days of the meeting, they will be deemed to have failed to satisfy the criteria given at 9.2.2. and the decision of the Chair of the Module Assessment Board will stand.

9.4. Where the Deputy Head of Academic Services or nominee is satisfied that the criteria to request a review have been met, the case file (all forms and evidence) will be sent to a Chair of the Academic Conduct Review Panel who has had no involvement in the case and who is independent of any division hosting the student's programme of study.

9.5. The Chair of the Academic Conduct Review Panel may, if they wish, interview the student, the Chair of the Module Assessment Board and/or the referring examiner.

9.6. The decision of the Chair of the Academic Conduct Review Panel will be final and binding on all parties. It will be communicated in writing normally no later than 28 days following the request for a review.

10. Divisional Meeting with Students

10.1. During the meeting the Chair of the Module Assessment Board will complete the remaining sections of Form AC- 1. If the student does not attend the meeting, this form should be completed in their absence and sent to the student via their University of Chester email address along with all other case documents.

10.2. If the outcome of the investigation by the Chair of the Module Assessment Board is that the student's work does not breach the Academic Conduct Policy:

10.2.1. The form AC-1 will be completed and a copy provided to the student;

10.2.2. The examiner will be informed and given a reason for the decision. The examiner will then complete the assessment according to the normal process; and

10.2.3. All paperwork relating to the case will be destroyed.

10.3. If the outcome of the investigation by the Chair of the Module Assessment Board is that the student's work has breached the Academic Conduct Policy:

10.3.1. The Form AC-1 will be completed and a copy provided to the student; and

10.3.2. A copy of Form AC-1, the accompanying evidence and any documents or statements submitted by the student will be sent to Academic Services as per Part F.

11. Defence of the allegation

11.1. The student is entitled to present a defence of the allegation to the Chair of the Module Assessment Board. They may do this by submitting their argument and evidence which substantiates their claims either in person at the meeting with the Chair of the Module Assessment Board, or by email prior to the meeting taking place.

11.2. The defence of an allegation may include communications, drafts or research documents which, on the balance of probability, indicate that the submission is completely the student's own work in line with the policy. A student may present what they believe to be relevant.

11.3. Presentation of fraudulent documents as a defence is considered a serious offence of academic misconduct and may lead to the termination of studies.

11.4. Neither intent, nor ignorance of the policy is considered a defence of the allegation. The Chair of the Module Assessment Board and marking tutor are determining whether the submitted work has breached the Academic Conduct Policy

11.5. Upon consideration of the documents and reason presented as a defence, the Chair of the Module Assessment Board may change or withdraw the allegation presented.

11.6. There are no further opportunities in which a student can present a defence of the allegation.

12. Mitigation

12.1. If the Chair of the Module Assessment Board decides that a piece of work does breach the Academic Conduct Policy, and Academic Services confirms this decision, any mitigation will be considered when determining an appropriate penalty.

12.2. A student may make statements and/or present evidence of factors which they believe may have had an impact on their ability to submit work in accordance with the Academic Conduct Policy.

12.3. Where mitigation is accepted it will be considered only when determining an appropriate penalty. There are no circumstances in which mitigation can void a finding that a piece of work breaches the Academic Conduct Policy.

12.4. Mitigation can be presented to the Chair of the Module Assessment Board prior to or during the meeting with them, or within seven days of such a meeting, by email to Academic Services.

PART D: ACADEMIC DIVISION PROCEDURE (Examinations)

13. Definition of an Examination

13.1. For the purpose of this procedure, an examination will be regarded as a timed assessment which students are expected to undergo at a specific time and place, notified beforehand, and conducted in accordance with the rules set out in Handbook F, Section 4. This may include class tests.

13.2. Notwithstanding 13.1., other assessments may be regarded as an examination, depending on the context of a specific discipline. Where it may not be immediately clear that an assessment is an examination, the Chair of the Module Assessment Board will, if required, take advice from the Assistant Manager (Student Casework) and determine whether Part C or Part D of this procedure will apply.

