

STUDENT DISCIPLINE REGULATIONS

1 Interpretation

1.1 In these Regulations:

- 1.1.1 “the Appeal Panel” means the body comprising at least two senior members of University staff, who have both received appropriate training, appointed by the Head of Student Discipline to conduct a disciplinary appeal hearing. The Appeal Panel may not include members of staff who made the decision against which the student is appealing.
- 1.1.2 “the Campus” means the site or location where the Student subject to these Regulations is registered to attend and may be a University campus or other site or campus subject to a formal ‘working with others’ arrangement.
- 1.1.3 “the Campus Dean” means the director or other person who has primary responsibility for the management of a Campus, or their nominee; or for Students not based in a campus or situated on a site or campus subject to a formal ‘working with others’ arrangement, the director or other person with overall responsibility for delivery of the programme concerned, or their nominee.
- 1.1.4 “Completion of Procedures Letter” means the letter issued by the University once a Student has completed the University’s internal complaints or appeals procedures.
- 1.1.5 “Director of the University” means any person who holds that title as a consequence of their post in the University.
- 1.1.6 “Disciplinary Hearing” means a formal opportunity for a Student to address an alleged disciplinary offence.
- 1.1.7 “Disciplinary Offence” includes, but is not restricted to, those matters set out in Regulation 6.
- 1.1.8 “Hearing Officer” means the individual who is appointed to conduct a Disciplinary Hearing.
- 1.1.9 “Investigating Officer” means the individual appointed to conduct an investigation of an alleged disciplinary offence.
- 1.1.10 “the Head of Student Discipline” is the member of University staff appointed to oversee the Disciplinary Hearing and Appeal Hearing stages of the Student Discipline process
- 1.1.11 “Regulation/Regulations” means these regulations i.e. the Student Discipline Regulations.
- 1.1.12 “Student/s” means any person or persons who has accepted a place at the

University, is currently studying at the University, or is a past student of the University.

- 1.1.13 “the University” means The University of Law.
- 1.1.14 “Applicant” or “Prospective student” - means all those who are applying or considering applying for any course, at any level and employing any mode of study.

2 Purpose and scope

- 2.1 The Regulations have been devised with a view to helping to preserve: the safety and welfare of all the University’s Students (regardless of the programme or mode of study), staff and visitors; the effective delivery of the educational and support services to which the Students are entitled; the integrity of the University’s assessments and awards; and the University’s general reputation and standing.
- 2.2 The Regulations are used to determine whether a Student or applicant has committed a disciplinary offence, whether or not the relevant behaviour takes place on University premises.
- 2.3 Where possible, offences specified in Regulation 6.1 should be dealt with on a pastoral or other informal basis, and reference must be made to the Support to Study Policy prior to any action being taken, though a formal Disciplinary Hearing must be held where notification to the Professional Statutory and Regulatory Body (PSRB) or other accrediting body is proposed as an outcome.
- 2.4 Any notification required in these Regulations must be given in writing.
- 2.5 Any Disciplinary Hearing will be conducted in accordance with the rules of natural justice.
- 2.6 In determining whether the alleged Disciplinary Offence has been committed, the standard of proof to be applied by the University is one of the ‘balance of probabilities’. The Hearing Officer will consider all evidence and the Appeal Panel will review new evidence objectively and will assess whether in their view the Disciplinary Offence has been proved on this basis to have taken place.
- 2.7 The powers given to the University under the Regulations do not limit any powers which it may also have under its contract with the Student to terminate, temporarily suspend or in other ways modify its performance of the contract.
- 2.8 As part of this process, where the Campus Dean and/or Head of Student Discipline, or their nominee(s) deems it appropriate (for example, if the alleged offence is one of collusion) the University may disclose the name(s) of any other student(s) alleged to be involved in the matter to other parties, including other students suspected of involvement in the same matter.

- 2.9 Students will remain liable for fees, as confirmed in their Terms and Conditions and the Financial Regulations, irrespective of any disciplinary action taken under the Regulations.
- 2.10 The Campus Dean and/or Head of Student Discipline, or their nominee (s) have the discretion to 'stay' any stage of these proceedings for a period of time should they deem it appropriate to do so; for example, where a Student has an imminent assessment.
- 2.11 Where a Student against whom the procedures under the Regulations have been instigated withdraws from the University prior to completion of those procedures, the Campus Dean and/or Head of Student Discipline, or their nominee(s) have the discretion to continue those procedures until the process is completed and to make a decision in respect of the matter.
- 2.12 Should the Student refuse to co-operate in the ongoing process, the Campus Dean and/or Head of Student Discipline, or their nominee(s) have the discretion to continue those procedures in the absence of the Student until the process is completed and to make a decision in respect of the matter.

