



Teaching Intensive, Research Informed

Academic Misconduct Regulations and Procedures

2019-20 Edition

Issued by the Standards and Enhancement Office

Approved by Senate December 2014

Technical updates of this document are undertaken on an annual basis to reflect changes to the University's organisational and management structures and to incorporate earlier, approved amendments to related policies, procedures and regulations

This document relates to the current year. If you become aware of any previous versions that are available on line please notify SEO@bolton.ac.uk so that action can be taken to remove the document(s).

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SCOPE

This regulation shall take effect from January 2015 (updated from September 2018) and will apply to all undergraduate and taught postgraduate programmes. Research degree students and staff are subject to the Code of Practice and Procedures for Investigating and Resolving Allegations of Misconduct in Research.

DEFINITIONS

The following definitions are used throughout the regulation.

Assessment Board: A formally convened meeting to consider and agree student progression and/or awards decisions.

Assessment Component: An assessment component is one of the assessments on a module from which the final mark/outcome for the module is derived. This is commonly referred to as summative assessment. Formative assessments not considered to be assessment components for the purpose of this regulation.

External Examiner: An individual appointed by the University to moderate student work and to advise the University on the standards of its awards and to assure the University about the conduct of its assessments.

Formative assessment: A type of assessment which is aimed at providing students with useful feedback on their performance and/or practice an assessment format. Formative assessment is not used to calculate the overall module mark or determine whether a student has successfully passed a module.

Hearing: A formally convened meeting to consider alleged cases of academic misconduct.

Assessor: Any member of academic staff or otherwise authorised individual responsible for the marking or internal moderation of an assessment component.

Invigilator: Any member of staff or otherwise authorised individual involved in the supervision of an examination or in-class assessment.

Programme of Study: The modules pursued by a student in respect of their programme.

PSRB: A Professional, Statutory or Regulatory body. This includes, but is not limited to, accrediting bodies, awarding bodies and statutory bodies that deal with legal requirements and immigration.

Senate: Any reference to Senate in these regulations shall be deemed to include a reference to any committee of Senate to which Senate has delegated the relevant authority.

Summative assessment: A type of assessment which contributes to the formal outcome of a module, either through the contribution of marks or through a pass/fail requirement.

Unfair Means: This is another term for academic misconduct or academic malpractice.

Any reference in these regulations to the Academic Registrar, School Leader or School Co-ordinator, or other named officer of the University shall be deemed to include a reference to any person designated by that officer for the purpose. Any reference to an On-Campus role shall be deemed to also refer to an equivalent Off-Campus Division role.

Any reference in these regulations to a School shall be deemed to include a reference to the Off-Campus Division and any equivalent organisational structures of the University.

1. PURPOSE

- 1.1 Any allegation of cheating or other form of academic misconduct in taught programmes, including, but not limited to, those outlined in section 2 of this regulation shall be dealt with in accordance with the procedures set out in this document.
- 1.2 Any allegation of cheating or other misconduct not included in the definitions set out section 2 below, shall be reported to the Academic Registrar (or a nominee) who, if satisfied there is a case for investigation, shall advise whether the allegation is considered to be a minor or serious offence.
- 1.3 Where a taught programme is subject to a PSRB's regulations then that body's regulations will be applied if this is a condition of approval to offer the programme. Otherwise the University's regulations will be applied.
- 1.4 Students may also be subject to Fitness to Practise procedures, where relevant, which may have further consequences for the student. Programmes subject to Fitness to Practise procedures will be identified in the Fitness to Practise procedure.
- 1.5 In the case of partner organisations where it would not be practicable for the named University postholders themselves either to interview a student suspected of academic misconduct or to participate in any Hearing at the partner organisation, then designated alternative postholders at the partner organisation may be nominated in their place.
- 1.6 In cases referred to in 1.5 the University postholder normally responsible for the equivalent stage of the academic misconduct procedures shall be consulted and provide advice and guidance. Partner staff nominees and proposals for alternative arrangements shall be subject to the approval of the Academic Registrar (or a nominee).
- 1.7 Use of video-conferencing, video chat software and/or telephone interviews, may also be considered appropriate in particular circumstances, in which case the identity of the student may need to be verified at the start of the meeting.