14. Suspecting a Breach of the Academic Conduct Policy

14.1. If an invigilator suspects that a candidate may be in breach of the Academic Conduct Policy during an examination they will:

14.1.1. (If no other candidates are being disturbed) permit the candidate to continue with the examination. However, they will immediately require another invigilator to act as a witness. Where unauthorised materials are identified, they will be removed if possible. The script (or equivalent) will be endorsed by the invigilator at the point that the suspected breach is believed to have occurred. The front cover of the script (or equivalent) will also be endorsed. In a practical examination, the point at which the breach was suspected will be noted.

14.1.2. (If other candidates are being, or may be, disturbed) the candidate will be required to withdraw from the examination room. The script (or equivalent) will be endorsed and it will be noted that the candidate's examination was terminated. The chief invigilator should extend the examination by a length of time equivalent to deal with the disturbance. At the conclusion of the examination, the matter should be reported to the Academic Registrar (or nominee).

14.2. The invigilator will require the candidate to report to them at the end of the examination when there will be a meeting with an individual appointed by the Academic Registrar (or nominee) or the Chair of the Module Assessment Board for this purpose and who will be known as the Examinations Officer.

14.3. The Examinations Officer will make a written record of the circumstances and retain any relevant materials. They will require the invigilator to make a written report, normally within three days.

14.4. Where it is not practical to retain any relevant materials, appropriate notes detailing their nature and reasons why they could not be retained should be made. If possible and appropriate, photographic evidence may also be gathered.

14.5. Normally within four days of receiving the invigilator's report, the Examinations Officer will complete Form AC-EX and submit it, with the invigilator's report and any retained materials to the relevant Chair of the Module Assessment Board.

14.6. Normally within ten days of receiving the Examination Officer's submission, the Chair of the Module Assessment Board will determine whether there exists, prima facie, evidence that the candidate might have breached the Academic Conduct Policy. They may, if they wish, choose to interview the candidate and/or the invigilator before making such a determination.

14.7. If the Chair of the Module Assessment Board determines that there is insufficient evidence, they will decide that no breach of the Academic Conduct Policy has occurred. In this situation, they will instruct either:

14.7.1. That the candidate's script is marked in accordance with the relevant procedures; or

14.7.2. That the candidate's assessment is deferred.

14.8. If the Chair of the Module Assessment Board determines that there is prima facie evidence that the candidate might have breached the Academic Conduct Policy they will refer the matter to Academic Services. They will prepare the following case file:

14.8.1. A brief report, outlining the reasons for the decision and a request that the matter be considered by the Academic Conduct Review Panel;

14.8.2. The full submission received from the Examinations Officer; and

14.8.3. Any relevant correspondence between the candidate and the division in relation to the matter.

14.9. All suspected breaches of the Academic Conduct Policy arising from an examination will be provisionally regarded as academic misconduct.

14.10. Where a student submits an application for exceptional circumstances or makes an Academic Appeal in relation to an examination and there is suspicion that documents submitted in support of this may have been falsified or fabricated, clause 6.4. of this procedure applies.

PART E: STANDARD PENALTY

15. Determination of Eligibility & authorisation of a Standard Penalty

15.1. Once the case file has been received by Academic Services, the Assistant Manager (Student Casework) or nominee, will decide whether the student is eligible for consideration of a standard penalty. Eligibility will be confirmed where all of the following criteria are met:

15.1.1. The provisional categorisation of the suspected breach of the Academic Conduct Policy is by unacceptable academic practice only;

15.1.2. The student has not previously been found to have breached the Academic Conduct Policy, in either category, at Level 5 or higher;

15.1.3. If required, the student would normally be entitled to a further attempt at the assessment; and

15.1.4. Sufficient evidence has been presented which demonstrates that the student has breached the Academic Conduct Policy by means of unacceptable academic practice.

15.2. Where all of the criteria at 15.1. apply, the Assistant Manager (Student Casework) or nominee will authorise the issue of a standard penalty in accordance with the provisions of Clause 16.

15.3. Where one, or more, of the criteria at 15.1. do not apply, the case will be considered under Part F of this procedure.

15.4. The decision to issue a standard penalty will be communicated to the student via their University of Chester email address, and to the Chair of the Module Assessment Board, normally within 14 days.

16. Application of a Standard Penalty

16.1. Once Academic Services has authorised the issuing of a standard penalty, they will email the student to explain that they are required to complete the Academic Conduct Course within 14 days in accordance with Standard Penalty Guidance (*Appendix 6F*) of this procedure.