3 Investigation of allegation

- 3.1 Where the Campus Dean, or their nominee (where appropriate) receives a notification of an alleged breach of the Regulations, which in their view cannot be dealt with under Regulation 2.3, they will appoint an appropriate member of staff, who has no connection with the allegation, as the Investigating Officer to investigate the matter and report to the Campus Dean or their nominee (where appropriate) on the outcome of their investigation. All students who have been notified of an offence will be provided with details of the University's wellbeing support services.
- 3.2 Subject to Regulation 3.3, the Campus Dean or their nominee (where appropriate) will notify the Student of: the alleged offence; the investigation; the identity of the Investigating Officer; and will provide a copy of the Regulations and any other documentation which is relevant to the investigation to the Student. The Campus Dean or their nominee (where appropriate) will also notify Student Conduct of the investigation to ensure that marks remain unconfirmed and unreleased until disciplinary procedures have been concluded and an outcome has been determined. The University reserves the right to conduct a viva voce examination where there is a strong suspicion that academic misconduct has been committed. In such circumstances, the purpose of the viva voce is to give the candidate the opportunity to demonstrate that the work in question is entirely their own. The viva voce will not, in these circumstances, replace the assessment itself, and will be conducted to assist investigations related to academic misconduct.
- 3.3 Where it is alleged that the Student has committed an Assessment Related Offence within Regulation 6.2 notification of the investigation to the Student may,

at the discretion of the Campus Dean, be delayed until such time as they decide to proceed under Regulation 3.7(c).

- 3.4 Pending the outcome of an investigation, the Campus Dean or their nominee (where appropriate) may:
- (a) exclude the Student from; or
 - (b) restrict the Student's access to the Campus, under the provisions of Regulation 4
 - (c) withhold a student's results from publication.
- 3.5 Should the Investigating Officer require a meeting with the Student as part of their investigation, the Investigating Officer will notify the Student of:
- (a) the time, date, and location of the meeting;
 - (b) the Student's right to be accompanied at the meeting by a friend or relative; and
 - (c) the need to notify the Investigating Officer in advance of the meeting of the name of the person accompanying the Student to the meeting.
- 3.6 If the student does not respond to multiple proposed meeting dates, and prolonged delays would impact the ability to carry out the investigation in a timely manner, the investigating officer, reserves the right to carry out their investigation without meeting the student. The student will be informed of this in writing.
- 3.7 The person accompanying the Student under Regulation 3.5(b) does so for the purpose of support only and may not make representations on the Student's behalf.
- 3.8 Upon receipt of the Investigating Officer's report, the Campus Dean or their nominee (where appropriate) may decide:
- (a) to take no further action;
 - (b) to deal with the matter under Regulation 2.3; or
 - (c) to initiate a Disciplinary Hearing under Regulation 5 to formally determine whether or not an offence has taken place (this stage should always take place where notification to the PSRB or other accrediting body is proposed as an outcome).
- 3.9 Subject to Regulation 3.8 the Campus Dean or their nominee (where appropriate) will then notify in writing the Student concerned of:
- (a) the investigation and the identity of the Investigating Officer, if this information has not already been provided; and
 - (b) the decision of the Investigating Officer and a copy of their full report.
- 3.10 The Campus Dean or their nominee (where appropriate) has no duty to notify the Student in accordance with Regulation 3.8 where the Student has not previously been notified of the investigation and the Campus Dean or their nominee (where appropriate) has decided to take no further action in accordance with Regulation 3.8(a).

Evidence and Supporting Documentation

- 3.11 The University may rely on evidence supplied by an individual(s) in raising awareness of an issue which is considered reasonable cause for investigation under these regulations. This may be in multiple forms such as email threads, or screen shots of SMS messaging or other media.
- 3.12 The individual(s) who have supplied the evidence should be made aware that any documents, screen shots or other media will be used during a disciplinary investigation and hearing. Staff will liaise with the reporting students to ascertain their consent to use the evidence with, or without, redaction. If the reporting student feels that even when redacted, the evidence supplied will make their identity known and as thus are unhappy for the evidence supplied to be used, then the student should be counselled in respect of the limitations of proceedings without supporting evidence.
- 3.13 The University may redact any evidence obtained in the investigation of disciplinary matters if it feels that:
- 3.13.1 disclosing such details may lead to the identification of other student(s) unconnected to the student disciplinary process,
 - 3.13.2 any redacted evidence does not compromise the ability to properly investigate an allegation; or
 - 3.13.3 to do so will safeguard members of the University community.
- 3.14 This may include, but is not limited to, evidence disclosed from student(s), and may include evidence gained from social media channels.
- 3.15 At all times, the University shall seek to corroborate any evidence obtained at any stage of the disciplinary process and shall not solely rely on redacted evidence as the basis for a disciplinary allegation against a student, where multiple evidence sources are available.
- 3.16 All evidence supplied in the investigation of a disciplinary offence shall be disclosed to the student in advance of any investigation or hearing as outlined in paragraphs 3.2 and 5.2 to whom the allegation relates, even if not all of the evidence is used in the determining of the allegation.
- 3.17 At all times, the University shall have due regard to the Student Disciplinary Policy and Regulations and also its duties and obligations under the Data Protection Act 2018.

