

# **19. CONDUCT OF INVESTIGATIONS INTO ACADEMIC MISCONDUCT**

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## **Legal and Regulatory Compliance**

This regulation supports the University to comply with Ongoing Condition of Registration B4: Assessment and awards in respect of ensuring assessment is credible.

This regulation supports the University to comply with Ongoing Condition of Registration C2: Student complaints scheme and the Good Practice Framework of the Office of the Independent Adjudicator in respect of investigating and penalising academic misconduct.

## **Purpose**

This regulation outlines the University's principles and assigns responsibilities in respect of academic misconduct. It provides the means whereby academic misconduct is investigated and penalised.

## **Scope**

This regulation applies to academic misconduct in work submitted for summative assessment by students registered on courses leading to undergraduate and postgraduate awards of the University. It further applies to students taking units as part of a Study Abroad programme.

This regulation applies to academic misconduct in work submitted for summative assessment by students enrolled on doctoral programmes in respect of any taught elements of those programmes.

This regulation does not apply to students enrolled on doctoral programmes in respect of research submitted for examination. Allegations of misconduct in research by doctoral students are investigated according to the Procedure for Inquiring into Allegations of Misconduct in Research and Scholarship (<https://www.bath.ac.uk/publications/allegations-of-misconduct-in-research/attachments/PROCEDURE FOR INQUIRING INTO ALLEGATIONS OF MISCONDUCT IN RESEARCH AND SCHOLARSHIP.pdf>).

## **Policy Interactions**

Where an investigation into academic misconduct is ongoing when a Board of Examiners or Board of Studies meets to review a student's results, the Board will not consider the student's results at that time. Once the investigation has been completed, the Chair of the Board of Studies will decide how to proceed.

Where suspected academic misconduct is identified after a Board of Studies has made an award to a student, the Board of Studies reports this to the Secretary to Senate who investigates and takes appropriate action.

Penalties for academic misconduct normally stand regardless of any accepted claim for Individual Mitigating Circumstances (IMCs). However, when a student is eligible for deferred assessment in an assessment task due to IMCs, penalties at the level of the assessment task are disregarded.

Students may also use an accepted IMC claim as evidence in a request for review under this procedure.

Where an incidence of academic misconduct involves behaviour which may be subject to Regulation for Students 7: Disciplinary Regulations for Students, it may also be investigated under that regulation.

Where an incidence of academic misconduct raises concerns about Fitness to Practice, students may be referred under the Fitness to Practice Policy (<https://www.bath.ac.uk/publications/fitness-to-practise-policy/>).

## **Disclosure**

No papers, minutes, or other records which relate to reserved areas of business shall at any time be made available to a student, except insofar as the papers, minutes or other records constitute the student's own personal data.

Reserved areas of business include those concerning decisions on the academic assessment of individual students; in any case of doubt, the Chair of the Board of Studies shall decide whether a matter is a reserved area of business or not, and the Chair's decision shall be final.

Further advice is available from the University's Legal Adviser.

## **Principles**

1. Academic misconduct is:
  - any action by a student which gives or has the potential to give an unfair advantage in an examination or assessment
  - any action by a student which might assist someone else to gain an unfair advantage
  - any action by a student likely to undermine the integrity essential to scholarship and research.
2. Students investigated and penalised under this regulation are treated fairly and consistently.
3. Anonymous reports and malicious reports of academic misconduct are disregarded by the University.
4. The University does not consider a student's intentions or any mitigating factors when determining whether they have engaged in academic misconduct.
5. The University considers a student's intentions when determining the severity of academic misconduct.
6. The University considers any mitigating factors when determining penalties for academic misconduct.
7. The standard of proof for determining that a student has engaged in academic misconduct is the civil standard, or "the balance of probabilities". This means it must be proved that something is more likely to have happened than not, and this is supported by evidence.
8. Students penalised for Moderate and Severe Academic Misconduct under this regulation have the right to request a review of on specified grounds. Academic judgement is not subject to review.
9. Students have a reasonable expectation of privacy in respect of investigations under this regulation.