2. TYPES OF ACADEMIC MISCONDUCT

- 2.1 Use of academic misconduct, encompassing plagiarism or other forms of academic dishonesty or misconduct, may be defined as any attempt by a student to gain an unfair advantage in any assessment.
- 2.2 Academic Misconduct may be demonstrated by using or attempting to use, whether successfully or not, any one or more of the following:
 - i. **Plagiarism** may be defined as the representation of another person's work, without acknowledgement of the source, as the student's own for the purposes of satisfying assessment requirements. This includes information taken from the internet as well as published works. Examples of plagiarism are:
 - copying the work of another person (including a fellow student) without acknowledging the source through the appropriate form of citation;
 - the summarising of another person's work by simply changing a few words or altering the order of presentation, without acknowledgement;

- the use of ideas or intellectual data of another person without acknowledgement of the source, or the submission or presentation of work as if it were the student's own, which are substantially the ideas or intellectual data of another person;
 - the submission of coursework making significant use of unattributed digital images such as graphs, tables, photographs, etc. taken from books/articles, the internet or from the work of another person;
- ii. **Collusion** is where two or more students collaborate to produce a piece of work which is then submitted as though it were an individual student's own work; collusion does not apply to assessment components which specify group submissions;
 - iii. **Fabrication of data** refers to the falsification of data (either qualitative or quantitative), through invention or amendment, which is then presented by the student as if it had been legitimately gathered in line with the norms of the discipline concerned;
 - iv. **Duplication** – refers to the inclusion in work of any material which is identical or similar to material which has already been submitted by the student for any other assessment within the University or elsewhere e.g. submitting the same piece of coursework for two different modules;
 - v. **Commissioning** – involves requesting or paying for another person to complete an assessment which is then submitted as the student's own work. **Completing work for another person which is then submitted as their own is also considered to be an offence, even if that work is submitted at another institution;**
 - vi. **Theft of work** – submitting another's work as the suspected student's own, either in whole or in part, without that student's permission;
 - vii. **Bribery and blackmail** - paying or offering inducements or coercing another person to obtain higher marks or another form of advantage;
 - viii. **False declarations** – Misreporting facts and/or falsification of documents to gain an advantage. This may relate to (but is not limited to) obtaining an extension, claims for mitigating circumstances and/or appeals.

2.3 In addition to the above, the following relates specifically to conduct during examinations or in-class assessments and will also be considered to be academic misconduct:

- i. having at the examination desk any unauthorised notes or other unauthorised material (whether or not concealed in any manner), including electronic devices capable of storing and retrieving data;
- ii. the use of an unauthorised dictionary or electronic device;
- iii. the use of unauthorised programmes on electronic devices, including algorithms on calculators that have been programmed prior to the assessment;
- iv. communicating or trying to communicate in any way (oral, written, electronic, non-verbal) with another person during an examination or test except where the examination rubric permits this e.g. group assessments;
- v. copying or attempting to copy from another student sitting the same examination or test;

- vi. being party to impersonation where another person sits an examination or test in the place of the actual student or a student is knowingly impersonated by another;
 - vii. leaving the examination or test venue to refer to concealed notes or other unauthorised material;
 - viii. taking rough notes, stationery, scripts or examination or test papers, which indicate that they are not to be removed, away from the examination or test venue;
 - ix. provision or assistance in the provision of false evidence or knowledge or understanding in examination or tests;
 - x. disruptive behaviour.
- 2.4 Academic misconduct within a distributed learning environment will be dealt with in the same way as for more traditional learning methods.
- 2.5 Supporting an individual to commit any of the offences listed in 2.2 and 2.3 shall also be considered to be academic misconduct. Posting an assignment brief on a commissioning website will also be interpreted as attempting to use unfair means in assessment and will be dealt with accordingly. Having someone else take an assessment in your place will also be considered as commissioning.
- 2.6 The list of offences in section 2 of this regulation is not exhaustive and should not be interpreted as such by students as outlined in 1.2 above.

3. PROCEDURE FOR DEALING WITH SUSPECTED ACADEMIC MISCONDUCT

3.1 Identification of academic misconduct

- 3.1.1 Assessors, Invigilators and, exceptionally, External Examiners shall be responsible for the identification of suspected cases of academic misconduct. This shall be reported to the relevant Module Leader (or their nominee). The relevant Module Leader for the assessment in which academic misconduct is suspected shall assess the severity of the alleged academic misconduct and shall initiate the relevant procedure below.
- 3.1.2 The table provided in Annex C shall be used to determine the severity of the alleged academic misconduct. There are two levels of offence; Minor and Serious. The relevant procedure outlined below should be followed for the relevant type of offence.
- 3.1.3 Where a post-holder who is involved in the consideration of a case of academic misconduct has a personal relationship with a student suspected of academic misconduct, any potential conflict of interest should be declared. This should be reported to the post-holder's line manager, who shall determine if the relationship presents a genuine conflict of interest. If necessary, the line manager will appoint an alternative member of staff to consider the alleged academic misconduct.