4 Exclusion pending a Disciplinary Hearing

- 4.1 Where a Student has been notified under Regulation 3.2 that they are subject to an investigation of an alleged breach of the regulations, the Campus Dean or their nominee (where appropriate) may, subject to Regulations 4.2 – 4.5 inclusive, exclude to such extent and for such periods as they deem necessary, the Student's access to and use of any and all Campuses, pending the outcome of the investigation or any Disciplinary Hearing which results from it.
- 4.2 The Campus Dean or their nominee (where appropriate) may exercise their powers under Regulation 4.1 only where they have reasonable grounds to determine that such action is necessary to protect: the Student under investigation; any other Student or member of staff at any Campus; the property, facilities and equipment at any Campus; or any evidence which will be relevant to the investigation or Disciplinary Hearing. The Campus Dean, or their nominee, will carry out a Risk Assessment for each initial, and reviewed period, of exclusion.
- 4.3 The Campus Dean or their nominee (where appropriate) must first notify the Student in writing of the exclusion and the grounds for it and, as soon as practicable, provide the Student with an opportunity to appeal against the exclusion (see Regulation 10).
- 4.4 The Campus Dean or their nominee (where appropriate) must take reasonable steps to enable any Student who is subject to exclusion to pursue their course of study, without access to or use of a Campus, and obtain reasonable access to teaching, assessment and support services, if practical.
- 4.5 The Campus Dean or their nominee (where appropriate) will review their decision to exclude a Student at intervals of no more than three weeks and will notify the Student in writing of the outcome of each review.

5 Disciplinary Hearings

Academic Conduct

- 5.1 Where the Campus Dean or their nominee (where appropriate) decides to initiate a Disciplinary Hearing under Regulation 3.8 (c), Student Conduct shall appoint an appropriate investigating officer, trained in the student disciplinary process and who has no connection with the allegation, as the Hearing Officer to conduct the Disciplinary Hearing. The Disciplinary Hearing may be conducted in person, via telephone or other online meeting software but may be conducted by telephone where deemed appropriate by the Hearing Officer.

- 5.2 The Hearing Officer will notify the Student at least seven calendar days before the Disciplinary Hearing of:
- (a) the time, date, and location of the hearing;
 - (b) the identity of the Hearing Officer;
 - (c) the nature of the allegation together with a copy of any documents to be relied upon by the Hearing Officer at the hearing;
 - (d) the Student's right to be accompanied at the hearing by a friend or relative;
 - (e) the need to notify the Hearing Officer in advance of the hearing of the name of the person accompanying the Student to the hearing;
 - (f) the right to submit evidence (at least 2 working days) prior to the hearing, which will be considered in addition to oral evidence presented at the hearing.
- 5.3 The person accompanying the Student under Regulation 5.2(d) does so for the purpose of support only and may not make representations on the Student's behalf. The Student is not entitled to bring a legal representative.
- 5.4 If the Student informs the Hearing Officer that they are unable to attend, one further date will be offered for the hearing to take place. If the Student is still unable to attend, or fails to attend on the arranged date, the Hearing Officer may determine the matter in the Student's absence.
- 5.5 The Hearing Officer will have discretion to regulate the procedure, subject to the overriding aims and principles set out in the Student Discipline Regulations.
- 5.6 After the conclusion of the hearing, the Hearing Officer must consider the evidence from the hearing and determine:
- (a) which, if any, one or more of the disciplinary offences specified in Regulation 6 the Student has committed; and
 - (b) which, if any, one or more of the penalties specified in Regulation 7 to impose.
- 5.7 The Hearing Officer must notify their decision to the Head of Student Discipline and the Campus Dean or their nominee (where appropriate) for approval. Student Conduct will then notify the student of the decision within 14 calendar days of the hearing.

Severe Academic Misconduct and Non-Academic Conduct

- 5.8 Where an offence is alleged under regulations 6.1 – Ordinary Disciplinary Offences, 6.3 – Severe Academic Misconduct and 6.5 – Gross Misconduct of these regulations, and the Campus Dean or their nominee (where appropriate) decides to initiate a Disciplinary Hearing under Regulation 3.8 (c), Student Conduct shall appoint an appropriate Hearing Panel, with all Panel members trained in the

student disciplinary process and who have no connection to the allegation. The Disciplinary Hearing Panel ('the Panel') will be conducted online in the first instance, however if a face to face meeting is requested as a reasonable adjustment then this will be arranged.

- A Panel will include of at least two Panel Members, and a Panel Chair.
- A Panel includes representation from the Students' Union.
- The Investigating Officer (s) or appropriate nominee will also attend the Panel to present the investigation outcomes and findings. The Panel, and any reporting, responding parties and witnesses (if relevant) may be invited to pose reasonable and appropriate queries to the Investigating Officer regarding the investigation and investigation outcome.