## **Responsibilities**

Chairs of Boards of Studies:

- convene Boards of Inquiry into Academic Misconduct
- on request of students, review decisions by Heads of Department

Boards of Inquiry:

- decide whether students have engaged in Severe Academic Misconduct
- apply penalties for academic misconduct

Chairs of Boards of Inquiry into Academic Misconduct:

- direct preparations for Board meetings
- direct proceedings of Board meetings
- communicate the outcomes of Board meetings

Secretaries to Boards of Inquiry into Academic Misconduct provide secretarial support for Boards.

Heads of Department:

- decide whether students have engaged in Moderate Academic Misconduct
- apply penalties for Moderate Academic Misconduct
- advise Chairs of Boards of Studies that students are suspected of engaging in Severe Academic Misconduct

*Heads of Department may delegate their responsibilities to Directors of Teaching.*

Directors of Studies:

- report malicious notifications of academic misconduct to Student Support and Safeguarding
- decide whether to initiate a formal investigation into academic suspected academic misconduct
- formally investigate suspected academic misconduct
- decide that students have not engaged in academic misconduct or have engaged in Poor Academic Practice
- advise Heads of Department that students have engaged in Moderate or Severe Academic Misconduct

*The responsibilities of Directors of Studies may be exercised by Directors of Academic Integrity and Ethics.*

## Unit Convenors

- review work submitted for assessment in response to notifications of suspected academic misconduct
- report suspected academic misconduct to Directors of Studies
- support students who have engaged in Poor Academic Practice

Faculty/School Assistant Registrars advise on this regulation

Academic Registry advises and publishes guidance on this regulation

Director of Academic Registry, on request of students, reviews decisions by Boards of Inquiry into Academic Misconduct.

Centre for Learning and Teaching publishes guidance on academic integrity and academic misconduct.

## Monitoring and Review

Education, Quality and Standards Committee reviews this regulation on a cyclical basis.

Education, Quality and Standards Committee monitors Academic Misconduct through annual consideration of a report on investigations and penalties prepared by Academic Registry in the form specified by the committee.

Boards of Studies monitor Academic Misconduct through annual consideration of a report on investigations and penalties prepared by Faculty/School Assistant Registrars in the form specified by the Boards.

## 19.1 Responding to suspected academic misconduct

### Review by the Unit Convenor

- 19.1.1 Suspected academic misconduct should be reported to the Unit Convenor.
- 19.1.2 Unit Convenors report anonymous notifications about suspected academic misconduct to the Director of Studies. They do not review any work.
- 19.1.3 Unit Convenors report notifications about suspected academic misconduct which appear to be malicious to the Director of Studies. They do not review any work.
- 19.1.4 Otherwise, where a notification is made, Unit Convenors review the work submitted for assessment, including where feasible submitting it to the University-licensed similarity-checking software.
- 19.1.5 Unit Convenors do not contact students as part of their review.
- 19.1.6 Unit Convenors make a report to Directors of Studies, including a recommendation on whether there is evidence of academic misconduct and of what severity. They provide Directors of Studies with the work submitted for assessment, any report produced by similarity-checking software and any other relevant evidence.

### Deciding whether to formally investigate

- 19.1.7 The Director of Studies disregards notifications of academic misconduct which are confirmed to be anonymous i.e., the person making the notification is not willing to share their identity. They direct the Unit Convenor to ensure the work is marked as normal according to marking criteria for the task.
- 19.1.8 The Director of Studies does not disregard confidential notifications of academic misconduct i.e., the person making the notification is willing to share their identify with the Director of Studies and other relevant members of staff but does not wish their identity to be more widely shared. However, respecting confidentiality may limit what is possible under this regulation. Academic Registry publishes guidance for staff and students on confidential notifications of suspected academic misconduct – see Academic Misconduct (<https://www.bath.ac.uk/guides/academic-misconduct/>).
- 19.1.9 If the Director of Studies deems a notification about academic misconduct to be potentially malicious - including those made by external parties - they direct the Unit Convenor to ensure the work is marked as normal. They further refer the matter to Student Support and Safeguarding to consider any welfare concerns or broader risks. This is a supportive step and does not constitute a disciplinary finding.
- 19.1.10 If the Director of Studies decides that what has been reported is not academic misconduct, they direct the Unit Convenor to ensure the work is

marked as normal. They do not commence a formal investigation under this regulation.

