



Title: Procedure relating to student academic misconduct in Postgraduate Research Degrees.
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# 4L: Procedure relating to academic misconduct in Postgraduate Research Degrees

## Introduction

1. Southampton Solent University is committed to ensuring the standard and integrity of its postgraduate research awards. Consequently, any allegation of academic misconduct is a serious matter and will be fully investigated.
2. These procedures apply to all work submitted for the postgraduate research degree and will include the research proposal, transfer document, thesis submitted for examination, and published MPhil or PhD.
3. There are no time limits associated with the investigation of suspected academic misconduct. Where a case of suspected academic misconduct is identified, including after an award has been made or the student has left the University, the case will be fully investigated.
4. In allegations of academic misconduct, the burden of proof is upon the University, i.e. it is for the University to prove that academic misconduct has occurred, not for the student to prove that it has not.
5. In determining whether a case is proven or not the standard of proof is on the 'balance of probability' rather than 'beyond all reasonable doubt'.

## Definition

6. The specific practices listed below will automatically constitute academic misconduct:
  - (i) plagiarism - where a student incorporates another person's or body's work by unacknowledged quotation, paraphrase, imitation or other device in any work submitted for assessment in a way which suggests that it is the student's original work;
  - (ii) falsification - where the content of any assessed work has been falsely presented by the student as their own work;

- (iii) fabrication, falsification or corruption of research data;
  - (iv) failure to obtain or breach of ethical approval.
7. The list of specific practices is not exhaustive and does not preclude the University from taking action where other forms of academic misconduct are identified.

### **Academic Misconduct Process**

8. Where academic misconduct is suspected, the case should be reported to the Head of Student Achievement, Academic Services.
9. Following receipt of an allegation, the case will be reviewed by the Student Conduct, Complaints and Appeals team, who will determine whether there is *prima facie* evidence to refer the case to a University academic misconduct inquiry panel.
10. The outcome of an academic misconduct allegation must normally be established before the examination team can consider the student's work at *viva voce*. However, where academic misconduct is suspected by an examiner during the *viva voce* examination, the examiners shall continue with the examination and shall make recommendations to be ratified in the event that the alleged misconduct is not proven. The suspected academic misconduct should be reported to the Head of Student Achievement.

### **Panel**

11. Where the initial investigation determines that there is *prima facie* evidence, the case shall be referred to a University academic misconduct inquiry panel.
12. The student will be notified in writing of the allegation and asked to provide a written response to the allegation within 10 working days of the notification.
13. The academic misconduct inquiry panel will normally meet within 20 working days of the date the student was notified of the allegation.
14. The academic misconduct inquiry panel will comprise:
- (i) A member of the University Research Degrees Committee to act as Chair.
  - (ii) Two members of academic staff drawn from the University's academic misconduct standing panel members.
15. A member from Academic Services will act as clerk and advise the panel on procedural matters
16. The student has the right to bring with them a friend<sup>1</sup> or a Students' Union representative who may address the panel.
17. A student cannot be represented at an inquiry panel meeting except in cases where a student is not capable of representing themselves (e.g. they are suffering from mental health problems and supporting medical evidence is provided).

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<sup>1</sup> The definition of friend excludes professional representation, unless the case is made that this would not be natural justice.

18. The student is not required to attend the inquiry panel meeting but it is in their interest to do so. If the student does not attend, the meeting will proceed in their absence.
19. Exceptionally, the student can request the rescheduling of a meeting, providing reasonable notice is given, together with sufficient reason, or evidence supplied of why the student is unable to attend on the scheduled day, e.g. accidents, serious illness.
20. The panel will consider the evidence and interview the student and decide whether the academic misconduct is proven or not proven.
21. Where the academic misconduct is not proven, the student shall be informed that no further action will be taken.
22. Where the academic misconduct is proven, the inquiry panel will recommend to the Chair of the Research Degrees Committee (RDC) an appropriate penalty.

