



UNIVERSITY COLLEGE  
OF ESTATE MANAGEMENT

# Academic Misconduct Panel

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Guidance for Students

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# 1. Introduction

## 1.1 Who is this guidance for?

This guidance is for students who are facing charges of academic misconduct. It provides practical advice and guidance on what to expect at the Academic Misconduct Panel (AMP) meeting. It accompanies the more detailed Academic Misconduct Procedure, available via the Student Hub section of the VLE.

## 1.2 What is academic misconduct?

UCEM defines academic misconduct as cheating, attempts to cheat, plagiarism, collusion and any other attempts to gain an unfair advantage in assessments. Please see the Academic Misconduct Procedure for a more information on what constitutes academic misconduct.

Academic misconduct is a disciplinary offence under the Terms and Conditions of Contract.

## 1.3 Burden of Proof

When investigating cases of academic misconduct, the burden of proof is on UCEM. This means that it is UCEM's responsibility to prove that you have committed an offence. You should not have to disprove the allegation, but it is important that you provide UCEM with any additional information, evidence and/or mitigating factors pertinent to the allegation made, as these will be considered when reviewing your case (see section 1.4.1. below).

UCEM will use the standard of proof based on the 'balance of probabilities' rather than 'beyond all reasonable doubt'. Evidence indicating that, on balance of probabilities, academic misconduct has occurred will be deemed sufficient evidence for action to be taken.

## 1.4 The Academic Misconduct Panel (AMP)

### 1.4.1 Before the Meeting

You will receive a right to reply letter outlining the details of the allegation. You will be asked to respond, in writing, within 14 calendar days of receipt of the letter. You should include any further evidence or mitigating factors relating to your case.

You will be notified of the date and location of the meeting. You will be informed who will be on the panel and you will receive a copy of the information being considered.

#### **If I do not respond to the letter, will the meeting still go ahead?**

Yes. The investigation will still proceed.

## Academic Misconduct Panel – Guidance for Students

### What should I do to prepare?

- Review the evidence provided by UCEM and consider what you think may have led to the allegation of academic misconduct.

e.g.

- Suspected collusion: could your work be too similar to that of another student? If so, how did this happen?
- Suspected plagiarism: Have you referenced all sources properly?

Consider the circumstances at the time of writing the coursework/sitting the exam. Provide your explanation for what may have gone wrong.

- Ensure that you have submitted your written response to the right to reply letter, including any relevant evidence, within the stated timeframe.
- Confirm whether you will be attending the meeting (this is not a requirement). If you are attending, confirm whether this is in person or by video/conference call.
- Notify UCEM of any disabilities or additional needs which will need to be accommodated for the meeting.
- Inform UCEM if you will be bringing someone with you to the meeting.
- Review the evidence received and submitted again in advance of the meeting so that it is fresh in your mind.

### I committed the offence, if I admit to this, will I receive a lesser penalty?

The panel will take into consideration remorse shown and admitting the offence at the earliest opportunity (if committed) when determining the penalty.

### Should I attend?

There is no requirement to attend. We understand that our students are busy and are often not local to our offices in Reading, UK. Many students do not find it necessary to attend the AMC, particularly in minor and straightforward cases. The AMC will consider the response provided in your right to reply letter in your absence. There is also the option for you to attend via video or conference call. It is ultimately your decision whether you wish to be present for the meeting.

### Would UCEM rearrange the meeting if I am unable to attend?

If there is good reason that you are unable to attend, supported by documentary evidence, UCEM will endeavour to offer an alternative date for the meeting, where possible, and provided sufficient notice is given. Please note that you may attend via video or conference call and it is not a requirement that you attend the meeting.

### Can I attend via video/conference call?

Yes. You may arrange with UCEM to attend virtually. Witnesses may also attend by this means.

### If I am unable to, or chose not to, attend the hearing, will it go ahead without me?

Yes. The AMC will consider the response provided in your written response to the right to reply letter in your absence.

### 1.4.2 At the meeting

#### What should I expect?

The AMC is the meeting at which an independent panel will review the evidence relating to your academic misconduct case.

All the evidence of the case will be reviewed at the meeting, including your written response to the right to reply letter (if received).

You will be invited to attend the meeting in order to put your evidence across and answer any questions from the panel. Once this has occurred, you will leave the meeting so that the panel can deliberate and decide upon the outcome.

A decision will be taken in line with the penalty sanctions outlined in the Academic Misconduct Procedure. These range from no penalty to, in the most severe cases of academic misconduct, removal from your programme. Please note that only the panel will be present during these deliberations.

In making their decision, the AMC will consider the:

- evidence provided
- severity of the offence
- intent
- level of study
- history of having committed the same offence\*

*\*the panel will not be informed of previous cases of academic misconduct until it is established whether there is a current charge.*

The outcome will be communicated to you after the meeting has concluded. You should not expect to receive the outcome during the meeting.