- 19.1.11 If the Director of Studies decides that what has been reported is Poor Academic Practice, they direct the Unit Convenor to follow Section 2 of this regulation. They do not commence a formal investigation under this regulation.
- 19.1.12 If the Director of Studies decides that what has been reported may be Moderate or Severe Academic Misconduct, or if they cannot make a decision based on what has been reported, they commence a formal investigation according to Section 3 of this regulation.

## 19.2 Handling Poor Academic Practice

- 19.2.1 Students whose work includes Poor Academic Practice are required to retake an academic integrity test.
- 19.2.2 Students whose work contains Poor Academic Practice are not otherwise subject to penalties. Unit Convenors ensure their work is marked as normal according to marking criteria for the task.
- 19.2.3 Unit Convenors provide students whose work includes Poor Academic Practice with feedback to help them avoid similar errors in the future.
- 19.2.4 Unit Convenors write to students notifying them that the work they have submitted includes Poor Academic Practice. They use the template provided by Academic Registry – see Academic Misconduct (<https://www.bath.ac.uk/guides/academic-misconduct/>).

## 19.3 Investigating academic misconduct

### Collating evidence

- 19.3.1 Directors of Studies notify the Head of Department, Faculty/School Assistant Registrar and the programme administration team that they have commenced a formal investigation.
- 19.3.2 Directors of Studies collate any evidence of academic misconduct in the work submitted for summative assessment including its type and severity.
- 19.3.3 To collate evidence of any academic misconduct, Directors of Studies:
  - review the work submitted for assessment
  - review and where necessary produce reports using the University-licensed similarity-checking software
  - review other evidence supplied by the Unit Convenor
  - consult with relevant members of staff to confirm facts and details of the case
  - review any record of previous academic misconduct by the student.
- 19.3.4 Directors of Studies do not upload work submitted for assessment to any similarity-checking software for which the University does not have an institutional license. Directors of Studies do not upload work submitted for assessment to any AI detection programme.

### Notifying students of an investigation

- 19.3.5 Directors of Studies write to students to notify them of the formal investigation with a clear statement describing the suspected academic misconduct. They use the template provided by Academic Registry – see Academic Misconduct (<https://www.bath.ac.uk/guides/academic-misconduct/>).
- 19.3.6 Directors of Studies provide students with any relevant evidence, including any report produced by University-licensed similarity-checking software.
- 19.3.7 Where a group of students are investigated for academic misconduct, Directors of Studies write to each student individually.
- 19.3.8 Students have 14 calendar days to respond to the statement describing the suspected academic misconduct.
- 19.3.9 The student's written response forms part of the evidence for the investigation.
- 19.3.10 Students may consult an advisor before responding. Appropriate examples of advisors include but are not limited to:
  - the SU Advice and Support Service

- the SU representative of a partner investigation
- a family member
- a friend

19.3.11 Directors of Studies check with students to identify any reasonable adjustments they need for this stage of the investigation.

**Meeting students as part of an investigation**

19.3.12 Directors of Studies offer to meet with students as part of the formal investigation. They use the letter template provided by Academic Registry – see Academic Misconduct (<https://www.bath.ac.uk/guides/academic-misconduct/>).

19.3.13 Where a group of students are suspected of academic misconduct, Directors of Studies offer to meet each student individually. Directors of Studies do not meet with students as a group.

19.3.14 The meeting focuses on:

- the details of the suspected academic misconduct
- the evidence provided to the student
- the processes for investigating academic misconduct
- possible penalties for academic misconduct.

19.3.15 The meeting does not include any *presentation of learning* (see 3.19).

19.3.16 The meeting forms part of the evidence for the investigation.

19.3.17 Students may choose not to meet with Directors of Studies. Directors of Studies do not draw any negative inference if students choose not to meet.

19.3.18 Students may consult an advisor before meeting. Appropriate examples of advisors include but are not limited to:

- the SU Advice and Support Service
- the SU representative of a partner investigation
- a family member
- a friend

19.3.19 Directors of Studies check with students to identify any reasonable adjustments they need for this stage of the investigation.

19.3.20 After meeting, Directors of Studies write to students summarising the meeting and ask students to confirm the record is accurate. They use the

template provided by Academic Registry – see Academic Misconduct (<https://www.bath.ac.uk/guides/academic-misconduct/>).

