

Student



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 Student Casework to conduct

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.
- 1.1.15 “Viva Voce” means the defence of a submitted piece of work in which a student's response is conducted verbally rather than in writing. The investigatory viva aims to determine, through a dialogue with the student regarding their assessed work, whether it is probable that the student solely authored the entire piece of work.
- 1.1.16 “Balance of Probabilities” means that decisions on allegations of misconduct will be based on whether the Investigating Officer and/or Hearing Panel believes, given the information and evidence available, it is more likely that the allegation is substantiated.

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 Investigating Officer and/ or Hearing Panel 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

- 2.8 As part of this process, where the relevant decision maker (Programme and Student Lead, Campus Dean, or Head of Student Discipline) or their nominee(s)

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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 by the Investigating Officer (or nominated subject expert) to assist investigations related to academic misconduct.

- 3.10 The Investigating Officer should conduct their investigation and complete a recommendation within 20 working days from receipt of the case file. Where this timeline cannot be met, the Investigating Officer must contact the student to inform them of the delay.
- 3.11 The Investigating Officer should meet with the Student as part of their investigation, and will notify the Student at least 5 working days before the meeting of;
- (a) the time, date, and location of the meeting;
 - (b) the Stu

- 3.17.3 to do so will safeguard members of the University community.
- 3.18 This may include, but is not limited to, evidence disclosed from student(s), and may include evidence gained from social media channels.
- 3.19 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.
- 3.20 All evidence supplied in the investigation of a disciplinary offence shall be disclosed to the student in advance of any investigation

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- 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.

Hearing Panels - Severe Academic Misconduct and Gross Misconduct

- 4.6 Where an offence is alleged under regulations 6.3 – Severe Academic Misconduct and 6.5 – Gross Misconduct of these regulations, and the Programme and Student Lead or Campus Dean (or their nominee where appropriate) decides to initiate a Disciplinary Hearing Panel under Regulation(s) 3.14, they shall appoint a Panel Chair and Panel members, with all members trained in the student disciplinary process and who have no connection to the allegation. The



4.7 The Chair of the Panel, supported by Student Conduct 35.49 730.41 re 0 596.52 842.52 reW*

Severe Academic Misconduct

Severe academic misconduct arises where a student commits:

- contract cheating; or
- impersonation; or
- this is the third occasion on which a student has engaged in academic misconduct in an assessment or coursework

5.4 Definitions

5.4.1 Cheating

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

- 5.4.1.1 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-



5.4.7 Plagiarism

This arises where a student

- 5.4.7.1 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
- 5.4.7.2 there is evidence that the student intended to gain an unfair advantage over other students

5.4.8 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.

5.4.9 Impersonation

Impersonation arises

when:

- 5.4.9.1 a student allows a third party to impersonate them in order to complete an examination or an assessment on their behalf; or
- 5.4.9.2 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.

5.4.10 Unacceptable use of an Artificial Intelligence

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- 5.5.3** Assault causing bodily harm;
- 5.5.4** Sexual assault;
- 5.5.5** Words or behaviour giving rise to reasonable apprehension that serious bodily harm will be caused;
- 5.5.6** Deliberate and significant damage to University property;
- 5.5.7** Deliberate disregard of any rule intended to protect Students, University

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A written warning or final written warning will remain on the student's academic profile for the duration of their programme.

6.2 Academic Misconduct

Description of offence	Range of sanctions which may be imposed for offences identified
<p>Poor Academic Practice (including minor incidents of self-plagiarism)</p>	<ul style="list-style-type: none"> • That the student meets with their PSL or Academic Coach • The student is recommended to complete the Academic Conduct Skills Academy training module

Academic Misconduct:

- 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.

Academic Misconduct Offences include but are not limited to:

- Cheating
- Cheating

Description of offence	Range of penalties which may be imposed for offences identified
Severe Academic Misconduct:	One or more of the following penalties may be imposed:



7 Reporting on Disciplinary Offences

- 7.1 Where a disciplinary offence has been committed and the Student has received any one or more of the penalties under these Regulations, 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.
- 7.2 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.
- 7.3 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.
- 7.4 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 15 working days of the Disciplinary Hearing.

8 Misconduct which may constitute a criminal offence

- 8.1 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.
- 8.2 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.
- 8.3 Subject to Regulation 9.4, where the offence falls under Regulation 6, and the alleged victim has notified or intends



9.4 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 the Appeal Panel's findings and recommendations by the Appeal Panel at the appeal hearing.

9.5 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.

9.6 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. At the conclusion of the hearing the Appeal Panel may:

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students, staff, applicants for academic posts and (actual or invited) visiting speakers. Information about the complaints that the OfS can review is available on its website.

10 Assessments and resits during disciplinary proceedings

- 10.1 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 withheld and not released until either the investigation or disciplinary hearing, if required, has concluded.
- 10.2 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.
- 10.3 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:
- 10.3.1** 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 youâ