### **Penalties**

23. Where the academic misconduct panel finds the academic misconduct proven the panel will recommend penalties. The list below is not exhaustive, but the recommended penalties could include:
  - (i) Letter of caution - the student should receive a letter of caution that will remain on their file for the duration of the student's studies and will be taken into account in the result of any further allegations of academic misconduct.
  - (ii) Requirement to resubmit all or part of the research proposal, transfer document, thesis submitted for examination or published MPhil or PhD. The panel will make specific recommendations regarding the changes. The insertion of new material would not be permitted where this would result in an unfair advantage to the student.
  - (iii) The research proposal, transfer document, thesis submitted for examination would be assessed excluding the sections that contained academic misconduct.
  - (iv) Exclude the student from the award of the degree.
  - (v) If the award has been ratified and is subsequently withdrawn, Nottingham Trent University would be immediately informed. The thesis would also be withdrawn from the British Library and the Southampton Solent University Library. Further recommendations may also be made by the academic misconduct panel.

### **The Right of Appeal**

24. The student may appeal against the conclusion (i.e. proven or not proven) or penalty of an inquiry panel where either:
  - (i) there is new evidence that was not available to the academic misconduct inquiry panel at the time of their deliberations; or

- (ii) there is evidence that University procedures and/or guidance have not been implemented correctly.
- 25. An appeal must be lodged with the Head of Student Achievement, Academic Services, within 10 working days of the student receiving the formal notification of the outcome, or the student will be deemed to have accepted the conclusion. Exceptionally, at the discretion of the Head of Student Achievement (or nominee), this deadline may be waived where evidence is provided to show circumstances prevented an appeal being lodged.
- 26. The Head of Student Achievement (or nominee) will review the evidence on which the appeal is based and will determine whether there is sufficient evidence to warrant referral to an appeal panel.
- 27. Where no new evidence or insufficient evidence is submitted, the Head of Student Achievement shall write to the student and inform them that their appeal has been rejected. This marks the end of the Southampton Solent appeal stage. If the student remains dissatisfied, any further appeal must be made to the Nottingham Trent Research Degrees Committee.

### **Proceedings of an Appeal Panel**

- 28. The appeal panel will comprise:
  - (i) Chair to be a Director of School independent of the School in which the course runs, Dean, Executive Dean, or Director of Learning and Teaching Institute;
  - (ii) one staff member of the Academic Board or Learning Teaching and Student Achievement Committee;
  - (iii) one member of academic staff, independent of the school in which the course is based;
  - (iv) the President of Solent Students' Union or a sabbatical or an elected officer of the Students' Union;
  - (v) A member of staff from Academic Services who will act as clerk and advise the panel on procedural matters.
- 29. An appeal panel will normally meet to consider an appeal within twenty-five working days from receipt of the appeal.
- 30. The appeal panel will look at the original evidence, inquiry report and the evidence on which the appeal is based.
- 31. The appeal panel will normally interview the student and any other person(s) whom the panel believes may be able to provide relevant information.
- 32. The student does not have to attend the appeal panel but it is in their interest to do so.

33. As with the inquiry panel stage, the student can be accompanied by a friend<sup>2</sup> or Student Union representative who will have the right to address the panel.
34. The student cannot be represented at an inquiry panel meeting except in cases where a student is not capable of representing themselves (e.g. they are suffering from mental health problems and supporting medical evidence is provided).
35. Where the academic misconduct is not proven, the penalty shall be withdrawn and the student shall be informed that no further action will be taken.
36. Where the academic misconduct is proven the appeal panel will either confirm the penalty recommendation of the academic misconduct inquiry panel or recommend an appropriate penalty.
37. This marks the end of the Southampton Solent appeal stage. If the student remains dissatisfied, any further appeal must be made to the Nottingham Trent Research Degrees Committee.

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<sup>2</sup> The definition of friend excludes professional representation, unless the case is made that this would not be natural justice.