### **Presentations of Learning**

- 19.3.21 Directors of Studies may invite students to participate in a presentation of learning. They use the letter template provided by Academic Registry – see Academic Misconduct (<https://www.bath.ac.uk/guides/academic-misconduct/>).
- 19.3.22 Directors of Studies provide students with 7 calendar days' notice of a presentation of learning.
- 19.3.23 Where a group of students are suspected of academic misconduct, Directors of Studies may invite students individually to participate in a presentation of learning. Director of Studies do not conduct presentations of learning with groups of students.
- 19.3.24 A presentation of learning consists of asking students questions about the work which is the subject of investigation. It gives students the opportunity to demonstrate that the work is their own.
- 19.3.25 The outcome of a presentation of learning forms part of the evidence for the investigation.
- 19.3.26 A presentation of learning is conducted by the Director of Studies and the marker of the work. Where the Director of Studies is also the marker, the Director of Studies may invite an appropriate member of academic staff to participate.
- 19.3.27 Students may choose not to participate in a presentation of learning. Directors of Studies do not draw any negative inference if students choose not to participate.
- 19.3.28 Students may consult an advisor before participating in a presentation of learning. Appropriate examples of advisors include but are not limited to:
  - the SU Advice and Support Service
  - the SU representative of a partner investigation
  - a family member
  - a friend
- 19.3.29 Directors of Studies check with students to identify any reasonable adjustments they need for this stage of the investigation.
- 19.3.30 Directors of Studies ensure there is an appropriate record of a presentation of learning. Where a student does not consent to recording of a presentation of learning, Directors of Studies ensure a written record is kept.
- 19.3.31 Following a presentation of learning, Directors of Studies write to students and ask them to confirm that the record is accurate. They use the

template provided by Academic Registry – see Academic Misconduct (<https://www.bath.ac.uk/guides/academic-misconduct/>).

- 19.3.32 Academic registry publishes guidance for staff on conducting a presentation of learning – see Academic Misconduct (<https://www.bath.ac.uk/guides/academic-misconduct/>).
- 19.3.33 Academic registry publishes guidance for students on participating in a presentation of learning. – see Academic Misconduct (<https://www.bath.ac.uk/guides/academic-misconduct/>)

### **Outcomes of an investigation**

- 19.3.34 Where Directors of Studies conclude that there is insufficient evidence of academic misconduct, the investigation is closed and there is no further action. Directors of Studies notify students in writing. They use the template provided by Academic Registry – see Academic Misconduct (<https://www.bath.ac.uk/guides/academic-misconduct/>)
- 19.3.35 Where Directors of Studies conclude that a student has engaged in Poor Academic Practice, they refer the matter back to the Unit Convenor to handle according to Section 2 of this regulation. They use the letter template provided by Academic Registry – see Academic Misconduct (<https://www.bath.ac.uk/guides/academic-misconduct/>).
- 19.3.36 Where Directors of Studies conclude that a student has engaged in Moderate Academic Misconduct, they present their finding to the Head of Department and recommend appropriate penalties.
- 19.3.37 Where Directors of Studies conclude that a student has engaged in Severe Academic Misconduct, they present their findings to the Head of Department. The Head of Department asks the Chair of the Board of Studies to convene a Board of Inquiry into Academic Misconduct.

## 19.4 Decision by the Head of Department

### Reviewing the evidence

- 19.4.1 Heads of Department review the evidence collated by the Director of Studies.
- 19.4.2 Heads of Department may consult with the Director of Studies and other relevant members of staff to further clarify facts and details of the case.
- 19.4.3 Heads of Department do not engage in further communication with students.

### Confirming Moderate Academic Misconduct

- 19.4.4 Where Heads of Department are satisfied on the balance of probabilities that students have engaged in Moderate Academic Misconduct, they apply appropriate penalties (see *Penalties for Academic Misconduct*).
- 19.4.5 Where a group of students has engaged in Moderate Academic Misconduct, penalties are determined individually for each student.
- 19.4.6 Heads of Department write to students informing them of the decision. They use the template provided by Academic Registry – see Academic Misconduct (<https://www.bath.ac.uk/guides/academic-misconduct/>).
- 19.4.7 Where a group of students has engaged in moderate academic misconduct, Heads of Department write to each student individually.