5.9 Student Conduct, on behalf of the Panel will notify the Student at least seven calendar days before the Disciplinary Hearing ('the Hearing') of:

- (a) the time, date, and location of the Hearing;
- (b) the composition and members of the Panel
- (c) the nature of the allegation together with a copy of any documents to be relied upon by the Panel at the Hearing;
- (d) the Student's right to be accompanied at the Hearing by a friend or relative. In exceptional circumstances, as determined by the University the Student may be accompanied by legal representation;
- (e) the need to notify the Panel in advance of the Hearing of the name of the person accompanying the Student to the Hearing;
- (f) the right to submit evidence (at least 2 working days) prior to the Hearing, which will be considered in addition to oral evidence presented at the Hearing.

5.9 The person accompanying the Student under Regulation 5.2(d) does so for the purpose of support only and may not make representations on the Student's behalf.

5.10 If the Student informs the Panel that they are unable to attend, one further date will be offered for the Hearing to take place. If the Student is still unable to attend, or fails to attend on the arranged date, the Panel may determine the matter in the Student's absence.

5.11 The Panel will have discretion to regulate the procedure, subject to the overriding aims and principles set out in the Student Discipline Regulations.

5.12 After the conclusion of the Hearing, the Panel must consider the evidence from the Hearing and determine:

- (a) which, if any, one or more of the disciplinary offences specified in Regulation 6 the Student has committed; and
- (b) which, if any, one or more of the penalties specified in Regulation 7 to impose.

- 5.13 The Panel must notify their decision to the Head of Student Discipline and the Campus Dean or their nominee (where appropriate) for approval. Student Conduct will then notify the Student of the decision within 14 calendar days of the Hearing.

6 Disciplinary offences

6.1 Ordinary Disciplinary offences

Ordinary Disciplinary offences may include, but are not restricted to:

- 6.1.1 Poor timekeeping;
- 6.1.2 Failure to provide up-to-date contact details or other information which the University reasonably requires and is entitled to receive;
- 6.1.3 Words (including written words) or behaviour which are threatening, abusive or insulting to other Students, University staff, or visitors;
- 6.1.4 Words (including written words) or behaviour which cause harassment, alarm or distress to other Students, University staff, or visitors;
- 6.1.5 Behaviour which disrupts the ability of other Students or University staff to conduct their study or work, or to participate in other University activities;
- 6.1.6 Deliberate and minor damage to the property of the University, or of its Students, staff or visitors, which is on University premises;
- 6.1.7 Behaviour which could be considered to bring the University into disrepute;
- 6.1.8 Behaviour in relation to a formative assessment or marked exercise undertaken for formative purposes only which would constitute an Assessment Related Offence under Regulation 6.3 if that behaviour related to a summative assessment.
- 6.1.9 Registering another student at a timetabled teaching event in which that student did not participate.

6.2 Poor Academic Practice

Poor Academic Practice would arise where:

- a student quotes from or paraphrases the work of others without acknowledging the ownership of the source in an assessment or coursework; or
- a student self-plagiarises; and
- the student is studying at Level 4 or above and has not engaged in poor academic practice in any previous assessment or coursework; or

- the student is studying at Level 3 or equivalent and has not engaged in poor academic practice in more than one previous assessment or coursework; and
- there is no indication that the student intended to gain an unfair advantage over other students.

6.3 Academic Misconduct related offences

Academic misconduct arises where:

- there is an indication that a student intended to gain an advantage over other students by using unfair and/or unacceptable methods*; or
- this is the second occasion on which a student has engaged in poor academic practice in an assessment or coursework

Severe Academic Misconduct

Severe academic misconduct arises where a student commits:

- contract cheating; or
- impersonation; or
- the use of Artificial Intelligence generative system
- this is the second occasion on which a student has engaged in academic misconduct in an assessment or coursework

6.4 Definitions

6.4.1 Cheating

This is an infringement of the rules governing conduct in examinations and other assessments. Forms of cheating include:

- using or possessing any written or printed material during an examination, unless the regulations for the module or course assessment explicitly state the examination is open-book;
- communicating with or communicating during an examination with any person other than a properly authorised invigilator or another authorised member of staff;
- copying or attempting to copy the work of any other current or former student during an examination or assessment period;
- assisting another student with an assessment unless specifically authorised to do so;
- making available to another student a coursework assessment or material relating to the drafting of that assessment;
- using or possessing any electronically stored information during an examination unless expressly permitted by the regulators for the module or course assessment

- gaining access to any unauthorised material or equipment relating to an examination during or before the specified time
- taking, or attempting to take, any step which is likely to afford an unfair advantage over other students or knowingly assisting another student to do
- Cheating using an Artificial intelligence generative system to create content with the intent to deceive as own work in any formative or summative assessment is likely to afford an unfair advantage over other students.

