



University for the Common Good

Glasgow Caledonian University

Code of Student Conduct

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Part One

Code of Student Conduct

Guiding Principles

Preface

Glasgow Caledonian University (the University) is a values-led university. Guided by our values of integrity, responsibility, creativity and confidence, as the University for the Common Good, we transform the lives of the people and communities we serve.

The University is committed to providing a high-quality teaching, learning and research environment that is conducive to the academic and social well-being of the University community. High standards of conduct are necessary for the benefit of all members of the University and the maintenance of the University's reputation.

All students, and applicants from the point at which they accept an offer from the University, are expected to abide by the Code of Student Conduct (the Code) and behave at all times in a way which demonstrates respect for the University, its students, staff and the wider community. It is the responsibility of all students and applicants who have accepted offers to ensure that they have read and are familiar with the Code.

The Code is designed to encourage all students to meet the standards of behaviour required by the University, and to outline behaviours that are not considered acceptable. It is essential that all students comply with these standards and understand that if they fail to do so this could lead to disciplinary action including expulsion from the University and the withdrawal of an academic award. International students should be aware that the outcome of disciplinary action could affect their existing permission to stay in the UK and, therefore, their ability to complete their programme of study under the terms of their current visa.

1. Introduction

- 1.1. The Code sets out how the University will proceed in cases where there are concerns that student conduct does not comply with the standards of behaviour required by the University. Misconduct falls within two broad areas – Academic Misconduct and Non-Academic Misconduct.
- 1.2. The Code will be reviewed annually as part of the University's annual policy review to ensure it remains fit for purpose. However, the University reserves the right to review and amend the Code as required in the light of changing circumstances and/or in response to legislative or regulatory requirements.

- 1.3. Where reference is made to Head of Department, this refers to the Head of the Department the student is studying in. For students in GCU London, the Director of GCU London applies.

2. Scope

- 2.1. The Code applies to all registered students and applicants who have firmly accepted an offer to study. The exception to this, in respect of academic misconduct only, are research degree students for whom there is a separate Academic Misconduct in Research Degrees Policy relating to academic conduct. However, the ability of the University to revoke or downgrade an academic award as detailed in [Section 6](#) of this Code, also applies to research degree students.
- 2.2. The Code applies to any alleged misconduct committed on campus or at any other location where the University is of the view that the alleged offence has, or may, impact on the University's reputation, the wider University Community or the student's suitability to remain registered as a student, including but not restricted to circumstances where misconduct may also constitute a criminal offence. It also applies to inappropriate conduct online and via all forms of social media and electronic communication, especially where there is an impact on other students, or the reputation of the University.
- 2.3. Where the alleged misconduct takes place on campus during a formal written examination (as administered by the Examinations Office), the provisions in the Regulations for the Conduct of Examinations will apply. The Department of Governance and Legal Services may also initiate proceedings under this Code where appropriate.
- 2.4. Students on certain professionally registered programmes are also subject to the University's Fitness to Practise Regulations. The Dean of the School of Health & Life Sciences, in consultation with the Department of Governance and Legal Services, may decide to consider under the University's Fitness to Practise Regulations, in addition to the Code of Student Conduct, any incidents of alleged misconduct by such students which may have a bearing on the student's fitness to practise in their particular profession or which raise questions about their suitability to obtain professional registration after qualification. Where the conduct of a student on such a programme gives cause for concern, the matter should be considered in the first instance in line with the Code.

2.5. Definition of Misconduct

- 2.5.1. Misconduct means any behaviour which falls short of the standard expected of a student at the University. Misconduct is classified as either Academic Misconduct or Non-Academic Misconduct. There may be instances where the misconduct falls into both categories.

- 2.5.2. Part Two of this Code deals with Academic Misconduct and Part Three of this Code deals with Non-Academic Misconduct. Non-exhaustive examples of misconduct which may lead to disciplinary action are provided in each part.

2.6. Categorisation of Misconduct - Route 1 and Route 2

- 2.6.1. Depending on the circumstances of each case, breaches of the Code will be classified as either Route 1 or Route 2 breaches. A full investigation may be required before it is possible to determine the appropriate route.
- 2.6.2. **Route 1** should normally be used for first and second offences of academic misconduct (see Part Two) and where non-academic misconduct can be appropriately resolved locally. Route 1 breaches will be considered and disposed of by the student's Head of Department or equivalent, or their nominee.
- 2.6.3. **Route 2** is appropriate for complex, non-academic offences where the penalties available via Route 1 are considered insufficient or if it is a repeat offence. Third cases of academic misconduct would normally be considered via Route 2. Route 2 breaches will be referred to the Department of Governance and Legal Services for consideration and disposal by the Student Conduct Committee.
- 2.6.4. The nature and severity of each alleged breach of the Code will be considered on its own merits. A range of factors will be taken into account when deciding whether an alleged offence should be considered and disposed of via Route 1 or Route 2. These include, but are not limited to:
- the extent and impact of the misconduct
 - whether the misconduct is a first or repeat offence
 - the student's previous misconduct record
 - whether the student has engaged with support (academic and/or wellbeing) as required by a previous sanction
 - the student has completed all requirements of any previous sanctions
 - the student's engagement with the investigatory process and whether the alleged offence is admitted
 - whether the sanctions available for Route 1 breaches are appropriate given the nature and severity of the breach.

