Section Two (A) ACADEMIC MISCONDUCT

Policy

1. It is University policy that the values of academic integrity are promoted and that academic misconduct is prevented through educating students in appropriate academic conduct. Academic integrity represents a set of values which operate as the foundation of academic practice. These values include honesty, trust, fairness, respect and responsibility.

2. All instances of plagiarism, collusion, personation, fabrication of results, exam misconduct or a breach of research ethics are serious failures to respect the integrity and fairness of the assessment process.

3. As such, all cases[1] of academic misconduct in module assessment must be seriously considered and appropriate penalties applied, as determined by the Academic Misconduct Panel. A First Case of collusion/plagiarism will not be penalised, provided a previous occurrence of academic misconduct has not taken place. Instead, the student will be given feedback and referred to an Academic Practice Workshop, provided that the student is not at the end of their course.

4. Module assessment includes any work undertaken by a student for which marks contributing to a module are awarded, including those modules which are marked pass/fail.

Types of academic misconduct

Collusion

5. Collusion is the preparation or production of work for assessment jointly with another person or persons unless explicitly permitted by the assessment. An act of collusion is understood to encompass those who actively assist others or allow others to access their work prior to submission for assessment. In addition, any student is guilty of collusion if they access and copy any part of the work of another to derive benefit irrespective of whether permission was given. Where joint preparation is permitted by the assessment task but joint production is not, the submitted work must be produced solely by the student making the submission. Where joint production or joint preparation and production of work for assessment is specifically permitted, this must be published in the appropriate module documentation.

Plagiarism

6. Plagiarism is the use, without acknowledgement, of the intellectual work of other people, and the act of representing the ideas or discoveries of another as one's own in written work submitted for assessment. To copy sentences, phrases or even striking expressions without acknowledgement of the source (either by inadequate citation or failure to indicate verbatim quotations), is plagiarism; to paraphrase without acknowledgement is likewise plagiarism. Where such copying or paraphrasing has occurred, the mere mention of the source in the bibliography shall not be deemed sufficient acknowledgement; each such instance must be referred specifically to its source. Verbatim quotations must be either in inverted commas, or indented, and

[1] Should an allegation be made against a former student, the decision about whether to pursue the allegation will be made by PVC (Education and Students) (or nominee) noting that it may be challenging to investigate, or for a former student to respond to the allegation, for example because records may no longer be available in line with the University's retention schedule.

directly acknowledged. For cases where work has been re-used see '**Overlapping material** in '**Marking, Moderation and Feedback Regulations'**.

Personation

7. **Personation in written submissions** is where someone or software (unless explicitly permitted in the assessment guidance from the module convenor) other than the student prepares the work, part of the work, or provides substantial assistance with work submitted for assessment. This includes but is not limited to: AI generated text or responses; purchasing essays from essay banks; commissioning someone else to write an assessment; writing an assessment for someone else (including where no benefit is gained by the student producing the assessment); using a proof reader where this is not allowed; using substantive changes proposed by a proof reader or third party (person or electronic service) that do not adhere to the University guidance on proof reading; work that has been written in a language other than the language required for assessment and translated (for language based assessments only); work including sections that have been translated without acknowledgement. **Personation in examinations held on campus** includes asking someone else to sit an examination**.** Students who attend an examination without their student ID-card or other acceptable form of photo-ID will not have their examination script marked until their identity has been confirmed.

8. Cases of personation will usually be considered to be major misconduct, with the exception of proof reading and translation transgressions where they are limited in their extent and may be considered to be minor misconduct.

Misconduct in examinations

9. Misconduct in examinations held on campus includes having, or attempting to gain access, during an examination, to any books, memoranda, notes (including notes on paper or transcribed on the student's skin), unauthorised calculators, phones, watches or other internet enabled devices or any other material, except such as may have been supplied by the invigilator or authorised by official university bodies. Having these items on the student's person in the exam room after the start of the exam is a breach of examination room protocols and as such misconduct, regardless of whether or not they are accessed or are relevant to the examination. Misconduct also includes aiding or attempting to aid another student or obtaining or attempting to obtain aid from another student, or any other communication within the examination room.

10. Misconduct in exams taken remotely includes using the following in the completion of the submitted exam answer paper, except where these have been authorised as part of the assessment task: text or ideas taken from the internet or other sources, unauthorised calculators, material provided by someone else including another student or an essay writing service. Misconduct in an exam taken remotely also includes sharing material with, or otherwise helping, another student prior to them submitting their answer paper.