### Insufficient evidence of Moderate Academic Misconduct

- 19.4.8 Where Heads of Department are not satisfied on the balance of probabilities that students have engaged in Moderate Academic Misconduct, they instead determine that students have engaged in Poor Academic Practice or that there is insufficient evidence of academic misconduct.
- 19.4.9 Where Heads of Department conclude that a student has engaged in Poor Academic Practice, they refer the matter back to the Unit Convenor to handle according to Section 2 of this regulation. They use the template provided by Academic Registry – see Academic Misconduct (<https://www.bath.ac.uk/guides/academic-misconduct/>).
- 19.4.10 Where Heads of Department conclude that there is insufficient evidence of academic misconduct, the investigation is closed and there is no further action. Heads of Department notify students in writing. They use the template provided by Academic Registry – see Academic Misconduct (<https://www.bath.ac.uk/guides/academic-misconduct/>).

### **Concerns about severe academic misconduct**

19.4.11 Where Heads of Department are concerned that a student has engaged in Severe Academic Misconduct, they present their findings, and those of the Director of Studies, to the Chair of the Board of Studies. The Chair of the Board of Studies convenes a Board of Inquiry into Academic Misconduct.

## 19.5 Board of Inquiry into Academic Misconduct

### Preparing for the Board of Inquiry into Academic Misconduct meeting

- 19.5.1 The responsibilities and membership of Boards of Inquiry into Academic Misconduct are specified in *Terms of Reference of Boards of Inquiry into Academic Misconduct*.
- 19.5.2 Prior to meeting, the Board reviews the evidence of academic misconduct collated by the Director of Studies (and where relevant the Head of Department).
- 19.5.3 Prior to meeting, the Chair determines whether to invite witnesses to attend the meeting. The Secretary writes to any witnesses asking them to attend the meeting and offers them the opportunity to make a written submission to the Board of Inquiry.
- 19.5.4 The Secretary writes to students to invite them to a meeting of the Board. They use the template provided by Academic Registry – see Academic Misconduct (<https://www.bath.ac.uk/guides/academic-misconduct/>)
- 19.5.5 The Secretary provides students with 7 calendar days' notice of a meeting.
- 19.5.6 Where a group of students are suspected of Severe Academic Misconduct, the Secretary writes to each student individually. Each student is investigated at a separate meeting of the Board. A group of students is not investigated in the same meeting.
- 19.5.7 The Secretary also provides students with any relevant evidence, including any report produced by similarity-checking software and any written submissions provided by witnesses.
- 19.5.8 The Secretary checks with students to identify any reasonable adjustments they need for this stage of the investigation.
- 19.5.9 If students wish to attend the meeting, they must inform the Secretary a minimum of 4 calendar days before the meeting.
- 19.5.10 Students may choose not to attend the meeting.
- 19.5.11 Students may make a written submission to the Board via the Secretary. They must do so a minimum of 4 calendar days before the meeting.
- 19.5.12 Where a group of students is suspected of Severe Academic Misconduct, any written submission a student makes to the Board is not shared with other students in the group.
- 19.5.13 Students may be accompanied by a friend or advisor.
- 19.5.14 Students must inform the Secretary that they will be accompanied by a friend or advisor at a minimum of 4 calendar days before the meeting.
- 19.5.15 If a student chooses not to attend a meeting of the Board, a friend or advisor may not attend a meeting in place of a student.

## **Conduct of Board of Inquiry into Academic Misconduct meetings**

- 19.5.16 The Chair determines the order of proceedings for meetings of the Board.
- 19.5.17 At the beginning of the meeting, the Chair summarises the case before the Board and outlines how the meeting will proceed.
- 19.5.18 The Chair, in consultation with members of the Board, decides at what point any witnesses will be asked to attend and withdraw.
- 19.5.19 The Chair invites the student (together with any representative, friend and/or adviser), if present, to present any oral and written evidence.
- 19.5.20 Members of the Board have the opportunity to ask questions of the student (together with any representative, friend and/or adviser).
- 19.5.21 The Chair ensures the student (together with any representative, friend and/or adviser) has the opportunity to ask questions of the members of the Board of Inquiry.
- 19.5.22 The Chair asks the student (together with any representative, friend and/or adviser and any witnesses who have not already withdrawn) to withdraw following the presentation of evidence by witnesses to allow the members of the Board to discuss the case.
- 19.5.23 If a student does not attend the meeting, the Board bases its review on any written submission by the student and any evidence collated during the meeting and previously by the Director of Studies (and where relevant the Head of Department). The Board does not draw any negative inference where a student chooses not to attend a meeting.