3.2 Informal warnings

- 3.2.1 Where a Module Leader believes that there was no intent to deceive and/or that the academic misconduct occurred on a formative assessment, an informal warning may be issued to the student.
- 3.2.2 If an informal warning is issued it should be reported to the relevant Programme Leader who should record the fact that an informal warning has been issued. The Module Leader should arrange for the student to receive appropriate training and/or

advice on how to avoid committing academic misconduct. Informal warnings will not be recorded on the Academic Misconduct register.

- 3.2.3 Informal warnings should not be issued where an offence that would normally be classed as serious has occurred or where prior informal warnings had been issued.

3.2 Procedure for dealing with minor offences

- 3.2.1 In cases where there is a suspected Minor Offence of academic misconduct, a Programme Hearing will be held, normally within one month of identification of the alleged offence.
- 3.2.2 The Programme Hearing will normally require the student to attend an interview with the Module Leader and the host module's Programme Leader to test the allegations and/or to submit documentary evidence in response to the charge of committing academic misconduct.
- 3.2.3 In advance of the meeting, the Module Leader (or a nominee), in conjunction with any relevant staff involved, where appropriate, shall first prepare a written report, outlining the facts and nature of the case, the evidence for the alleged offence and whether any prior offence(s) are recorded on the Academic Misconduct Register. The Register is maintained by the Standards and Enhancement Office and can be accessed by the School Leader. **The report should be shared with the student prior to the Hearing being held, as detailed in 3.2.4 below.**
- 3.2.4 A copy of the report, a copy of these regulations, a letter or email explaining the possible consequences of being found guilty of the offence and any other papers to be considered at the Hearing shall be provided for the student along with the invitation to attend the meeting and/or provide a documentary response, as appropriate. These should normally be circulated at least five working days before the Programme Hearing. **The identity of the Hearing members will be made known to the student. If the student has concerns about potential bias on the part of the Hearing members then a different Hearing member(s) will be appointed.**
- 3.2.5 All papers should be copied, as appropriate, to the Programme Leaders(s) responsible for the programme and student concerned, where different from the Programme Leader of the programme hosting the module.
- 3.2.6 The student will normally be given at least five working days' written notice of the tutor's intention to hold the meeting normally via the student's University email address. The student has the right to be accompanied at the meeting by one friend. The friend may be a fellow student or a member of staff from the Students' Union, or, if the student has a disability, a support worker, but may not otherwise be external to the University. It should be noted that the friend is there to support the student, not to answer questions or put forward a case in their stead.
- 3.2.7 If the student does not attend the interview, or chooses not to attend but to submit documentary evidence, the meeting will go ahead in the student's absence and the hearing will consider the case based on any documentary evidence submitted by the tutor and the student in response to the charge of academic misconduct.
- 3.2.8 The outcome of the meeting involving the Module Leader and Programme Leader, with or without the attendance of the student, will be that the minor case of the use of unfair means is either proven (including where admitted by the student) or not

proven. **In reaching a decision on whether academic misconduct is proven or not, the student's previous record of academic misconduct should not be considered. The question of whether the student intended to commit academic misconduct or not should also not be considered in reaching this decision.**

- 3.2.9 In cases where the academic misconduct is proven a penalty will be applied by the Programme Hearing from those available for Minor Offences as detailed in Annex C. The applied penalty will be reported to the relevant Assessment Board and recorded on the Academic Misconduct Register. **If a student has previously committed academic misconduct this should be taken into account when identifying a penalty, as should the student's intention to commit academic misconduct.**
- 3.2.10 In cases where academic misconduct is not proven, no penalty shall be applied and the student's details shall not be entered onto the Academic Misconduct Register.
- 3.2.11 The student will normally be informed in writing, normally via the students' University address, of the outcome of the Programme Hearing within five working days of the meeting.