16.2. Following notification to the student, Academic Services will email the Chair of the Module Assessment Board who will be asked to ensure that a mark, based on those elements which the examiner decides have been produced by fair means, is determined. The work must be marked and moderated in accordance with the requirements of Handbook F, Section 5 and a provisional mark sent to Academic Services using Form AC-0. Academic Services will state a deadline for the return of the form.

16.3. If the student successfully completes the Academic Conduct Course, they will be notified of the mark for the assessment as given on the Form AC-0, which will be provisional until ratified by the Module Assessment Board. The offence will be considered spent in the event of any future proven breaches of the Academic Conduct Policy by means of unacceptable academic practice.

16.4. If the student fails to successfully complete the Academic Conduct Course, they will fail, with a mark of zero, the assessment component concerned. The offence will be considered spent in the event of any future proven breaches of the Academic Conduct Policy.

16.5. If the student fails to attempt the Academic Conduct Course by the stipulated deadline, they will fail, with a mark of zero, the assessment component concerned. The offence will be considered unspent in the event of any future proven breaches of the Academic Conduct Policy.

16.6. For the avoidance of doubt, a student will be deemed to have attempted the Academic Conduct Course once they have accessed the timed test component.

16.7. If the student successfully completes the Academic Conduct Course after the Module Assessment Board has met, the Chair of the Module Assessment Board will be responsible for ensuring that the correct assessment procedures are adhered to in order to confirm the mark to be awarded.

PART F: CONFORMATION OF ACADEMIC CONDUCT BREACH AND PENALTY IMPLEMENTATION

17. Confirming a breach of the academic conduct policy

17.1. A case file that has been received by Academic Services but is not eligible for a standard penalty will be checked by the Assistant Manager (Student Casework) or nominee to determine whether the case is eligible for a penalty to be applied as described in PART H, or whether it must be referred to the Academic Conduct Review Panel.

17.2. The Assistant Manager (Student Casework) or nominee will check the case file for the following:

17.2.1. The file contains the minimum of the Form AC-1 and the Turnitin report or similar evidence document(s).

17.2.2. That the Chair of the Module Assessment Board has determined that, in their academic judgment, the work has breached the Academic Conduct Policy and has clearly indicated by what means.

17.2.3. The evidence and explanation provided by the Chair of the Module Assessment Board matches the offence type and reasonably substantiates the allegation.

17.2.4. The student is not eligible for a standard penalty.

17.3. Where all of the above have been met a penalty will be issued in the manner detailed in PART H.

17.4. Where all the above cannot be confirmed the case will either be:

17.4.1. Returned to the division for clarification or correction;

17.4.1.1. Where the documentation requires corrections, the student must be notified and presented with the new documents.

17.4.2. Where the case is deemed to require further questions of the student it will be referred to the Academic Conduct Review Panel (PART G).

PART G: ACADEMIC CONDUCT REVIEW PANEL

18. Scope and Composition of the Academic Conduct Review Panel

18.1. The Academic Conduct Review Panel (the Panel) will meet to hear all allegations which could not be resolved by the procedure outlined in Part F.

18.2. The Panel will consist of a Chair and normally two members drawn from a pool of academic staff appointed by the Deputy Head of Academic Services on behalf of Education Committee.

18.3. The Assistant Manager (Student Casework) will appoint a procedural advisor to the Panel. In addition to giving regulatory advice, the advisor will be responsible for maintaining an accurate record of the meeting.

18.4. The Chair of the Module Assessment Board or nominee who referred the allegation for consideration will normally be asked to attend the hearing to present the case.

18.5. The University reserves the right to involve such other individuals in the hearing as it sees fit.

18.6. When convening the Panel, the Assistant Manager (Student Casework) will try to ensure, as far as possible, that it is academically independent of the student whose case is to be heard. This will normally be achieved by the following:

18.6.1. At least one of the Panel members will be independent of the Faculty from which the allegation originates; and

18.6.2. The Panel will not contain anyone who has been involved in the teaching or assessment of the student in the module to which the allegation refers.