2.7. Application of the Code

- 2.7.1. The Code will be applied in a manner which deals with cases fairly. This means that alleged misconduct cases should take account of the following principles:
- action is proportionate and reasonable in relation to the circumstances of each case of misconduct
 - where appropriate, alleged misconduct will be dealt with at a local level as via Route 1 by the relevant Head of Department (or equivalent/nominee)

- the student should be made fully aware of the nature of the allegations made against them and given the opportunity to participate in proceedings
- the student should be informed of available support within the University and the Students' Association
- there is due respect for the confidentiality of proceedings. All parties must treat any information communicated to them in connection with a conduct matter as confidential and in line with the University's data protection obligations
- allegations of misconduct submitted anonymously will be considered if there is sufficient information to support an investigation or disciplinary allegations, although the University may be limited in the action it can take, the support it can provide, and the reporter will not receive any information relating to any action taken
- where an allegation of misconduct is considered to be malicious or vexatious, the University may decide not to pursue it, and where possible appropriate action against the complainant may be pursued.

2.8. Evaluation of Evidence & Standard of Proof

- 2.8.1. All conduct cases will be determined on the civil standard of proof, which is "on the balance of probabilities". This means that standard of proof is met if it is considered that an event was more likely to have occurred than not to have occurred.

2.9. Records of Conduct Proceedings

- 2.9.1. The University will keep a record of:
- all conduct proceedings, including the formal written allegation(s), written statements, information relating to and reports of any investigations and a written record of all meetings. Route 1 and Route 2 reporting forms will constitute the official investigation record and **must** be submitted to the Department of Governance and Legal Services in a timely manner
 - all emails and letters sent to or by the University in relation to conduct meetings including appeal meetings, and
 - all conduct investigation outcomes.
- 2.9.2. These records will be maintained in accordance with the University's obligations in terms of data protection requirements and will be retained in accordance with the University's data retention policy.

2.10. Communication with the Student

- 2.10.1. All written communications with the student shall be sent by email to the student's University email address. Where allegations relate to an applicant who has not yet registered as a student, then communications will be sent to the applicant's personal email address.

2.11. Attendance at Investigatory and Conduct Meetings

- 2.11.1. Students who are the subject of a conduct investigation are required to attend conduct meetings to which they have been invited. If a student fails to attend a conduct meeting, appear before the Student Conduct Committee or Student Conduct Appeal Panel, or otherwise fails to engage with the conduct process, proceedings may still go ahead in their absence. Failure to attend or engage with the process may result in a decision being taken in the absence of the student. Where there is good reason for the student not attending a conduct meeting of any kind, this will be taken into account, and an alternative meeting may be arranged.

2.12. Right to be accompanied at Conduct Meetings

- 2.12.1. All students have the right to be accompanied by either a Student Adviser from GCU Students' Association Advice Centre, a relative, fellow student, or a member of University staff. Normally, only one person may accompany a student. The person accompanying the student will be able to ask questions on behalf of the student but is not allowed to answer questions on behalf of the student.
- 2.12.2. Legal representation is not permitted unless there are exceptional circumstances. Exceptional circumstances may, for instance, include where the alleged misconduct also has serious criminal law implications for the student or the outcome from the Conduct Meeting could have a material impact on the student's professional registration, such as with The Nursing and Midwifery Council. In such exceptional circumstances, the University may then allow legal representation to ensure a fair process. Any requests for legal representation should be made in advance and will be considered on a case-by-case basis.
- 2.12.3. In circumstances where disability may have an impact on the proceedings, the student may request that reasonable adjustments are made. It will be for the University to determine whether a requested adjustment is reasonable.

2.13. Capability

- 2.13.1. If a student is, or appears to be, suffering from poor physical or mental wellbeing at any stage during this process, proceedings may be adjourned whilst appropriate support or medical evidence of capability is obtained. If the student provides medical evidence or appears to be medically unfit, conduct proceedings may be adjourned or terminated if it is considered appropriate. In such cases of adjournment, the case will be kept under review, and the student may be required to provide further medical reports and may be subject to a protective suspension or other restrictions which are considered to be necessary or appropriate in view of the allegations against the student. The University reserves the right to recommence conduct proceedings when a student is deemed fit to engage in such proceedings. Where appropriate, the University may refer the matter to an alternative procedure including Fitness to Study or Fitness to Practise.