3.3 Procedure for dealing with Serious Offences

- 3.3.1 In cases where there is a suspected Serious Offence of academic misconduct, a School Hearing will be held.
- 3.3.2 The School Hearing will normally require the student to attend an interview with the Module Leader, the host module's Programme Leader, School Leader or nominee (who shall be the chair) to test the allegations and/or to submit documentary evidence in response to the charge of committing academic misconduct.
- 3.3.3 In advance of the meeting, the Module Leader (or a nominee), in conjunction with any relevant staff involved, shall first prepare a written report, outlining the facts and nature of the case, the evidence for the alleged offence and whether any prior offence(s) are recorded on the Academic Misconduct Register. The Register is maintained by the Standards and Enhancement Office and can be accessed by the School Leader. **The report should be shared with the student prior to the Hearing being held, as detailed in 3.3.4 below.**
- 3.3.4 Documentation including a report, a copy of these regulations, a letter explaining the possible consequences of the academic misconduct being proven and any other papers considered relevant shall be provided for the student and panel involved. These documents shall normally be circulated at least five working days in advance of the meeting.
- 3.3.5 An invitation to attend the meeting and/or provide a documentary response, as appropriate, should be provided to the student in addition to the documentation outlined above. **The identity of the Hearing members will be made known to the student. If the student has concerns about potential bias on the part of the Hearing members then a different Hearing member(s) will be appointed.**
- 3.3.5 All papers should be copied, as appropriate, to the Programme Leaders(s) responsible for the programme and student concerned, where different from the Programme Leader of the programme hosting the module.
- 3.3.6 The student will normally be given at least five working days' written notice of the tutor's intention to hold the meeting, normally via the student's University email

address. The student has the right to be accompanied at the meeting by one friend. The friend may be a fellow student or a member of staff from the Students' Union, or, if the student has a disability, a support worker, but may not otherwise be external to the University. It should be noted that the friend is there to support the student, not to answer questions or put forward a case in their stead.

- 3.3.7 If the student does not attend the interview, or chooses not to attend but to submit documentary evidence, the meeting will go ahead in the student's absence and the hearing will consider the case based on any documentary evidence submitted by the tutor and the student in response to the charge of academic misconduct.
- 3.3.8 The outcome of the meeting involving the Programme Leader and School Leader (or their nominee), with or without the attendance of the student, will be that the case of the use of academic misconduct is either proven (including where admitted by the student) or not proven. **In reaching a decision on whether academic misconduct is proven or not, the student's previous record of academic misconduct should not be considered. The question of whether the student intended to commit academic misconduct or not should also not be considered in reaching this decision.**
- 3.3.9 The School Hearing may decide to downgrade the severity of the offence to Minor, in which case a penalty from those available for Minor offences will be applied. The applied penalty will be reported to the relevant Assessment Board and recorded on the Academic Misconduct Register.
- 3.3.10. In cases where the academic misconduct is proven a penalty will be applied by the academic misconduct School Hearing as detailed in Annex C. **If a student has previously committed academic misconduct this should be taken into account when identifying a penalty, as should the student's intention to commit academic misconduct.**
- 3.3.11 In cases where academic misconduct is not proven, no penalty shall be applied and the student's details shall not be entered onto the Academic Misconduct Register.
- 3.3.12 The student will normally be informed in writing, normally via the students' University email address, of the outcome of the School Hearing within five working days of the meeting.

4. APPEALING AGAINST AN ACADEMIC MISCONDUCT DECISION

- 4.1 If a student is unhappy with the outcome of the relevant Hearing, they may submit an appeal together with relevant evidence to the Standards and Enhancement Office within fourteen calendar days of the outcome of the relevant Hearing being sent to the student.
- 4.2 The Head of Standards and Enhancement: Taught Provision (or a nominee) shall acknowledge receipt of the appeal within five working days.
- 4.3 An appeal may be submitted on the following grounds:
- i. The penalty is inconsistent with the type and degree of academic misconduct found;
 - ii. Further information is now available that would have meant that the Hearing would have made a different decision had that information been available at the time; [*Note: if students wish to appeal on such grounds, they must give adequate*