11. Exam misconduct in exams held on campus or remotely also includes cases where the exam question paper or model answers have been obtained and/or shared in advance of the exam, except where such material has been provided as part of the assessment task.

12. The University takes misconduct in examination extremely seriously and any concerns raised will result in an investigation of potential major academic misconduct.

Fabrication

13. Fabrication of results or sources is where the results of an experiment, focus group or other research activity have been made up. It also includes observations in practical or project work, such as not accurately recording the outcome of a lab experiment that did not go as planned.

Breach of research ethics

14. Breach of research ethics includes failure to gain ethical approval; carrying out research without appropriate permission; breach of confidentiality or improper handling of privileged or private information on individuals gathered during data collection; coercion or bribery of project participants. Students conducting research with human participants, including research which contributes to assessment, must apply for ethical approval before carrying out the research. Students are responsible for complying with the requirements set out as part of the approval process including consulting with their supervisor, in the submission of formal amendments for subsequent changes in their approved research.

General Principles

15. All work submitted for assessment should be the student's own work prepared in the language required by the assessment. For language based assessments, work, or sections of work, written for assessment cannot be written in a language other than that required for the assessment and then translated by a third party (person or electronic service). Such action could result in a case of personation. Where a translation service is required for an official document that is not available in English, or the language required for the assessment, the student must confirm the section/s of the assessment that has been translated and whether this has been translated by themselves or a third party.

16. Where a proof reading service is used the student must ensure that no substantive changes are made to the content of the assessment prior to submission. It is the student's responsibility to ensure that any changes made comply with University guidance regarding proof reading, and to retain a copy of edits made by the proof reader. Proof reading will not be permitted on some assessments, for example, where language use and/or the formal accuracy of the work are being assessed. Where there are concerns that proof reading has led to substantive changes, a case of personation may be taken forwards based on the authorship of the assessment. The University guidance on proof reading is provided at: http://www.sussex.ac.uk/adqe/standards/academicmisconduct/integrity

17. It is academic misconduct for any student to be guilty of, or party to, collusion, plagiarism, personation, the fabrication of research results, or any other act which may mislead the markers about the development and authorship of work presented in assessments, including misleading markers about the source of information included in an assessment. Students should retain research data that underpins dissertations or projects until after graduation.

18. Schools must agree and provide students with information on discipline specific referencing norms at the start of their studies. These norms must be notified to students at induction, through course/module handbooks, module teaching sessions and assessment briefings, as appropriate. Markers must ensure that discipline specific referencing norms have been adhered to.

19. All sources of information used in preparing the work being submitted must be fully acknowledged, in an approved format. This includes acknowledging all written and electronic sources. Where work is produced in an examination on campus it will be sufficient to acknowledge the source without providing a full reference.

20. Students must not take notes or other unauthorised materials/devices into an examination, unless the instructions explicitly state that this is allowed.

21. Unless explicitly allowed in the module documentation or specified in the assessment task, students must work alone on preparing their assessment and must not share their work with other students until both students have submitted and the late submission deadline has passed.

22. The development of academic skills is an important part of student learning. It is recognised that students new to UK higher education may be inexperienced, and may need time to develop good academic referencing skills. For this reason, first year undergraduate students and those new to UK higher education are strongly recommended to refer to the following University web pages: http://www.sussex.ac.uk/skillshub/index.php?id=251

23. Schools should develop assessments that minimise the potential for academic misconduct.

Identifying Academic Misconduct

24. The University assessment procedures are designed to enable the identification of plagiarism, personation and collusion, and the University may make use of electronic means in reviewing student work. Where there is evidence indicating that there may be a case of collusion, plagiarism, personation, misconduct in an exam taken remotely, fabrication of results, or a breach of research ethics, the assessment is referred to the School Investigating Officer who will initiate an investigation.