18.7. All hearings will normally be heard online via Microsoft Teams, unless the Chair of the Academic Conduct Review Panel requires the hearing to be in person, or where Disability and Inclusion (Student Services) declare it is required as a reasonable adjustment.

18.8. All hearings will be recorded to ensure an accurate record has been made as detailed in clause 19.4.

18.9. Staff and students have the opportunity to present their case in writing and in person to the Panel. Other than through these channels, neither students, staff nor any other individual may seek to influence the Panel or in any other way seek to sway the operation of these procedures in relation to a case that has been submitted or which may be submitted in future. Doing so is likely to lead to the deferral of the case and a report being made to the Deputy Head of Academic Services for further action.

19. Scheduling and Notification

19.1. As far as possible, cases identified for hearing by the Panel will be scheduled for the next available meeting, whilst making sure that the provisions of Clause 18 are adhered to.

19.2. Academic Services will send the student an invitation to attend the hearing at least 7 days before it takes place. The invitation will include the date, time and guidance on how to join the meeting. This will be sent to the student's University email account only.

19.3. The invitation letter from Academic Services will tell the student about their right to attend the hearing. It will also explain that the student has the right to submit a written statement if they want to.

19.4. The invitation letter from Academic Services will explain that the student can bring someone with them to the hearing if they want. That person must be a student of the University of Chester: it can be another student, or an officer of Chester Students' Union. If

the student is under 18, they can also be accompanied by a parent or guardian. In all cases such person must bring ID to identify their relationship or position.

19.5. If a copy of the evidence for the case was not sent with the invitation from Academic Services, the student will receive it at least 2 days before the hearing. The evidence will be exactly what was sent to Academic Services by the Chair of the Module Assessment Board.

19.6. If any more evidence is presented within 48 hours of the hearing to the student, or if it becomes available during the hearing, the University will still consider it as part of the case. However, if this happens, the student will be given the option to continue with the hearing or request the hearing is deferred to a later date.

20. Requests to Defer a Hearing

20.1. In order to resolve cases as quickly as possible, the Panel may be convened to hear cases at any point in the year, including during vacation periods. Where a hearing has been scheduled during term time a student can request a deferral of their case on one occasion only, for one of the following reasons:

20.1.1. A clash with a scheduled teaching session or assessment.

20.1.2. A clash with a scheduled field trip or with work placement.

20.1.3. A clash with another academic requirement.

20.1.4. Illness of the student, or someone for whom the student has a caring responsibility.

20.1.5. Work commitments (unless the student is part-time, this can only be cited outside of term time weeks).

20.2. In the case of 20.1.1. – 20.1.3. the request must be made no less than 3 days prior to the hearing and be accompanied by written confirmation from an appropriate member of academic staff.

20.3. In the case of 20.1.4. where the student cannot give notice in advance, a request for a deferral must be made as soon as possible following the hearing and, in every case, within no more than 3 days. It must also be accompanied by a valid medical certificate.

20.4. If the Panel meets on a date outside of term time weeks, in addition to the reasons listed in 20.1., a deferral may also be requested on the grounds of a pre-booked holiday.

20.5. Requests to defer a hearing should be made by email to the Assistant Manager (Student Casework). The process for doing this will be given in the invitation letter.

21. Conduct of Hearings of the Academic Conduct Review Panel

21.1. If the student fails to arrive at the hearing, by the time given in their invitation letter, and they have not had a request to defer the hearing approved, the hearing will go ahead in their absence.

21.2. Prior to the hearing, the members of the Panel will have received a copy of the case file submitted to Academic Services by the Chair of the Module Assessment Board or nominee.

In addition, the Panel may take into consideration the following when deciding an appropriate outcome:

21.2.1. Any written statements from the student which were not included in the case file;

21.2.2. Any oral statements that the student wishes to make to the Panel at the hearing and any oral statements made by anyone who accompanies the student to the hearing; and

21.2.3. Any oral statements from any other relevant sources, including the Chair of the Module Assessment Board who referred the case.

21.3. No one else is allowed to attend the hearing on the student's behalf. However, where the student is accompanied to the hearing, the Chair of the Panel may invite that person to make a statement. That statement must be limited to general support of the student and their circumstances. The person accompanying the student is not permitted to answer questions posed to the student by the Panel.