- reasons with supporting documentation why this information was not made available prior to the decision being made.]
- iii. that there was a material administrative error or procedural irregularity in the conduct of the Hearing of such a nature as to cause significant doubt whether the decision might have been different if the error or irregularity had not occurred;.
- 4.4 The Head of Standards and Enhancement: Taught Provision (or a nominee) will assess whether the appeal meets the grounds outlined in 4.3. If the appeal clearly has no grounds then the Head of Standards and Enhancement: Taught Provision (or a nominee) will write to the student to reject their appeal.
- 4.5 If the appeal does have grounds, the Head of Standards and Enhancement: Taught Provision (or a nominee) will organise a meeting of an Academic Misconduct Appeal Panel. The Academic Misconduct Appeal Panel will consist of:
- Two members of academic staff from outside the School or partner institution drawn from a list maintained by the Head of Standards and Enhancement: Taught Provision;
 - A student member nominated by the Students' Union from outside the student's School.
- 4.6 The Academic Misconduct Appeal Panel members shall normally not have been involved in the case prior to the Appeal Panel. The identity of the Panel members will be made known to the student. If the student has concerns about potential bias on the part of the Panel members then a different Panel member(s) will be appointed.
- 4.7 The Academic Misconduct Appeal Panel will be serviced by the Standards and Enhancement Office (or a nominee). Meetings of the Academic Misconduct Appeal Panel will normally take place within thirty calendar days of the appeal being acknowledged. The quorum for the meeting shall be the two academic members of staff. Non-attendance by the student member shall not be deemed a reason for the meeting not to proceed.
- 4.8 The student will be notified in writing of the date of the meeting at least five working days before it is due to be held and will be invited to attend or to submit a written statement. The student may be accompanied by a friend. The friend may be a fellow student or a member of staff from the Students' Union, or, if the student has a disability, a support worker, but may not otherwise be external to the University. It should be noted that the friend is there to support the student, not to answer questions or put forward a case in their stead. If the student is unavailable to attend they may provide an additional written statement. Failure to attend or provide a statement will not be a reason for the meeting not to proceed and a decision may be made in the student's absence.
- 4.9 The Academic Misconduct Appeal Panel will consider evidence from the School and the student. Any new documentary evidence should be shared with the student and the relevant staff in the School at least five working days' in advance of the meeting. The Academic Misconduct Appeal Panel may meet with representatives from the School who have knowledge of the case.
- 4.10 The Academic Misconduct Appeal Panel may decide that the appeal is upheld or rejected. If the appeal is upheld, the Academic Misconduct Appeal Panel may do the following:

- Dismiss the academic misconduct case and remove this instance of academic misconduct from the Academic Misconduct register;
- Downgrade the severity of the offence and/or penalty;
- Upgrade the severity of the offence and/or penalty.

4.11 The Head of Standards and Enhancement: Taught Provision (or a nominee) will normally write to the student informing them of the outcome of the Academic Misconduct Appeal Panel within five working days of the meeting. The Head of Standards and Enhancement: Taught Provision (or a nominee) will also inform the student about the possibility of taking their appeal to the relevant independent body in the event that they remain unhappy with outcome of their appeal.

5. Standard of Evidence and Strict Liability

5.1 In reaching decisions, Hearings and the Academic Misconduct Appeals Panel will use the balance of probabilities. It is not usually required that academic misconduct be proven beyond reasonable doubt.

5.2 The University considers academic misconduct cases using the concept of strict liability. This means that the intent or negligence on a part of a student is not used when determining whether academic misconduct is proven or not proven. These factors are considered when determining a penalty.

6. **Viva assessments**

6.1 As part of the investigation into a suspected academic misconduct case, a viva assessment may be held. This will give the student the opportunity to defend the work they have submitted and will help the University to understand whether the student has the level of understanding required to feasibly be the author of the work. A viva would be conducted by two members of staff who are suitably qualified in the subject field and who have not been previously involved in the investigation or detection of the misconduct.

6.2 The outcome of the viva, together with the views of the assessors will be reported to the relevant Hearing or Appeals Panel. The need for a viva will be determined by the relevant Head of School (or a nominee) or the Chair of the Academic Misconduct Appeals Panel.

7. **Equality Impact Assessment**

7.1 The University of Bolton is committed to the promotion of equality, diversity, and a supportive environment for all member of our community. Our commitment to equality and diversity means that this procedure has been screened in relation to the use of plain English, the promotion of the positive duty in relation to race, gender and disability and avoidance of discrimination to other equality groups related to ages, sexual orientation, religion or belief or gender reassignment.