6.4.2 Cheating in online proctored and non-proctored examinations

This is an infringement of the rules governing conduct in examinations and other assessments and include the forms of cheating listed above. In addition, forms of cheating in online proctored and non-proctored examinations include, but not limited to:

- Cheating using external resources or internal resources to which access is prohibited;
- Seeking help from friends, family or other person;
- Wearing and using invisible technology to gain the answer to questions, such as Bluetooth micro earbuds and smartwatches;
- Screen mirroring of documents to access and copy information from prohibited sources; and
- Using second devices such as a mobile phone, tablet or another internet-enabled device to gain the answers to questions or collude with others during the examination

6.4.3 Collusion

This is where a student works together with any current student or a person who had previously been registered as a student at the University without official approval to produce work for assessment. While collegial work is encouraged during learning and teaching activities, the deliberate action to work together on the same assessment to pass off the work as a single author is not permitted.

6.4.4 Contract Cheating

Contract cheating arises “when a third party completes work for a student who then submits it to an education provider as their own, where such input is not permitted. Over the last decade, an industry has developed where companies, based in the UK or overseas, are paid to undertake this work. These companies have become known as ‘essay mills’, although many supply a range of services in addition to essay writing. Typically, the essay mill will outsource the commissioned work to individual writers engaged on an ad hoc basis. The term ‘contract cheating’ does not apply exclusively to essay mills. It can, for example, also refer to situations such as friends or family

members completing assignments for students in whole or in part and does not always involve a financial relationship.” (QAA, 2020)

6.4.5 Fabrication

This is where a student seeks to gain an advantage by falsifying or fabricating information or data in work submitted for assessment.

6.4.6 Failure to comply with the University’s Statement of Practice relating to ethical research

This is where a student conducts sensitive research or research with human participants without the appropriate approval from the Ethics Committee.

6.4.7 Making a false statement

6.4.8 Plagiarism

This arises where a student

- uses the work of others (including, for the avoidance of doubt, the University’s own materials such as Points to Note) without acknowledging ownership of the source in an attempt to present the work as their own for assessment purposes; and
- there is evidence that the student intended to gain an unfair advantage over other students

6.4.9 Self-plagiarism

This arises where a student submits the whole or part of their own, already assessed, piece of work for one or more assessments or courseworks.

6.4.10 Impersonation

Impersonation arises when:

- a student allows a third party to impersonate them in order to complete an examination or an assessment on their behalf; or
- a current student or a person who had previously been registered as a student at the University impersonates another current student and completes an examination or assessment on that other student’s behalf.

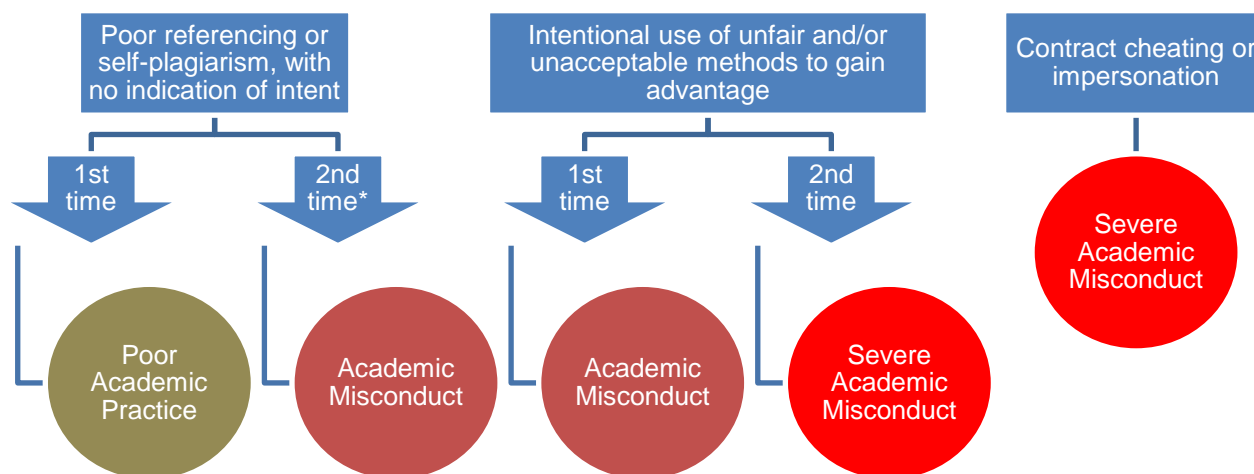
6.5 Gross Misconduct

An offence of Gross Misconduct may include but is not restricted to:

- 6.5.1 Theft;
- 6.5.2 Fraud or other offences which are in breach of financial regulations;
- 6.5.3 Assault causing bodily harm;
- 6.5.4 Sexual assault;
- 6.5.5 Words or behaviour giving rise to reasonable apprehension that serious bodily harm will be caused;
- 6.5.6 Deliberate and significant damage to University property;
- 6.5.7 Deliberate disregard of any rule intended to protect Students, University staff or visitors from harm;
- 6.5.8 Deliberate disregard of any rule intended to protect the property of Students, University staff or visitors to the University from significant damage;
- 6.5.9 Serious incapacity caused by alcohol or illegal drugs;
- 6.5.10 Serious acts of insubordination, for example, refusal to obey a reasonable and authorised instruction;
- 6.5.11 Discrimination, including harassment, on any grounds proscribed by law;
- 6.5.12 Failure to comply with conditions attached to a Tier 4 or other visa issued by the Home Office or UK Border Agency;
- 6.5.13 Providing false, inaccurate or misleading information to the University either in respect of their eligibility for study, immigration status or in support of a request for Tier 4 sponsorship from the University;
- 6.5.14 Behaviour which is of a kind which has been the subject of a Final Written Warning under Regulation 7.