21.4. The hearing will be conducted in two parts:

21.4.1. In the first part the student, anyone accompanying them and the Chair of the Module Assessment Board or nominee will be present. The purpose of this part of the hearing will be to present the evidence to the student, to hear the student's response and any requests for mitigation. This part of the hearing will normally be recorded.

21.4.2. The second part of the hearing will be conducted in private with only the Panel members and the procedural advisor present. The purpose of this part will be for the Panel to review the evidence presented both in writing and during the first part of the hearing and to consider an appropriate outcome. A written record of this part of the hearing will be made.

22. Decisions of the Academic Conduct Review Panel

22.1. The outcome of the hearing will consist of:

22.1.1. A decision about whether the student's work has breached the Academic Conduct Policy; and, if the Panel decides that a breach of the policy has occurred,

22.1.2. Whether that breach of the Academic Conduct Policy is by means of unacceptable academic practice or academic misconduct; and

22.1.3. What penalty should be applied. The Panel will be able to impose any penalty listed within Part H Clause 21 as it sees fit to the specifics of the case providing reason.

22.2. If the Panel decides that the student's work does not breach the Academic Conduct Policy, the matter will be referred back to the Chair of the Module Assessment Board who will instruct the examiner to complete the assessment in accordance with the normal procedures.

PART H: PENALTIES

23. Penalties

Where it has been determined that the assessment is in breach of the Academic Conduct Policy a penalty will be issued by Academic Services as detailed in Part H of this policy. Clauses 24 and 25 provide detail and guidance on the penalty which will be issued.

23.1. Notwithstanding the provisions of Clause 24 and 25 the Academic Conduct Review Panel may choose to consider the case in a different penalty stage than the applicable criteria would suggest if it deems that the circumstances of the case warrant it. Where this happens, they will seek advice from the Policy Officer, and reasons for doing so will be documented in the record of the hearing.

Penalty A:

23.2. The student will be issued with a standard penalty in accordance with Clause 16.

Penalty B:

23.3. The component in question will be failed with a mark of 0.

23.4. The module in question will be failed with a mark of 0.

Penalty C:

23.5. The student's final degree classification will be lowered by one class, AND The module in question will be failed with a mark of 0.

23.6. The student's marks on all modules at the same level of study will be capped at the pass threshold, AND the module in question will be failed with a mark of 0.

23.7. The student's marks on all modules at the same level of study will be failed with a mark of 0, AND the module in question will be failed with a mark of 0. Where permitted the student is entitled to reassessment.

Penalty D:

23.8. The student's programme of study is terminated with immediate effect and they are not permitted to submit any further work for assessment. They will be entitled to an exit award if the total number of credits achieved based on all assessments submitted to date entitles them to one, AND the module in question will be failed with a mark of 0.

23.9. The student's programme of study is terminated with immediate effect and they are not permitted to submit any further work for assessment. All marks for modules not yet ratified by an Assessment Board will be set to zero. They will not be entitled to any award and may not re-enrol at the University for any other programme of study, AND the Component in question will be failed with a mark of 0.

Further penalty information:

23.10. Where a student has three unspent offences their studies will normally be terminated as per Penalty D 23.8.

23.11. Where a student has no further reassessment opportunity remaining, their studies will be terminated as per Penalty D 23.8 except in Standard Penalty cases where 24.5 is applied.

23.12. Where a student has previously been issued a penalty for breaching the Policy, a further proven allegation will result in a penalty from a higher penalty group, irrespective of any previous unspent offences. *E.g.* Where a student received a penalty from Penalty C, any subsequent penalty will be from Penalty D.

24. Penalties for proven allegations of Unacceptable Academic Practice

24.1. If Academic Services or the Panel confirms that the student's work has breached the Academic Conduct Policy by means of unacceptable academic practice, the penalty will take into account spent and unspent offences (see 5.7.).

24.2. In allegations of unacceptable practice where there are multiple allegations at the first offence the cases will normally be considered concurrently.

24.3. Any subsequent cases received will be counted consecutively, with the exception of a case where the assessment predates the AC-1 meeting with the Chair of the Module Assessment Board. In such circumstances the case will be considered as concurrent with the earlier cases.