8 **Other Related Policies, Procedures, Codes and Guidelines**

8.1 Other relevant policies include:

- Student Attendance Policy

- The Academic, Examination and Assessment Regulations

9 Monitoring and Review

9.1 These regulations will be monitored by the Standards and Enhancement Office.

9.2 These regulations will be reviewed every three years.

10 Dissemination of and Access to the Policy

10.1 This Policy will be available on the University's website (Student Information – Policy Zone).

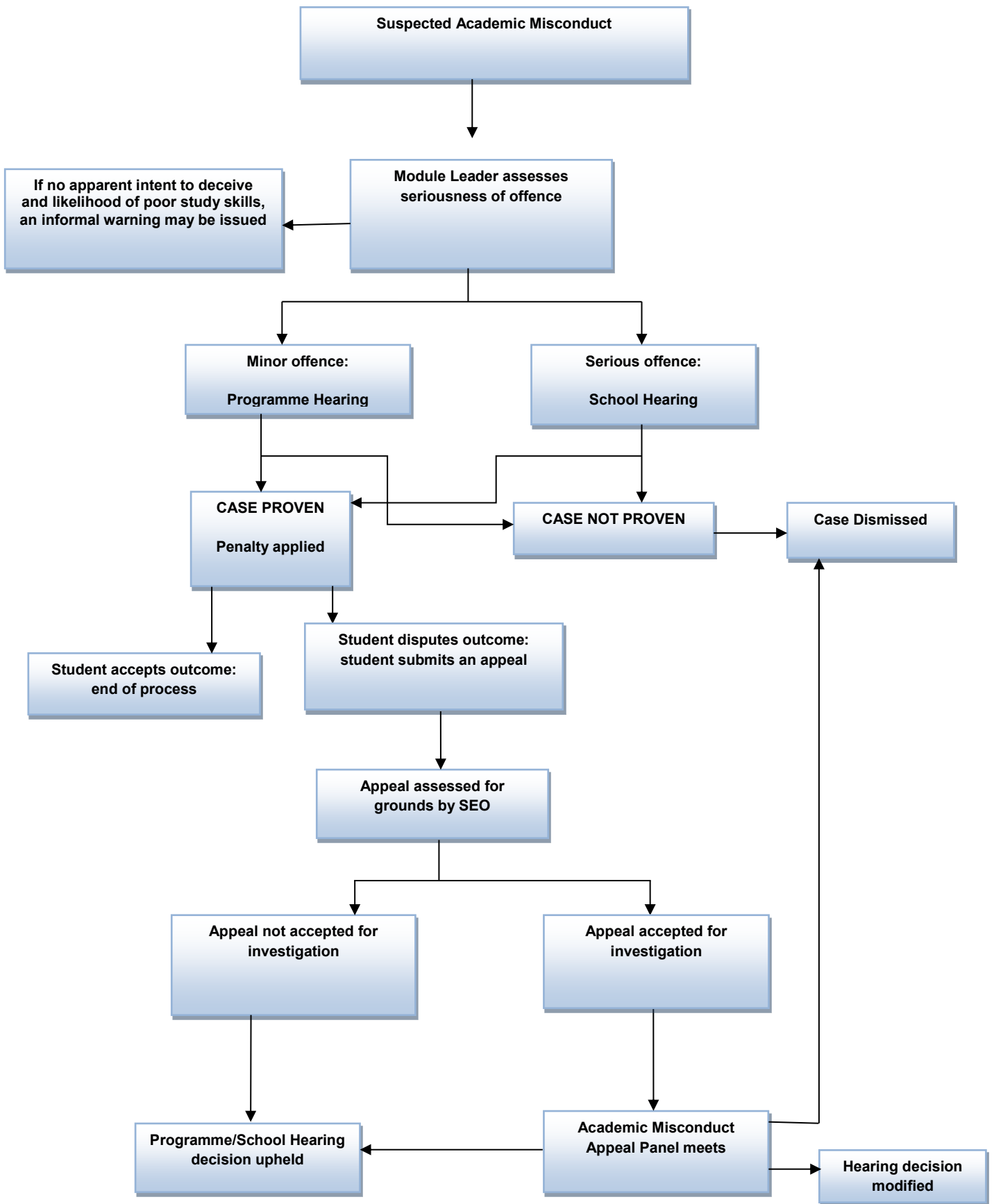
ACADEMIC MISCONDUCT REGULATIONS AND PROCEDURES	
Policy ref: SEO/MISCON1	
Version number	01
Version date	March 2018
Name of Developer/Reviewer	Richard Gill
Policy Owner (Group/Centre/Unit)	SEO
Person responsible for implementation (postholder)	Heads of School Head of Standards and Enhancement (Taught Provision) Exec Dean, Research and Graduate School
Approving committee/board	Senate
Date approved	December 2014 updated March 2018
Effective from	January 2015
Dissemination method e.g. website	Website
Review frequency	3 years
Reviewing committee	Senate
Consultation history (individuals/group consulted and dates)	Drafts of the regulation have been considered by: Education Committee Heads of School Standards and Enhancement Officers
Document history (e.g. rationale for and dates of previous amendments)	This was major re-write of the old appeals regulations, partly in response to an OIA consultation document. March 2018 Technical update and greater clarity regarding commissioning

ANNEX A: Guidance on Academic Misconduct in Creative subjects

The following is particularly relevant to practice in creative subjects including art and design and creative writing and related subjects such as film and video making, making installations, photography, play and script writing and other forms of practical media and performance generation and presentation. Elements of this guidance may also apply to computer code.