6.6 Levels of Academic Conduct Offences

6.6.1 The below flowchart explains the approach which is taken to determine where academic misconduct offences lie in terms of their type and severity:



7 Sanctions

7.1 Ordinary Disciplinary offences

7.1.1 The sanctions for an Ordinary Disciplinary Offence are:

- (a) Written Warning;
- (b) Final Written Warning.

7.2 Academic Misconduct

Description of offence	Range of sanctions which may be imposed for offences identified
<p>Academic Misconduct:</p> <ul style="list-style-type: none"> • a student intentionally attempts to gain an advantage over other students by using unfair and/or unacceptable methods; or • a student engages in poor academic practice in a second assessment or coursework. <p>Academic Misconduct Offences include but are not limited to:</p> <ul style="list-style-type: none"> • Cheating • Cheating in online proctored and non-proctored examinations • Collusion 	<p>One or more of the following penalties may be imposed:</p> <ul style="list-style-type: none"> • The student will be issued with a formal warning letter which will remain on file for the duration of the programme; • The student will be required to successfully complete an online training module on good academic practice; • The student will be

<ul style="list-style-type: none"> • Fabrication • Failure to comply with the University’s Statement of Practice relating to ethical research • Making a false statement • Plagiarism including self-plagiarism 	<ul style="list-style-type: none"> ○ given a mark of zero for the assessment, coursework or examination and deemed to have failed it; and ○ required to resit the assessment, coursework or examination and the resit mark will be capped at the pass mark. This is to prevent a student from gaining an advantage from committing misconduct; or ○ subject to any prohibition imposed by any PSRB, given a mark capped at the pass mark (40%, 50% or 60% as appropriate). <ul style="list-style-type: none"> • Any PSRB will be informed.
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7.3 Serious Academic Misconduct

Description of offence	Range of penalties which may be imposed for offences identified
<p>Serious Academic Misconduct:</p> <ul style="list-style-type: none"> • Contract cheating: There is evidence that the entire piece of work has been purchased and submitted by the student; • Impersonation: <ul style="list-style-type: none"> • a student allows a third party to impersonate them in order to complete an examination or an assessment on their behalf or a current student or • a person who had previously been registered as a student at the University impersonates another current student and completes an examination or assessment on that other student’s behalf • Academic misconduct has been detected across several assessments, courseworks or examinations 	<p>One or more of the following penalties may be imposed:</p> <ul style="list-style-type: none"> • The student will be issued with a final formal warning letter which will remain on file for the duration of the programme; • The student will be required to successfully complete an online training module on good academic practice; • The student will be given a mark of zero for the assessment, coursework or examination and deemed to have failed it; • The student will be required to resit the assessment, coursework or examination and the resit mark will be capped at the pass mark. This is to prevent a student from gaining an advantage from committing misconduct; and • Any PSRB will be informed. <p>The University reserves the right to expel a student from the University with no credit received for Serious Academic Misconduct.</p>

7.4 Gross Misconduct and Conduct Related Sanctions

7.4.1 The sanctions for an offence of Gross Misconduct or Conduct Related matters are:

- (a) Expulsion from the University either with immediate effect or from any other date to be determined by the Campus Dean and/or Head of Student Discipline;
- (b) In the case of an offence of fabrication of data only, an additional penalty of exclusion from marking of part of a Student's script for the assessment concerned.
- (c) Written warning, or final written warning
- (d) Recommendations for further training related to the allegation at hand

7.4.2 The University reports any offence of gross misconduct as defined by 6.5.1 and 6.5.2 to the professional body responsible for regulating the programme on which the Student is registered, together with any mitigating circumstances, as appropriate.

8 Reporting on disciplinary offences

8.1 Where a disciplinary offence has been committed and the Student has received any one or more of the penalties under Regulations 7.1 – 7.3, this information will be disclosed in any University references to third parties, including any references to the Solicitors Regulation Authority, the Bar Standards Board or any other relevant professional regulatory body.

8.2 In respect of Regulations 7.1; and 7.3, the University may also report the offence concerned and the penalty imposed to the professional body responsible for regulating the programme on which the Student is registered.

8.3 Where a disciplinary offence has been committed and the Student has also been sentenced by a criminal court in respect of the same facts, the sentence of the court may be taken into consideration by the University when determining the penalty to be imposed.

8.4 Should the Campus Dean and/or Head of Student Discipline, or their nominee (where appropriate) decide it appropriate to impose a penalty for the offence under Regulation 7, the Student is notified of this decision within 14 calendar days of the Disciplinary Hearing.

