

Academic Misconduct Panel

Guidance for students on taught
programmes

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1. Introduction

1.1 Who is this guidance for?

This guidance is for students on UCEM taught programmes who are facing accusation 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 \(opens new window\)](#).

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.: Before the Meeting](#) 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. Mitigating factors may include (but are not limited to) a disability or mental health issues.

You will be notified of the date and link to the virtual 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.

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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 completing the assessment. 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 virtual meeting (this is not a requirement). If you are attending, 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 it may not be possible to attend the meeting.. Many students do not find it necessary to attend the AMP, particularly in minor and straightforward cases. The AMP will consider the response provided in your right to reply letter in your absence. 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.

Can I attend the meeting in person at UCEM?

AMP meetings normally are held virtually with all panel members joining remotely, however, if you have notified UCEM of any disabilities or additional needs which would require an in person meeting to allow you to participate fully UCEM will work to accommodate this.

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

Yes. The AMP 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 AMP is the meeting at which an independent panel will review the evidence relating to your academic misconduct case. Normally AMP meetings are conducted virtually.

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 \(opens new window\)](#). 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 AMP will consider the:

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

**The panel will normally 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 AMP 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.

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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.

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 AMP 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, someone from your workplace or an independent UCEM representative for example your Apprenticeship Outcomes Officer or member of the Learning, Teaching and Enhancement team (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 AMP 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 AMP regarding whether academic misconduct has occurred. If it was determined that an offence has been committed, the AMP 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: Further support](#)).

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 AMP 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:

- ⇒ Assessment is submitted
- ⇒ Potential misconduct is flagged to Academic Delivery Manager and initial investigation is conducted (4 weeks)
- ⇒ Academic Reviewer conducts review (2 weeks)
- ⇒ Right to reply letter issued (2 weeks)
- ⇒ Panel meeting is arranged (2 weeks)
- ⇒ Outcome is received in writing (5 working days)

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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.

If you are an apprentice, the appropriate member(s) of the apprenticeship support team (for example, your Apprenticeship Outcomes Officer (AOO)) will be made aware of any investigations of academic misconduct so that they are able to provide additional support and guidance in relation to the apprenticeship (for example, through your progress reviews). Your line manager will also be informed if you have been invited to respond to an academic misconduct investigation and they will be made aware of the outcome.

For cases of suspected collusion, it is important that both parties are aware of all evidence being presented to the panel, including the other student's right to reply and relevant Turnitin similarity reports. Sensitive personal information will be redacted.

UCEM may be required to inform relevant Professional Statutory and Accrediting Bodies about cases of academic misconduct.

UCEM strictly adheres to the UK General Data Protection Regulation (GDPR) 2018 when dealing with sensitive personal information (or special categories of personal data under UK GDPR).

Right to appeal

Once a decision has been reached by the AMP and communicated to you in writing, you have the right to appeal that decision under the [UCEM Appeals Procedure \(opens new window\)](#).

1.6 Further support

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