- Programme Specification Documents, Programme Handbooks and Module outlines will normally outline aspects of originality, independence and creativity expected of students in achieving aims and outcomes and meeting assessment criteria in Creative Subjects.
- It is recognised that in generating new work in Creative Subjects use is sometimes made of previously published, exhibited or performed material such as words, images, objects, code, sounds and recordings from specific sources. Such material sometimes may be quoted or reproduced in whole or in part as part of a new work of art. It is not expected that identification through bibliographical data, or other acknowledgement of the source material will be incorporated or exhibited overtly in the new creative work itself in the way that footnotes appear in essays or scientific papers.
- However, it is required that the use of appropriation, allusion and quotation as outlined above will be acknowledged fully and clearly in students' personal commentaries or self-evaluations on their work where such written or verbal self-evaluation is a part of the assessment requirements. Students must be prepared to list and explain such source material to tutors and assessors as required.
- Creative work may be marked and assessed, in part, in response to the originality, inventiveness and creativity of appropriation, allusion and quotation. However, a student may be penalised for refusal to acknowledge and discuss such usage if and when it has been identified. Absence of the acknowledgement of such material in the appropriate format may be deemed to be use of unfair means and may result in the unfair means procedures being implemented.

ANNEX B: Process flow chart



ANNEX C: Range of Penalties

Minor

A Programme Hearing may apply one of the following penalties (M.i.-M.iv.) for a Minor offence:

- M.i. no further penalty (note that the student will still be entered onto the Academic Misconduct Register);
- M.ii. to fail the student in the assessment component in question, but to permit a technical referral with no cap on the mark;
- M.iii. to reduce the mark of the relevant assessment component by an amount to be determined by the Hearing (this may not reduce the student below a pass mark in this component);
- M.iv. to deem the student to have failed the assessment component and to permit a refer with the mark capped at the relevant pass mark (note that if the student has no further attempts permitted by regulation they may be deemed to have failed and finished the module).

Serious

A School Hearing may decide to apply one of the following penalties (S.i.-S.iv.) for a Serious Offence:

- S.i. to deem the student to have failed the module and to permit a refer (or repeat) in all assessment components with the mark capped at the relevant pass mark (note that if the student has no further attempts permitted by regulation they may be deemed to have failed and finished the module);
- S.ii. to place a ceiling on the student's terminal award;
- S.iii. to deem the student to have failed their intended award and to make a recommendation to the Assessment Board on whether any interim credit and/or award earned prior to the offence should be granted or withheld;
- S.iv. to recommend to Senate that the student be expelled from the University either permanently or for a specified length of time, with a recommendation on whether any interim credit and/or award earned prior to the offence should be granted or withheld.

Alternatively, a School Hearing may decide to downgrade the severity of the suspected academic misconduct to Minor and apply one of the penalties M.i.-M.iv.)

ANNEX D: Guidance on determining whether an offence is minor or serious

Plagiarism: Reproduction of work from another source (e.g. student, academic source, internet), without appropriate acknowledgement.

Minor	Serious
Small amount of work reproduced without appropriate acknowledgement.	Significant amount of work reproduced without appropriate acknowledgement.
First semester/stage of the programme.	Later stages of the programme.
Levels HE3 and HE4	Level HE5 and above.

For a particular penalty band to apply, it might normally be expected that at least **two** of the conditions listed in that band would be met by the case under consideration.

Other Forms of Academic Misconduct

Minor	Serious
Collusion	
Collaborative work is apparent in a few areas, but possibly due to lack of student's/students' awareness.	Collaborative work reflects significant similarities, and is probably due to deliberate attempt to share.
Fabrication of Primary Data	
Substantial part of the data is original to the student.	A significant amount of data is found to be fabricated.
Duplication	
A small amount of work already submitted as part of a previous assessment is being passed off as new work for another assessment.	A significant amount of work already submitted as part of a previous assessment is passed off as new work for another assessment.
Commissioning	
N/A	Work commissioned from another person and submitted as the student's own.