## **Outcome of a Board of Inquiry into Academic Misconduct**

- 19.5.24 Where the Board is satisfied on the balance of probabilities that the student has engaged in Severe Academic Misconduct, they apply appropriate penalties (see Penalties for Academic Misconduct).
- 19.5.25 Where a group of students has engaged in Severe Academic Misconduct, penalties are determined individually for each student.
- 19.5.26 Where the Board determines that the student has engaged in Severe Academic Misconduct, they also determine whether to refer the student for consideration under the Fitness to Practise Policy (<https://www.bath.ac.uk/publications/fitness-to-practise-policy/>)
- 19.5.27 Where the Board is not satisfied on the balance of probabilities that the student has engaged in severe academic misconduct, the Board instead determines that:
  - on the balance of probabilities, the student has engaged in moderate academic misconduct;
  - the student has engaged in Poor Academic Practice; or
  - that there is insufficient evidence of academic misconduct.

## **Communicating the outcome to students**

- 19.5.28 The Chair of the Board writes to the student within 7 calendar days of the meeting confirming the outcome.
- 19.5.29 Where a group of students have attended a meeting, the Chair of the Board writes to each student individually.
- 19.5.30 Where the Board concludes that the student has engaged in Severe or Moderate Academic Misconduct, the Chair writes to the student informing them of the decision. They use the template provided by Academic Registry – see Academic Misconduct (<https://www.bath.ac.uk/guides/academic-misconduct/>).
- 19.5.31 Where the Board concludes that the student has engaged in Poor Academic Practice, the Chair refers the matter back to the Unit Convenor to handle per Section 2 of this regulation. They use the template provided by Academic Registry – see Academic Misconduct (<https://www.bath.ac.uk/guides/academic-misconduct/>).
- 19.5.32 Where the Board concludes that there is insufficient evidence of academic misconduct, the investigation is closed and there is no further action. Heads of Department notify students in writing. They use the letter template published by Academic Registry – see Academic Misconduct (<https://www.bath.ac.uk/guides/academic-misconduct/>).

## 19.6 Review of the decision of the Head of Department

19.6.1 If a student is dissatisfied with the decision of the Head of Department, they may request a review by the Chair of the Board of Studies of:

- a finding by the Head of Department that they have engaged in moderate academic misconduct; and/or
- any penalties applied by the Head of Department for moderate academic misconduct.

19.6.2 A student must make a request for review within 14 calendar days of receipt of the written notification of the decision of the Head of Department.

19.6.3 A student must request a review using the Academic Misconduct Review Request Form (<https://www.bath.ac.uk/publications/academic-misconduct-review-request-form/>) published by Academic Registry.

19.6.4 A student may only request a review on one or more of the following grounds:

- 19.6.4.1 there were material procedural irregularities in the conduct of the investigation into academic misconduct;
- 19.6.4.2 there is material new evidence which the student could not reasonably have been expected to make available for the investigation into academic misconduct;
- 19.6.4.3 that the determination of the Head of Department was unreasonable in light of the evidence presented.

19.6.5 The Chair of the Boards of Studies completes the review within 14 days of receipt of the request.

19.6.6 The Chair of the Board of Studies determines one of the following:

- 19.6.6.1 that no action be taken
- 19.6.6.2 to make a new decision in place of the Head of Department.

19.6.7 The Chair of the Board of Studies does not decide a more severe penalty than that which was decided by the Head of Department.

19.6.8 The Chair of the Board of Studies issues a completion of procedures letter to the student. They use the template provided by Academic Registry – see Academic Misconduct (<https://www.bath.ac.uk/guides/academic-misconduct/>).

## **19.7 Review of the decision of a Board of Inquiry into Academic Misconduct**

19.7.1 If a student is dissatisfied with the decision of a Board of Inquiry into Academic Misconduct, they may request a review by the Director of Academic Registry of:

- 19.7.1.1 a finding by the Board that they have engaged in Moderate or Severe Academic Misconduct; and/or
- 19.7.1.2 any penalties applied by the Board

19.7.2 A student must make a request for review within 14 calendar days of receipt of the written notification of the decision of the Board of Inquiry.