Investigating Officer

25. An Investigating Officer is appointed for each School to investigate cases on modules owned by the School. The role of the Investigating Officer is to make a preliminary determination of major or minor based on the extent of the academic misconduct set out in the evidence file provided by the Module Convenor. The Investigating Officer should ensure that cases of overlapping material are not processed as plagiarism cases and that the regulations regarding '**Overlapping material'** set out in the regulations on '**Marking, Moderation and Feedback'** are applied instead. Investigating Officers may also act as Panel members in cases where they have not determined the *prima facie* case. Where Investigating Officers believe misconduct has occurred in work done by students they have taught or by students that they are the Academic Advisor for, they will pass the case to the Investigating Officer of

another School. A role descriptor for the Investigating Officer is provided at: http://www.sussex.ac.uk/adqe/standards/academicmisconduct/integrity

Levels of Misconduct

26. Misconduct is categorised as 'minor' or 'major' by the Panel.

Determination of minor and major cases of misconduct

27. The Investigating Officer should bear in mind the following when making a preliminary determination of a misconduct case as either major or minor:

(i) the assessment *impact* is not a relevant issue. For example, cheating will not be ignored just because the work in question is not heavily weighted for the module mark, or the module itself is not a significantly weighted module within the course. Stage of study is not germane to the decision;

(ii) the extent of the misconduct is a key factor: a piece of work which has been downloaded verbatim from the internet will inevitably be regarded as a prima facie case of major misconduct, whereas the lack of proper citation in one or two small sections paraphrased from an article, or referencing that is incorrectly formatted, might be seen as a minor case of misconduct;

(iii) consideration of the extent of the pre-meditated intention involved in the misconduct is a key factor. For example, where the evidence suggests the student has been sophisticated in their use of unattributed material, such as deliberate minor editing of plagiarised text to give the impression that it is their own work, what appears initially to be a quantitatively minor breach might instead be deemed Major. Conversely, a large but single and un-edited example of non-attribution within an essay which is otherwise properly referenced might justify deeming an apparently major case as Minor.

Minor misconduct

28. Minor misconduct is where a small proportion of assessed work is plagiarised or subject to minor collusion (for example, where two students work together on producing a small section of an assessment).

29. Misconduct is more likely to be considered 'minor' when a student is inexperienced **and** the misconduct relates mainly to the poor use of referencing protocols.

30. Multiple instances of minor misconduct on the same assessment are likely to lead to a case of 'major' misconduct. Multiple cases on different assessments will be considered as separate cases provided they are not processed as a First Case of plagiarism/collusion that occurred during the same assessment period.

Major misconduct

31. Major misconduct cases usually include instances where a significant proportion of assessed work is found to be plagiarised, where there is substantial collusion or fabrication of results or abuse of any examination protocols, or where there is

evidence of repeated minor misconduct.

32. Cases of pre-meditated intention will usually be major cases. For example, personation where a student submits work described as their own but which has been produced on their behalf by another person, or software (unless explicitly permitted in the assessment guidance from the module convenor) including where someone has been commissioned to write an essay for them, or where the student undertakes to solicit or prepare an assessment on behalf of someone else.

33. Where the Investigating Officer is unable to make a preliminary determination on whether a case is major or minor misconduct based on the evidence, they should make this clear to the Panel.

No case

34. If the Investigating Officer believes that the evidence presented does not constitute a *prima facie* case, they will return the material to the Marker with a request for more information. If this is not forthcoming, the Investigating Officer will not proceed with the case. In a case of minor collusion/plagiarism the mark should be reviewed as it will have been marked taking the suspected collusions/plagiarism into consideration.

Procedures for determining allegations of misconduct

35. Where a concern has been raised regarding misconduct in the preparation and/or presentation of an assessment, the Marker, under the oversight of the Module Convenor, should take appropriate steps to identify all instances of misconduct in the assessment exercise and highlight these for easy reference. Where a registered doctoral student is involved in the marking process, the Module Convenor should undertake this work to avoid a situation where a student would be reviewed by another student.

36. In all cases the Module Convenor will be responsible for ensuring that the Investigating Officer receives appropriate assistance in undertaking the preliminary determination in relation to reviewing the submitted assessment. This will enable the Module Convenor to reflect on the cases raised and review the assessment task for the following cohort to secure academic standards.

37. If the suspected assessment has been submitted in hard copy and returned during the module, the Module Convenor should retain one of the copies submitted and give the other copy to the student with coversheet etc. and inform the student and the Academic Advisor that the assessment is being investigated for possible misconduct.