24.4. If the student would be entitled to a reassessment opportunity:

24.4.1. the student has had no previous offences recorded (at any level) and the offence is one of unacceptable practice, the following penalty will be imposed: Penalty A.

24.4.2. Where the student has one previous spent offence of unacceptable practice: Penalty B.

24.4.3. Where the student has one previous unspent offence: Penalty C.

24.4.4. Where the student has two previous unspent offences: Penalty D.

24.5. If the student would not be entitled to a reassessment opportunity and has previously been found to have breached the Academic Conduct Policy, the student's programme of study is terminated with immediate effect and they are not permitted to submit any further work for assessment. They will be entitled to an exit award if the total number of credits achieved based on all assessments submitted to date entitles them to one as per Penalty D.

24.6. Where a student is found to have breached the Policy for the first time at Level 5 or higher and that breach has occurred in the final assessment attempt allowed by the University, Academic Services will decide whether Penalty A or Penalty D should apply. The following normally applies:

24.6.1. Academic Services may choose to consider the case in Penalty A if all of the following criteria hold:

24.6.1.1. The module to which the offence relates permits internal compensation of marks; and

24.6.1.2. The moderated mark recorded on Form AC-0 is compensable (i.e. 20 or higher); and

24.6.1.3. Based on information available to the Panel, there is a mathematical chance that the student can pass the module overall if the moderated mark can be awarded.

24.6.2. Academic Services must consider the case in Penalty D if any of the following criteria hold:

24.6.2.1. The module to which the offence relates does not permit internal compensation of marks; and/or

24.6.2.2. The moderated mark recorded on Form AC-0 is not compensable (i.e. 19 or lower); and/or

24.6.2.3. Based on information available to the Panel, there is no mathematical chance that the student can pass the module overall even if the moderated mark can be awarded.

25. Penalties for Academic Misconduct

25.1. If it is determined that the student has breached the Academic Conduct Policy by means of academic misconduct, the relevant penalty as detailed below will be applied.

25.2. Academic Services will determine an appropriate penalty, taking into account any previous proven breaches of the Academic Conduct Policy (whether by means of unacceptable academic practice or academic misconduct), the number of proven allegations in the current case, and the nature and seriousness of the allegations. There will also be regard to any mitigation that the student has presented.

25.2.1. Where there are multiple allegations in the case, the Academic Services will normally consider them consecutively.

25.3. Where the proven allegation is one of;

Falsification; or

Falsification by use of artificial intelligence; or

Research misconduct, where there has clearly been no risk of harm to others, no risk to the reputation of the University AND the research was solely fabricated (in part or full); or

Failure to abide by the examination regulations by means of unauthorised material, but where the unauthorised material has no relevance to the examination.

The following penalties will apply;

25.3.1. The student has no unspent offences: Penalty B.

25.3.2. The student has one unspent offence: Penalty C.

25.3.3. The student has two unspent offences: Penalty D.

In all other cases the allegation will be referred to a full hearing of the Academic Conduct Review Panel.

25.4. Where the proven allegation is one of commissioning then Penalty C will apply, except in cases where 25.4.1. applies.

25.4.1. Where the allegation is one of commissioning and the student has been found to have previously breached the Policy, at any stage and by any means, then Penalty D will apply.

25.5. Fabrication of evidence or official documentation then Penalty D will be applied.

25.6. Cheating or other types of dishonesty will be referred to a full hearing of the Academic Conduct Review Panel.

25.7. Where there are any concerns that the breach of Policy is more serious than originally detailed in the allegation, and no penalty can be determined, Academic Services will refer the case to a full hearing of the Academic Conduct Review Panel.

PART I: REVIEWS AND APPEALS RELATING TO BREACHES OF ACADEMIC CONDUCT

26. Independent Review of the penalty issued by Academic Services

At no point during a review or academic appeal is the student presented with the opportunity to restate their case. Such opportunities have been given and academic judgment has been confirmed.

26.1. Upon conclusion of the case and a penalty has been applied the student may request an independent review of the penalty.

26.2. Any requests for a review of the penalty must be received within 7 days of the outcome being communicated. Such a request will only be considered, if in the opinion of Academic Services one or both of the following criteria have been met:

26.2.1. There is new evidence presented that may provide good reason for the penalty to be adjusted;

26.2.2. The student has demonstrated or evidenced there was a procedural error in the conduct of the Academic Conduct Policy which could have had a detrimental impact on the consideration of the case.