19.7.3 A student must request a review using the Academic Misconduct Review Request Form (<https://www.bath.ac.uk/publications/academic-misconduct-review-request-form/>) published by Academic Registry.

19.7.4 A student may only request a review on one or more of the following grounds:

- 19.7.4.1 there were material procedural irregularities in the conduct of the investigation into academic misconduct;
- 19.7.4.2 there is material new evidence which the student could not reasonably have been expected to make available for the investigation into academic misconduct;
- 19.7.4.3 that the determination of the Board of Inquiry into Academic Misconduct was unreasonable in light of the evidence presented.

19.7.5 The Director of Academic Registry completes the review within 14 days of receipt of the request.

19.7.6 The Director of Academic registry determines one of the following:

- 19.7.6.1 that no action be taken
- 19.7.6.2 that the Board of Inquiry into Academic Misconduct should reconsider the matter.

19.7.7 Where the Director of Academic Registry decides that no action should be taken, they issue a completion of procedures letter to the student. They use the template provided by Academic Registry – see Academic Misconduct (<https://www.bath.ac.uk/guides/academic-misconduct/>).

19.7.8 Where the Director of Academic Registry decides that the Board of Inquiry into Academic Misconduct should reconsider the matter, they refer the matter back to the Chair of the Board. They use the template provided by Academic Registry – see Academic Misconduct (<https://www.bath.ac.uk/guides/academic-misconduct/>).

19.7.9 The Board reconsiders the matter, taking account of the findings of the Director of Academic Registry and any new evidence provided by the

student at review. The Chair of the Board decides whether the Board should meet or should reconsider via correspondence.

- 19.7.10 The Board does not hold a further meeting with the student.
- 19.7.11 The Board determines one of the following:
  - 19.7.11.1 that the original decision stands
  - 19.7.11.2 to make a new decision
- 19.7.12 The outcome of this reconsideration is not subject to further review by the Director of Academic Registry.
- 19.7.13 The Chair of the Board of Inquiry into Academic Misconduct issues the student, within 14 days of receipt of the request to reconsider from the Director of Academic Registry, a completion of procedures letter. They use the template provided by Academic Registry – see Academic Misconduct (<https://www.bath.ac.uk/guides/academic-misconduct/>).

## **19.8 Complaint to the Office of the Independent Adjudicator**

- 19.8.1 Where the University's internal procedures have been completed (a Completion of Procedures letter has been issued) but a student remains dissatisfied with the decision, they may submit a complaint to the Office of the Independent Adjudicator (<https://www.oliahe.org.uk/students/how-to-complain-to-us/>).
- 19.8.2 Students can request advice on making a complaint to the Office of the Independent Adjudicator from the SU Advice and Support Team.

# Types of Academic Misconduct

## 1. Plagiarism

Presenting someone else's work or ideas as the student's own.

This includes paraphrasing without acknowledgement, whether by the student themselves or by a Gen AI tool.

## 2. Self-plagiarism

Submitting the same work that the student has already submitted for another assessment when this is not permitted and/or without acknowledgement.

## 3. Collusion

Working with someone else, or a Gen AI tool, on an assessment which is intended to be the student's sole work.

This includes sharing work and/or answers with other persons. This includes sharing work and/or answers with other persons.

## 4. Taking a copy of another student's work without permission

## 5. Fabrication

This includes fabrication of references, data, evidence or experimental results and otherwise false, misleading or negligent representation of information which is included in work submitted for assessment.

## 6. Contract cheating

Where someone completes work for a student who then submits it as their own.

This includes buying an assignment in full in part from a person or organisation and buying or otherwise acquiring exam questions, tests, assignments and answers via unauthorized means.

## 7. Arranging for someone else to impersonate a student by sitting their examination

## 8. Breaching examination regulations

This includes breaches of Rule 2: Conduct in Examinations and rules stipulated in an examination instruction sheet.

Unethical and/or unauthorised use of Generative AI and other artificial intelligence tools is a means by which students may engage in one or more of the types of the academic misconduct listed above. The University does not categorise unethical/unauthorised use of generative AI as a separate type of academic misconduct.

# Severity of Academic Misconduct

## Classifying severity

A student's intentions are considered when classifying severity of academic misconduct.

Any mitigating circumstances are not considered when classifying severity of academic misconduct.

## Poor Academic Practice

Poor academic practice is minor or technical error which likely results from a lack of understanding.