38. Where the allegation is collusion or plagiarism, the Marker should mark up the sections where there is concern, cross referencing to the text where collusion is suspected or to the source text where plagiarism is suspected. For a minor case of collusion, the Marker should mark the assessment and only attribute marks for work that is not the same as another students work. For a minor case of plagiarism, the Marker should only assign marks for work that is believed to be the student's own. For major misconduct (collusion/plagiarism), the Marker should not assign a mark. The Marker should fully mark up the sections where there is concern to support the Investigating Officer and Academic Misconduct Panel in their review of the material presented. No mark will be recorded on the system. Where a case of collusion involves a student in a higher level of study, both students must normally be invited to the Panel (or First Case meeting) to help establish how the collusion occurred. However, no penalty may be applied to a student in the higher stage of study.

39. **Where the allegation is another form of misconduct**, the assessment should be given a mark which reflects the Marker's opinion of the work, as far as possible with the suspicion of misconduct discounted so that the mark awarded reflects the quality of the work as it stands.

40. The marked-up original should be sent to the Investigating Officer by the Module Convenor, together with the Module Handbook and the source material in cases of alleged plagiarism. The Turnitin Similarity Report should also be provided as part of the evidence base where the assessment is submitted electronically and the TurnItIn service is used by the University. However, academic judgement and interpretation of the Similarity Report should be used to determine a case, rather than any numeric threshold of text matches.

41. The Investigating Officer may consult with the Module Convenor, Markers, relevant examination board officers, invigilators (where allegations relate to on campus exams), and will determine whether or not a *prima facie* case for suspecting a student of misconduct has been presented.

42. If a *prima facie* case has been presented, the Investigating Officer shall make a preliminary determination of either minor or major misconduct.

43. For a case of collusion/plagiarism, the Investigating Officer will check to establish via the Misconduct Panel Secretary if there have been any previous cases, including a First Case of collusion or plagiarism.

44. Once the Investigating Officer has made a preliminary determination of minor or major, the student should be notified by the School that their work is under investigation for potential academic misconduct. This decision should be provided to the student within 10 days of the cohort marks/feedback publication date.

45. Where the evidence file alone is not sufficient for the Investigating Officer to categorise the misconduct precisely (such as where a case might be plagiarism or personation; or plagiarism or collusion) the Investigating Officer must make this clear to the Academic Misconduct Panel for a fuller investigation into the facts.

Procedure for a First Case of collusion or plagiarism

46. The following First Case procedure will be used where collusion or plagiarism has occurred and there have been no previous instances of academic misconduct. The First Case procedure will not be used for the following scenarios which will be considered by an Academic Misconduct Panel:

- Undergraduate work in Stage 3 onwards
- Postgraduate work scheduled after the Semester 2 assessment period (where the student is due to complete), including dissertations/projects and resits or assessments submitted in the resit assessment period. This exception does not apply to online distance learning courses, where the First Case process should be used, provided the student does not have any previous instances of misconduct.

47. Where collusion or plagiarism is identified in work submitted for assessment, and the Investigating Officer confirms that no previous case of academic misconduct has been logged on the student's record, the student will be given feedback by the

Module Convenor and referred to the online Academic Practice Workshop (APW). Referral to the APW will apply whether the case is determined to be minor or major. For a First Case (minor or major), the following applies:

- For plagiarism: a mark will be given based only on the sections believed to be the student's own, including work which has been correctly referenced
- For collusion: a mark will be given based only on work that is not the same as another students.
- No further penalty is applied.
- The First Case procedure may be used where multiple cases of plagiarism/collusion occurred at the same time, for example, in the same assessment period. This is the only circumstance within which cases may be considered as concurrent.

48. The evidence file will be forwarded to the School Investigating Officer who will determine whether the case is minor or major. First Cases will not normally be considered by the Panel.

49. The Module Convenor (or nominee) will be responsible for arranging to see the student to explain why the work is problematic, and will refer the student to the online Academic Practice Workshop. The student should be seen within 10 working days of the marks being published. For a First Case of collusion/plagiarism (minor/major) the Module Convenor will tell the student the proportion of the work judged to be subject to collusion/plagiarism, and explain that marks are not given for the sections of work that are the same as another students (for collusion) or sections of work not judged to be the students own (for plagiarism).