9 Misconduct which may constitute a criminal offence

- 9.1 The following requirements apply, where it is alleged that the Student has behaved in a manner which would constitute an offence under both Regulation 6 and the criminal law.
- 9.2 Subject to Regulation 9.4, where the offence concerned falls under Regulation 6, and the alleged victim has not notified the police, action under these Regulations may proceed.
- 9.3 Subject to Regulation 9.4, where the offence falls under Regulation 6, and the alleged victim has notified or intends to notify the police then, unless it has been authorised in writing by the Group Legal Counsel (or his delegate within the University's legal team), action under these Regulations, excluding any under Regulation 4, must be stayed until the outcome of the police investigation, and any criminal proceedings which result from it, are completed. On the conclusion of any police investigation or any criminal proceedings the Campus Dean and/or Head of Student Discipline, following consultation with the Group Legal Counsel (or his delegate within the University's legal team), will notify the Student in writing whether the disciplinary proceedings against the Student are to be re-instated or withdrawn.
- 9.4 Where the criminal or potentially criminal offence falls under Regulation 6, unless it has been authorised in writing by a member of the University's legal team, action under the Regulations, excluding any taken under Regulation 4, may not be initiated:
- (a) unless the victim has reported the matter to the police; and
 - (b) until the outcome of the police investigation and any criminal proceedings which result from it are known.
- 9.5 On the conclusion of any police investigation or any criminal proceedings the Campus Dean and/or Head of Student Discipline or their nominee (where appropriate), following consultation with a member of the University's legal team, will notify the Student in writing whether the disciplinary proceedings against the Student are to be initiated, re-instated or withdrawn.

10 Appeals

- 10.1 The Student may appeal against a decision made under Regulations 4, 6 or 7. Should a student appeal their exclusion from campus, any appeal and outcome will constitute as the full and final outcome of the decision to exclude a student from campus. Should the exclusion continue during the period of the disciplinary investigation and hearing, further appeals relating to the overall exclusion and reviews into the exclusion on a three week period (as per paragraph 4.5 of these regulations) will not be permissible. Any outcome from the hearing stage (eg mark of zero for assessment module or expulsion from the University) will remain in effect until potentially overturned at the appeal stage.
- 10.2 To do so, within 14 calendar days of the University sending notice of such

decision to the Student, the Student must apply in writing to the Academic Registrar, at the address stated in Regulation 10.11, setting out the grounds on which they wish to appeal. If there are specific accessibility requirements which prevent a written submission, via the Appeal Form, alternative submissions in the form of a recorded submission will also be accepted. The following constitute grounds for appeal:

- (a) There is new evidence which could not reasonably have been made available prior to the decision being taken by the Hearing Officer and/or the Campus Dean and/or the Head of Student Discipline or their nominee (where appropriate); or
- (b) A procedural irregularity occurred which had a detrimental impact on the decision taken by the Hearing Officer and/or the Campus Dean and/or the Head of Student Discipline or their nominee (where appropriate); or
- (c) The penalty imposed was disproportionate given the nature of the disciplinary offence; or
- (d) Exclusion pending a Disciplinary Hearing was a disproportionate action to take given the nature of the alleged disciplinary offence.

10.3 When applying for an appeal hearing, the Student must provide confirmation of the particular ground(s) for appeal on which they intend to rely together with all supporting documents. If the student is unable to submit the appeal within 14 calendar days of the hearing outcome, they must include an explanation as to why.

10.4 On receipt of the appeal application Student Conduct will:

- (a) determine whether or not the appeal is eligible for consideration (if late, an adequate explanation must be included and if relevant, supporting evidence supplied)
- (b) appoint an Appeal Panel, comprising of two panel members, both process with appropriate training, and one of whom must act as Chair;
- (c) confirm a date for the appeal hearing;
- (d) notify the Student at least seven calendar days before the hearing of: when and where the hearing will be held; the name of the Appeal Chair and members of the Appeal Panel conducting the appeal; and the right of the Student to provide a written statement of their case (which will be considered in addition to any oral evidence presented at the Panel meeting) and to be accompanied at the hearing by a friend or relative; and
- (e) provide to the Student a copy of new documents (if any) to be relied upon by the Appeal Panel at the appeal hearing.

10.5 The person accompanying the Student under Regulation 10.4 (e) does so for the purpose of support only and may not make representations on the Student's behalf. The Student is not entitled to bring a legal representative.

10.6 If the Student alerts the Appeal Panel that they are unable to attend, one further date for the appeal hearing will be offered. Where a Student, having been notified as required under Regulation 10.4, is still unable to attend or fails to attend the hearing on the arranged date, the Appeal Panel may determine the

outcome of the appeal in the Student's absence.