26.3. Where Academic Services are satisfied that 26.2.1. of the criteria has been met, the case file (all forms, evidence and any newly disclosed documents) will be sent to an independent Chair of the Academic Conduct Review Panel for consideration.

26.4. Upon consideration of the case the Chair will decide one of the following;

26.4.1. The penalty was appropriate and/or there was no procedural error in the conduct of the Academic Conduct Policy and no further action will be taken.

26.4.2. The new evidence presented by the student demonstrates a reasonable case for consideration of mitigating in the penalty. The Chair will then issue a new penalty in line with Part H of this procedure.

26.4.3. Where the Chair cannot determine a reasonable penalty, or believes that the case requires further consideration, they will refer the case to a formal hearing at the Academic Conduct Review Panel.

26.5. Where Academic Services are satisfied that 26.2.2. of the criteria has been met, the case will be referred to a formal hearing at the Academic Conduct Review Panel.

26.6. Where the student has failed to meet the criteria of 26.2. they will be informed by Academic Services that their request for a review has been dismissed. An explanation will be provided.

27. Appeals relating to breaches of the Academic Conduct Policy

27.1. The final decision on whether a piece of work is in breach of the Academic Conduct Policy made by the Chair of the Module Assessment Board or a Chair of the Academic Conduct Review Panel will be regarded as academic judgment.

27.2. A student may not appeal against the final decision that a piece of work is in breach of the Academic Conduct Policy solely on the ground of a disagreement with that decision.

27.3. Where a student is entitled to receive a mark for a piece of work found to have breached the Academic Conduct Policy, that mark represents an academic judgment and may not be the subject of an appeal.

27.4. A student is entitled to appeal on the grounds of a procedural or administrative irregularity in the conduct of this procedure. Appeals must be submitted in accordance with Handbook F, Section 10.

PART J: ADMINISTRATION

28. Reporting Outcomes

28.1. The outcome of an academic conduct case will be communicated to the student via their University of Chester email account and to the Chair of the Module Assessment Board no later than 14 days after the date of the penalty being confirmed.

28.2. Where it is found that the student has submitted work which breaches the Academic Conduct Policy, that decision and the decision on penalty will be reported to the Academic Registrar or nominee as follows:

28.2.1. In the case of a standard penalty, the Academic Registrar (or nominee) will be notified after the expiry date of the student's eligibility to complete the Academic

Conduct Course. AS will advise the outcome in accordance with the provisions of Clause 15.

28.2.2. In all other cases, the Academic Registrar (or nominee) will be notified as soon as possible after the conclusion of the case.

28.3. Any decision on penalty relating to components of assessment and/or module outcomes made by the Academic Services or the Panel are binding on the Module Assessment Board.

28.3.1. If the Module Assessment Board has not yet met to ratify the student's marks at the time the decision is made, it is the responsibility of the Chair of the Module Assessment Board to enter the penalty decision on the student's record.

28.3.2. If the Module Assessment Board has already met to ratify the student's marks at the time the decision is made, Registry will enter the penalty decision on the student's record.

28.4. Any decision on penalty relating to the student's programme of study and/or overall award outcome made by Academic Services or the Panel are recommendations to the relevant Awards/Progression Assessment Board.

28.4.1. If the Awards/Progression Assessment Board has not yet met to consider the student's eligibility to progress or for an award at the time the decision is made, the recommendation will be reported by the Academic Registrar (or nominee) at the appropriate time.

28.4.2. If the Awards/Progression Assessment Board had already met to consider the student's eligibility to progress or for an award at the time the decision is made, or where it is appropriate to act prior to the next meeting of that Board, the Academic Registrar (or nominee) will seek to obtain the consent of the Chair of the Board and, where required, the Chief External Examiner, to implement the recommended outcome.

PART K: SUPPORTING FORMS AND DOCUMENTS

Form AC-X

Form AC-1

Form AC-Ex

Form AC-0

Form AC Allegation

Viva Voce Policy

Turnitin Policy

Staff guidance

Student Guidance