50. The student may decide to challenge the allegation, providing the Progression and Award Board (PAB) has not already considered the student. Challenging the allegation of collusion or plagiarism involves electing to go to an Academic Misconduct Panel, where a penalty may be applied. For a case of collusion, this will result in all the students involved being referred to the Panel. However, not all the students involved will necessarily receive a penalty from the Panel. (Where the PAB has already considered the student, an appeal may be made against the PAB decision, where the criteria are met.)

51. The collusion or plagiarism incident will not be recorded against the student's assessment record as a misconduct case. Enrolment on and satisfactory completion of the online Academic Practice Workshop will be recorded by the University. This record will be checked in all cases where a further concern of collusion /plagiarism is raised. Any further case of misconduct will be recorded on the student's assessment record as a misconduct case, regardless of whether or not the student enrolled on and completed the online Academic Practice Workshop.

52. After seeing the student, the Module Convenor will return the evidence file to the Student Administration Office for retention.

53. Where a further concern of misconduct occurs (major or minor), the case will be considered by the Academic Misconduct Panel. In relation to a further concern of collusion, this will result in all the students involved being referred to the Panel, even where it is a First Case for one or more of the students. The First Case of collusion/plagiarism procedure cannot be used where a previous case of another type of misconduct has occurred. In these circumstances, the case will be considered by the Panel and the student may be referred to an Academic Practice Workshop.

Procedure for consideration of misconduct in examination

54. Any instance of misconduct in an examination held on campus or remotely will be considered as major misconduct. For exams held on campus, students must place mobile phones, watches or other valuable items on the floor in front of the student's desk. Where a concern has been raised regarding misconduct in an examination held on campus or remotely and the candidate has not been considered by the Panel previously, the case may be processed by the Misconduct Panel Secretary, under the delegated authority of the Misconduct Panel Chair. In these circumstances the student will not be invited to a Panel meeting, even where they have previously had a First Case of plagiarism or collusion. Where the case is delegated, the penalty will be a mark of 0 for the assessment component. The standard appeals procedure will apply. For exams taken remotely, any concerns raised as part of the marking process may result initially in the student/s being asked to participate in a meeting with the Module Convenor, Marker/s and/or another member of academic staff. This is to establish how the assessment was completed and to ascertain the student's understanding of the assessment material. The Investigating Officer will decide whether or not the case will be taken forwards to a Panel. Where the student accepts that academic misconduct occurred and they have not been considered by the Panel before, the case can be considered by a delegated Panel. The full Panel process below applies where the student has been considered by the Panel previously, where the case is referred to the Panel or where the candidate (or one of the candidates in an exam collusion case) does not accept that academic misconduct occurred, during the meeting with the School.

Procedure for minor and major misconduct (other than a First Case of collusion/plagiarism or misconduct in examination considered under the delegated authority of the Chair)

55. The Investigating Officer shall send the details to the Misconduct Panel Secretary who will inform the Chair of the Progression and Award Board that an investigation is under way. No mark will have been entered on the student's marks array for any assessment under consideration as a major collusion/plagiarism case.

56. The Misconduct Panel Secretary will organise a Panel which will comprise a Chair and two members from the membership of the Academic Misconduct Panel, including one member drawn from the designated officers of the Students' Union. The Module Convenor will normally act as Presenter at the meeting. In cases where the Module Convenor cannot be the Presenter they will be asked to identify an appropriate substitute Presenter, who may be the original Marker or the Investigating Officer, or another appropriately briefed member of the School.

57. The student shall be informed in writing by the Misconduct Panel Secretary of the date and purpose of the Panel which will be at least 5 days (including weekends) from the date of the letter. The student will be provided with notice of the allegation made against them stated in broad terms and shall be directed to the relevant sections of the Examination and Assessment Regulations. The student has a right to be accompanied at the Panel meeting by a member of University of Sussex faculty or the University of Sussex Students' Union Advice and Representation team.

58. Students are entitled (but not required) to attend a Panel meeting and are encouraged to submit a written statement. The student must notify the Misconduct Panel Secretary at least 48 hours in advance of the Panel meeting whether they will attend and who, if anyone, will accompany them. The evidence file will be made available on request for the student and their representative to review prior to the

Panel meeting so that the evidence can be referred to in the student's statement. Panel meetings may proceed in the absence of the student, unless the Panel Chair decides the student's presence is key to reaching a conclusion.

59. An annual workshop will take place for Chairs of Academic Misconduct Panels to review any issues that arose at the Panel in the academic year.