- 10.7 At the conclusion of the hearing the Appeal Panel may:
- (a) uphold, remove or amend the terms of the Student's exclusion imposed under Regulation 4; or
 - (b) uphold or quash the decision made under Regulations 4 or 7, and reduce, but not increase, any penalty imposed on the Student; or
 - (c) where a procedural defect at the Disciplinary Hearing stage is established, send the case back to be heard by a second Disciplinary Hearing
- 10.8 The Appeal Chair will notify the Appeal Panel's decision to the Head of Student Discipline or their nominee (where appropriate), who will then send a copy of the decision to the Student within 14 calendar days of the hearing, together with a Completion of Procedures Letter.
- 10.9 The Appeal Panel's decision is final. However, the Student may request that the decision be reviewed by the Office of the Independent Adjudicator (OIA); details of which must be given in the Completion of Procedures Letter.
- 10.10 The address to which Regulation 10.2 refers is: StudentConduct@law.ac.uk

11 Assessments and resits during disciplinary proceedings

- 11.1 Upon commencement of a disciplinary investigation, where the offence relates to those listed under paragraph 6.2, all module marks which relate to the investigation will be suppressed and not released until either the investigation or disciplinary hearing, if required, has concluded.
- 11.2 Students are permitted to register and undertake resits of the assessment the alleged offence relates to whilst the investigation, and where necessary, hearing is in progress.
- 11.3 Should a resit be undertaken, and the original assessment mark subsequently released, the first sit of the assessment will be taken as final. A resit of the assessment cannot be undertaken to increase a module grade. This means that:
- 11.3.1 If the outcome of a hearing considers an assessment related offence has been committed and is subject to a penalty accordingly, the mark which is achieved through resitting the assessment, if passed (although capped at a passing mark), will be considered your final attempt as confirmed by the programme's board of examiners.
 - 11.3.2 If the outcome of a hearing considers no offence has been committed, and therefore a penalty is not required, your original attempt, if passed, will be considered your final mark as confirmed by the programmes' board of examiners.

11.4 Should a student undertake and pay for a resit, where on the conclusion of an investigation or hearing a resit was not required, any resit examination fees will be refunded to the student in full.

12 Service of Notices

Any written notice required under the Regulations may be served to the recipient in person; sent by e-mail to the recipient's University e-mail address; sent by e-mail to the recipient's last known personal e-mail address; sent by post to the recipient's last known correspondence address; or sent by post to the address of any person nominated by the recipient for this purpose.

Version history

Version	Amended by	Revision summary	Date
V1.0	Centre Director – Guildford	Initial drafting group	31/05/13
V1.1	Centre Director – Bristol	QA group	05/07/13
V1.2	External Consultant	Coherence activity amendments	19/09/13
V1.3	Centre Director – Birmingham	Head of Complaints	19/09/13
V1.4	Student Officer	Review	23/09/13
V1.5	VP – AGQS	Review	24/09/13
V1.6	Academic Registrar	Review	25/09/13
V1.7	Academic Board	Approval	03/10/13
V1.8	Registry Officer	Final amendments following proofing	02/12/13
V1.9	VP – AGQS	Chair's sign off	13/12/13
V2.0	Centre Director – Birmingham	Review and updates	31/07/14
V2.1	Centre Director – Bristol	QA of updates	19/08/14
V2.2	Centre Director – Birmingham	Sign-off of updates	22/08/14
V2.3	Student Conduct	Amendments	16/07/15
V3.0	Vice Provost – External and Academic Development	QA group	20/08/15
V3.1	Head of Student Discipline	Review	18/12/15
V3.2	Director Operational Services	Amendments	29/4/16
V3.3	Academic Board	Approval	19/05/16
V3.4	Student Conduct	Final amends	23/05/16
V3.5	Student Conduct	Review	31/07/16
V3.6	Academic Board	Approval	30/08/16
V4.0	Head of Student Support Services, Review Group and other stakeholders	Removal of participation-related offences Revised to align with	06/09/19

		published QAA advice and guidance	
V4.1	Registry Officer	Change to the document coding convention	March 2020
V4.2	Deputy Academic Registrar	Amendment to requirements for campus investigating offer and Hearing Officer; and clarification regarding mark of zero penalty. Approved by Academic Board May 2020	May 2020
V4.3	Head of Quality Assurance and Senior Quality Officer	Amendments to student disclosures and evidence divulged from social media channels, and arrangements for assessment resits during disciplinary proceedings.	August 2020
V4.4	Head of Quality Assurance	Minor amendments – clarification to the campus exclusion provisions.	March 2021
V4.5	Head of Quality Assurance	Minor amendments – clarification regarding Hearing and Investigating Officers, and Campus Dean nominees.	June 2021
V5.0	Head of Quality Assurance	Update to types of academic misconduct and sanctions, in line with the recommendations from the Academic Conduct Steering Group. Regulations to be operational from 01 July 2023.	February 2023
V5.1	Head of Quality Assurance	Inclusion of Panel Hearings, under regulation 5.8 – 5.13	March 2023
V5.2	Head of Quality Assurance	Correction of minor errors, mention of AI	June 2023
V5.3	Head of Quality Assurance	Inclusion of use of Viva Voce (para 3.2)	June 2023
V5.4	Head of Student Casework	Typographical errors	November 2023
V5.5	Head of Student Casework	Replacing references to	December

		Academic Registry to Student Casework	2023
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