#### Will I be questioned directly during the meeting?

This will depend on the nature of the allegations and the specifics of your case, but the AMC may wish to question you directly over the course of the meeting.

The following will usually take place:

- The panel will introduce themselves
- You will be advised that the meeting will be recorded and a note taker is present to record the minutes of the meeting
- You will be asked to confirm your identity and the identity of anyone that have with you for support
- The panel will then discuss with you your understanding of the offence
- You will present your right to reply evidence
- The panel may ask a range of questions to establish the circumstances surrounding the case

#### Can I call my own witness at the hearing?

Yes. Attendance may be via video/conference call or a written statement can be prepared by your witness(es). In all cases, this will need to be agreed with UCEM in advance of the meeting so that the necessary arrangements can be made and your witness' testimony can be properly considered.

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### **I have been accused alongside other students; will we attend the same meeting?**

Yes. For cases of collusion or where academic misconduct is related to group work, all linked cases will be considered at the same AMC meeting and all students involved will have an opportunity to hear and respond to what the other students have raised.

### **Can I bring someone into the meeting with me?**

Yes, you may be accompanied by a friend, family member or independent UCEM representative (see section 1.6). You will need to inform UCEM no later than two working days prior to the meeting who will be accompanying you and what their relationship is to you. It would not be expected that you would require legal representation, and this is rarely recommended.

### **Can others speak on my behalf at the meeting?**

If someone accompanies you to the meeting, they will not be able to speak on your behalf. However, if you have a declared disability or additional need which affects your ability to speak at the meeting, it may be agreed in advance of the AMC that the person accompanying you may present information on your behalf.

## **1.4.3 After the meeting**

A record will be kept of the meeting and made available to you via student central. This will include:

- the date of the hearing
- who attended
- a brief summary of the proceedings
- the decision(s) taken (with reasons)
- the penalty applied (if any)

### **What are the potential outcomes?**

Firstly, a decision will have been at the AMC regarding whether academic misconduct has occurred. If it was determined that an offence has been committed, the AMC will have also decided upon the penalty to be applied, in line with the penalty sanctions outlined in the Academic Misconduct Procedure.

## **1.5 What are my rights?**

### **Sufficient notice**

Once you receive formal notification of the suspected academic misconduct via the right to reply letter, you are given 14 calendar days to respond.

### **Clear information**

It is important that you fully understand any allegations of Academic Misconduct made against you. UCEM will endeavour to present all the information regarding the accusation as clearly as possible. You will be informed, in writing of what you have been accused of and why. If anything is not clear to you about the allegation or the process independent support is available (see section 1.6).

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### Reasonable adjustments

If you have a declared disability UCEM will endeavour to ensure that information is available to you in appropriate formats, and that any reasonable adjustments are made to the proceedings to accommodate your needs. UCEM will also take your disability into consideration when making decisions upon your case.

### Fair hearing

UCEM will ensure that the procedure is applied fairly and consistently. Decisions on your case will be made by a fully trained and unbiased panel comprised of staff completely independent from your case.

### Right to reply

You will have the right to reply to the allegation made against you and present your account of events. Upon your receipt of the details of the allegation you will be invited to prepare a written statement of no more than 1500 words to present any mitigating factors and any other evidence that would be useful for the investigation. You will be given 14 calendar days to prepare your response. You also have the right to attend the AMC meeting.

### A timely decision

You will receive written notification of the outcome within two weeks of the Academic Misconduct Panel Meeting. In line with guidance published by the Office of the Independent Adjudicator (OIA), the whole process from the start of the investigation to the issuing of the outcome will not normally exceed 90 calendar days. Indicative timeframes are provided below:

#### Coursework

- ⇒ Coursework is submitted
- ⇒ Potential misconduct is flagged to Programme Leader (4 weeks)
- ⇒ Academic Reviewer conducts review (2 weeks)
- ⇒ Right to reply letter issued (2 weeks)
- ⇒ Meeting arranged (2 weeks)
- ⇒ Outcome received in writing (5 working days)

#### Exams

- ⇒ Exam is sat
- ⇒ Chief Invigilator provides details in the invigilator's report
- ⇒ Right to reply letter issued (2 weeks)
- ⇒ Meeting arranged (2 weeks)
- ⇒ Outcome received in writing (5 working days)

## Academic Misconduct Panel – Guidance for Students

### Confidentiality

Information about your academic misconduct case will only be disclosed to those involved in investigating or deciding upon it. If it is deemed that you have committed academic misconduct, this will be recorded on your academic record for that piece of assessment. UCEM strictly adheres to the General Data Protection Regulation 2018 when dealing with sensitive personal information.

### Right to appeal

Once a decision has been reached by the AMC and communicated to you in writing, you have the right to appeal that decision under the UCEM Appeals Procedure.

## 1.6 Further support

Please see the [Student Hub](#) section of the VLE for your academic support services and resources or contact [Student Central](#) if you have a query.