60. Panel members are required to familiarise themselves with the evidence before the Panel meeting. The Panel discussion must be based on evidence provided and not rely solely on the presentation of the case on the day of the Panel meeting.

Procedure for cases of personation to be considered

61. A suspected case of personation may be investigated by a School team, based on a paper based review of the students other written assessments (submissions and exams) to date in the stage of study. The School team should normally include the Head of School, the Course Convenor and must include the Investigating Officer. The School team would review the assessments and consider issues such as consistency of style, formatting, use of language/grammar as well as the student's academic performance in assessment. The School team may refer a case for consideration by the Panel or confirm a 'no case'. Where the case is referred to the Panel, the student will be invited to attend the Panel to discuss the findings of the School team and to provide information on how the assessment was completed. An oral exam (viva voce) on the student's knowledge of the assessment or the discipline will not be conducted at the Panel, however, questions can be asked about how the assessment was prepared and why material was included or not included. The Investigating Officer can meet with the student before the Panel to discuss the concerns raised in broad terms.

Procedure for cases of a breach of research ethics to be considered

62. A case of a breach of research ethics will be considered by the School Investigating Officer in accordance with the standard process for considering a case of academic misconduct. Where the evidence shows that there has been a breach of research ethics, based on the definition, a case will be taken forwards to the Academic Misconduct Panel. In the event of an urgent and serious breach, the School may refer the case the Student Discipline Committee in the first instance following consultation with the Research Governance Officer

Academic Misconduct Panel terms of reference and composition

63. <u>Terms of reference</u>

(i) To consider all cases of undergraduate and taught postgraduate academic misconduct in accordance with the regulations, with the exception of First Cases, unless a First Case is referred to the Panel.

(ii) To delegate cases of academic misconduct in an exam to a designated Chair, in accordance with the regulations, where the candidate has not previously been considered by the Academic Misconduct Panel.

(iii) To use academic judgement to apply appropriate penalties, in accordance with the regulations, to ensure that the academic standards of the award are maintained.

(iv) To report annually to the University Education Committee.

(v) The Panel will meet as required.

Composition and Quoracy

(vi) Membership of the Academic Misconduct Panel will include a Chair, and approved members who may include designated officers of the Students' Union. Minimum membership for quoracy shall be the Chair and at least two members. Members of the Academic Misconduct Panel are appointed by the University Education Committee for a period of three years.

64. Role descriptors for the misconduct panel Chair and member are provided at: http://www.sussex.ac.uk/adqe/standards/academicmisconduct/integrity

Conduct of the Panel meeting

The Panel meeting will be conducted as follows:

65. The Chair will explain to the student the meeting procedure. It will be made clear that the Panel will seek, initially and as far as possible, to exclude the issue of 'intent' from the stage of determining whether misconduct had occurred or not, and will reach a decision on that point on the basis of the facts presented. Exceptional Circumstances may not be taken into consideration.

66. The Chair will state the concerns raised, including the relevant definitions of academic misconduct, and will then ask the student whether they accept or reject that misconduct had occurred.

Admission of misconduct

67. If the student accepts that misconduct occurred, the meeting will be concerned with assessing the gravity of the actions and considering the circumstances. The Presenter will be invited to assess the extent of the misconduct. The student will be invited to respond with the help of their representative.

Denial of misconduct

68. If the student denies that misconduct occurred, the meeting will first be concerned with establishing whether misconduct took place. The Presenter will set out the concerns raised. The student may then respond to the concerns with the help of their representative. Members of the Panel may intervene from time to time to raise a question.

69. Where the Chair of a Panel considers it to be beneficial in resolving a case (either in advance of a meeting or during a meeting), the Chair may invite an academic from the relevant department (but not the person responsible for marking the work). The purpose of the questioning will be to establish the student's knowledge of the work in question, knowledge of the methods used to produce the work, and knowledge of the sources (cited or otherwise) informing the work. The questioning will not assess the student's broader knowledge of the relevant area of the discipline. In the case of this requirement emerging during a Panel meeting, or in cases where new evidence is presented that requires fuller consideration outside the Panel, the meeting will be adjourned and a new date established.

70. Once the Chair deems that all the relevant evidence has been heard, they will invite the student, the student's representative and the Presenter to withdraw, while the Panel members reach a conclusion. The Chair will then ask the student, the student's representative and the Presenter to return for the Panel's conclusion on whether academic misconduct has been found to have occurred. The Chair may give permission for the Presenter to leave after presenting the case, provided they are not required.