Minor	Serious
Theft of work	
N/A	Someone else's work is taken without permission and passed off as the student's own
Bribery and Blackmail	
N/A	Academic advantage is sought through inducement or threats to others.
False Declarations	
N/A	False information is knowingly presented to the University in order to seek to gain academic advantage, for example in relation to Mitigating Circumstances and Appeals.
Examinations and In-Class Assessments	
Communicating with someone other than the invigilator during an examination or in-class assessment on unrelated matters.	Communication during examination or in-class assessment in order to seek academic advantage.
Unauthorised material is not relevant or intentionally used.	Use of unauthorised notes or other material (including in electronic format) in order to seek academic advantage.
	Attempting to copy from another student in the examination or in-class assessment.
	Misuse of examination or in-class assessment briefs, for example gaining prior knowledge of contents of unseen paper.
	Impersonation: Allowing another person to take the examination or in-class assessment on the student's behalf.
	Taking material away from examination or test when instructed not to.

**UNIVERSITY OF BOLTON
STUDENT NON ACADEMIC CONDUCT AND DISCIPLINARY DECISION & ACADEMIC
MISCONDUCT DECISION – APPEAL FORM**

This form is to be completed for appeals to be dealt with under the Academic Misconduct and Student Non Academic Conduct and Disciplinary procedures.

You must submit notification of your intention to appeal within 5 working days of the formal notification of the decision you are appealing against.

Before completing this form, please refer to the University’s Academic Misconduct Regulations and Procedures: <https://www.bolton.ac.uk/wp-content/uploads/2018/11/Academic-Misconduct-Regulations-and-Procedures-2019-20.pdf> and the University’s Student Non Academic Conduct and Disciplinary Policy and Procedure <https://www.bolton.ac.uk/wp-content/uploads/2018/11/Student-Non-Academic-Conduct-and-Disciplinary-Policy-and-Procedure-2019-....pdf>

DETAILS OF APPEAL – TO BE COMPLETED BY STUDENT	
Name:	Student Number:
Programme:	Level of study (3, 4, 5, 6, 7 or 8):
School/Partner College:	Year of Study:
Date of Panel/Hearing:	
Date of Outcome Letter:	
Addresses for correspondence in connection with your appeal:	
Postcode:	
Telephone Number:	
University email:	
Private email:	

Please indicate which Panel’s decision you are appealing against:		
Student Non Academic Conduct and Disciplinary	<input type="checkbox"/>	Academic Misconduct
Please confirm what it is that you are appealing:		
<ul style="list-style-type: none"> • the decision (that misconduct occurred) • one or more of the penalties applied • the decision and one or more penalties 		
If you are appealing against one or more penalty please indicate which penalty you are appealing against? (For example these penalties may be expulsion, suspension, capping of module mark or other.)		

An appeal can only be submitted on one or more of the following grounds. Please indicate the ground(s) for your appeal by ticking the appropriate box.

A. The penalty is inconsistent with the type and degree of misconduct found

B. Further information is now available that the student was unable, for valid reasons, to provide earlier in the process and which may have resulted in a different outcome

C. That there was a material administrative error or procedural irregularity in the conduct of the Hearing of such a nature as to cause significant doubt whether the decision might have been different if the error or irregularity had not occurred

In relation to the ground(s) you have indicated above (A, B or C), please explain for each relevant ground why you are dissatisfied with the decision or penalty at the previous stage of the Procedure.

Ground A

Please list the documentary evidence you intend to use, and clearly explain why this was not available at an earlier stage of the procedure and the relevance of the evidence to your appeal (include relevant documents with your submitted appeal, or indicate to follow with timescale for their availability).

Please list relevant documents below:

Ground B

Please explain why you believe that there was an 'irregularity' in the Procedure in how your case has been considered at a previous stage of the process and how you believe this has affected the outcome (include relevant documents with your submitted appeal, or indicate 'to follow' with timescale for their availability).

Please provide an explanation below together with a list of relevant documents:

Ground C

Please explain why you believe the outcome reached at an earlier stage was 'manifestly unreasonable' and the evidence you wish to use to support this (include relevant documents with your submitted appeal, or indicate 'to follow' with timescale for their availability).

Please provide an explanation below together with a list of relevant documents:

Request for extension to acquire further information: Should you require further time to acquire additional documentary evidence you can make a request here. To do this you must state:

- the precise nature of the documentation to follow,
- the grounds for appeal it relates to,
- the reason that it is not currently available,
- the date by which you will be able to submit the document.

Please provide details below:

Declaration (you must complete this section)

I declare that the information given in this form is accurate, the supporting evidence is genuine, and that I have read and understood the relevant Procedures.

Name:

Date:

The completed form should be sent either by post to Standards & Enhancement Office, University of Bolton, Deane Road, Bolton BL3 5AB or via e-mail to: SEO@Bolton.ac.uk

An officer of the University will review your appeal to confirm you have submitted your appeal in time, and have established allowable grounds with appropriate and relevant evidence.