A student may be found to have engaged in Poor Academic Practice where their work shows limited evidence of the following types of academic misconduct:

- **Plagiarism and self-plagiarism** e.g., poor referencing, paraphrasing without adequate attribution
- **Collusion** e.g., failing to understand the requirements for individual contribution to a group work assessment.

Other types of misconduct are not classified as Poor Academic Practice. They are classified as Moderate or Severe Academic Misconduct (see *Types of Misconduct*).

## Moderate Academic Misconduct

Academic misconduct is classified as moderate where:

- the student has not previously been found to have engaged in Moderate or Severe Academic Misconduct; **and**
- if the error had gone undetected, this would have resulted in a substantial unfair advantage to the student

Academic Registry publishes guidance on typical examples of Moderate Academic Misconduct, see Academic Misconduct (<https://www.bath.ac.uk/guides/academic-misconduct/>).

## **Severe Academic Misconduct**

Academic misconduct is classified as severe in **either** of the following circumstances:

- a student has previously been investigated and penalised for Moderate or Severe Academic Misconduct
- clear evidence of intent to deceive, including extensive plagiarism and/or collusion.

Additionally, the following are **always** classified as Severe Academic Misconduct:

- contract cheating.
- arranging for someone else to impersonate a student by sitting their examination.

Academic Registry publishes guidance on typical examples of Severe Academic Misconduct, see Academic Misconduct (<https://www.bath.ac.uk/guides/academic-misconduct/>).

# Penalties for Academic Misconduct

## Determining penalties

One of the penalties in the table below is applied for moderate or severe academic misconduct.

A student's intentions and any mitigating circumstances are considered when choosing a penalty.

## Academic Integrity Test

All students found to have engaged in academic misconduct, including Poor Academic Practice, must retake an academic integrity test (except where the student does not have the opportunity to submit for any further summative assessments).

## Penalties

Level of Penalty	Penalty	Description	Moderate	Severe
Assessment Task	1	The student must resubmit the work. The mark is not capped.  This counts as the same attempt i.e., the student may still be eligible for reassessment.	✓	
	2	Reduce the mark for the work originally submitted by 10 marks. The mark is not reduced below the minimum pass mark.	✓	
	3	Reduce the mark for the work originally submitted to the minimum pass mark.	✓	
	4	The student must resubmit the work. The mark is capped at the minimum pass mark.  This counts as the same attempt i.e., the student may still be eligible for reassessment.	✓	✓
	5	Reduce the mark for the work originally submitted to 0/Fail.	✓	✓

<b>Level of Penalty</b>	<b>Penalty</b>	<b>Description</b>	<b>Moderate</b>	<b>Severe</b>
Unit	<b>6</b>	Assign the unit the minimum pass mark.	✓	✓
	<b>7</b>	Assign the unit a mark of 0/Fail.  This means the affected assessment task(s) will also be assigned a mark of 0/Fail.	✓	✓
Course	<b>8</b>	Downgrade the degree classification of the award, where the award is classified.  This penalty may only be used for students in the final/only stage of a course.		✓
	<b>9</b>	Downgrade to a lesser award than the intended award.  This penalty may only be used for students in the final/only stage of a course.		✓
	<b>10</b>	Terminate the course. This means the student is withdrawn.  The student remains eligible for exit awards under the relevant assessment regulations.		✓

# **Board of Inquiry into Academic Misconduct Terms of Reference**

## **Purpose**

To investigate suspected severe academic misconduct by students.

## **Responsibilities**

1. To investigate suspected severe academic misconduct on referral by a Head of Department or the Director of Academic Registry.
2. To determine whether academic misconduct has occurred and, where it has, whether it rises to the level of poor academic practice, moderate academic misconduct or severe academic misconduct.
3. To apply penalties for academic misconduct.

## **Membership**

Ex-officio roles:      Dean of the Faculty/School

Appointments:      One member of the Board of Studies appointed by the Dean  
                            One member of academic staff from a department other than that of the student, appointed by the Dean.

Chair:      Dean of the Faculty/School

Secretary:      Faculty/School Assistant Registrar

## **Procedural Rules**

Procedure: As set out in Regulation 19: Conduct of Investigations into Academic Misconduct

Quorum: All members must be in attendance.

Meeting frequency: As required.

Minutes: Restricted