Not guilty

71. If the student is found not guilty of academic misconduct, where appropriate, the work will be sent back to the Marker in order for the work to be marked (in a major collusion/plagiarism case) and the mark used for progression and classification purposes.

Guilty

72. If a student is found guilty of academic misconduct, the Panel will agree an appropriate penalty as set out below.

Notification of decision

73. The student will normally be told the outcome and the penalty, at the end of the meeting. The Panel Chair has the right to defer the decision for consultation regarding the regulations for a short period but the student will be informed informally as soon as possible once a decision has been reached. The Secretary to the Panel will formally inform the student, in writing, within ten working days from the date of the meeting of the outcome and the penalty (if any) and will give the student a copy of the report sent to the Progression and Award Board.

74. The decision of the Panel will then be sent to the Progression and Award Board and will not be open for revision.

Second case of academic misconduct presented to the Panel

75. If a student is found guilty of a second or further case of academic misconduct presented to the Panel, the Panel meeting will, in determining the penalty for the subsequent case, take into account any previous case(s) and reserve the right to disqualify the student from the University.

Penalties to be applied

Penalties where the candidate *has not* previously been considered by a Panel

76. The Panel has discretion to apply one of the following penalties, where the candidate has not previously been considered by the Panel (referral to an Academic Practice Workshop for a developmental First Case of collusion/plagiarism does not constitute being considered by a Panel):

(i) No penalty may exceptionally be agreed. This penalty is not available for a breach of exam procedures.

(ii) Reduce the mark for the assessment by 10% percentage points (not 10% of the mark). This penalty should normally be applied for Minor cases where the Panel

confirm that the extent of the academic misconduct is relatively limited.

(iii) Confirm the mark of 0 for the assessment component. This penalty should normally be applied for Major cases where the Panel confirm that the extent of the academic misconduct is not limited. This penalty may also be applied by a Panel for a candidate with a case of Minor misconduct, where they have been considered by the Panel previously.

(iv) The penalties listed below may also be applied, provided all Panel members agree.

Penalties where the candidate *has* previously been considered by a Panel

77. The penalties below may be applied singly or in combination where the Panel has previously considered a candidate:

(i) The Panel may also apply one of the above penalties for a candidate who has been considered by the Panel previously.

(ii) No penalty may exceptionally be agreed. This penalty is not available for a breach of exam procedures.

(iii) Reduce the mark for the module to 0. The student will normally be given a resit of the module by the PAB.

(iv) Reduction of the grand mean for the course by up to 10 percentage points. The value must be specified by the Panel. This penalty may be applied by more than one Panel resulting in a reduction greater than 10 percentage points overall. This penalty is not available for first year undergraduates.

(v) Reduce the classification by one or more class. This penalty is not available for first year undergraduates.

(vi) Disqualify from the University for a period of at least 3 years.

Notes

78. In cases where the Panel agree that misconduct has not occurred, the outcome will be ‘no case to answer’.

79. A record of the academic misconduct decision and penalty will be held on the student record.

80. Exceptional Circumstances may not be taken into consideration.

81. Loss of credit and consequent failure to progress or to qualify for an award may result in the student being given a resit by the PAB. In the case of undergraduate finalists on some courses where no resit opportunity exists, the reduction of a mark to 0 with no possibility of condoned credit being granted will result in the student being precluded from receiving a classified honours degree.

82. Loss of credit cannot be readdressed by granting condoned credit where a fail is the result of applying the misconduct penalty. However, a resit opportunity may be given by the PAB where the module has been failed.

83. The Panel may refer any cases to the Student Discipline Committee for consideration in addition to conducting the academic misconduct procedure.

Progression and Award Boards (PABs)

84. PABs will not proceed to confirm progress or determine classification whilst an allegation of academic misconduct is outstanding in relation to a student. However, candidates must be considered to enable any resits/sits to be offered on other modules with the candidate reconsidered by a virtual PAB, if necessary, once the outcome of the misconduct process is known.

Appeals

85. Students have the right of appeal against academic misconduct decisions, where the criteria are met Please refer to the appeals criteria available at: https://student.sussex.ac.uk/complaints/appeals/types-of-appeal#misconduct