2.14. Timescales

- 2.14.1. The University shall progress allegations of misconduct within a reasonable timescale and keep the student informed as to progress. Where a specific number of days is mentioned, these are working days and exclude weekends and holidays when the University is closed. However, depending on the circumstances of the particular case, it may not be possible to provide an outcome within that timescale.

2.15. Appeals

- 2.15.1. There is the right to appeal at the conclusion of each level of the Student Conduct process. Appeal routes are outlined in Part Two and Part Three of this Code, and students will be informed in writing of their right of appeal in confirmed cases of misconduct.

2.16. Student Conduct Committee

- 2.16.1. In cases where there has been an alleged Route 2 breach of the Code, following investigation the case will be referred to the Student Conduct Committee for consideration. See Annex A - Student Conduct Committee for more information.

2.17. Consideration of Sanctions - Guiding Principles

- 2.17.1. For academic misconduct breaches of the Code considered via Route 1 there are standard sanctions, and these are outlined in Part Two of this document. In all other cases, when determining the sanctions to be applied, consideration will be given to:

- the seriousness of the misconduct
- whether the misconduct was considered to be a deliberate act
- whether and how much premeditation was involved
- whether the misconduct was an isolated incident or formed a pattern of behaviour
- any mitigating circumstances
- the student's previous disciplinary record
- the conduct of the student following the misconduct
- whether, and at what point, the student has admitted the misconduct
- whether the student has shown remorse, insight or regret
- whether the student has attempted to conceal or destroy evidence or influence any person involved in the misconduct or its investigation
- whether the offence has a disproportionate impact on or is specifically aimed at a person or persons with protected characteristics
- whether the student has taken any steps to address risk of repetition of the misconduct
- whether any sanctions for similar conduct have been imposed already within the University or by another agency

- the impact that their actions have had on others
- the impact on the reputation of the University and its community, and
- the concept of proportionality, ensuring that the potential prejudice caused to any student is balanced fairly against the rights of any other student involved, in addition to the requirement for public protection and to uphold the public interest.

3. Sanctions

3.1. Sanctions for Academic Misconduct Considered via Route 1:

3.1.1. The following sanctions must be applied in cases of confirmed academic misconduct:

- for first offences, the content of the assessment that is not considered to be academic misconduct will be marked in line with the marking rubric and an appropriate mark for the assessment given. Where the academic misconduct is extensive, or it is not possible to distinguish what work is the student's own and what is work produced by academic misconduct, a zero mark may be applied
- for repeat offences, a zero mark
- the attempt to be counted, meaning students who do not receive a pass mark may be required to resubmit if they have attempts remaining
- a formal warning, with the academic misconduct formally recorded, and
- the student required to undertake an online academic integrity awareness training course within 3 weeks of receiving the outcome of the investigation and engage with any other academic development services as determined by the investigating academic(s).

3.2. Sanctions for Non-Academic Misconduct Considered via Route 1:

3.2.1. As many of the following sanctions that are considered to be reasonable and proportionate in relation to the specifics of the case, may be applied in cases of confirmed non-academic misconduct:

- a formal written reprimand and a warning about future conduct
- a requirement to make good any damage caused to property belonging to the University, a member of staff, a fellow student, a visitor to the University or any other third party (a payment plan should be agreed with the Finance Office if necessary)
- a requirement to undertake appropriate training
- a requirement to engage with appropriate support services within the University
- a requirement to issue appropriate letters of apology
- the imposition of a non-contact order between students

- restriction of movement or banning access to facilities and/or premises (such as within Caledonian Court)
- a requirement to move rooms within Caledonian Court
- restricting access to on and off campus University activities, and
- any other reasonable and proportionate sanction relevant to the offence under consideration and agreed with Governance and Legal Services.

3.3. Sanctions for Breaches of the Code Considered via Route 2 available to the Student Conduct Committee:

- All sanctions that are available for breaches of the Code considered via Route 1
- Annulment of the entire examination and/or assessment diet, but to count as an attempt for all exams and/or assessments at that diet
- An examination or coursework attempt annulled but to count as an attempt with one further attempt forfeited
- Suspension from the University for a specified period of time
- Expulsion from the University. In certain circumstances, the student may be informed that they may be able to apply to resume their studies on the same or a different programme of study at some point in the future (to be stated by the Committee), subject to the University's normal admissions processes. Students who are expelled but have gained sufficient academic credit for an award, will be entitled to receive that award but will not be permitted to attend graduation and/or participate in events on or off campus, related to graduation and completion of studies
- Permanent expulsion from the University. Students who are expelled and have gained sufficient academic credit for an award, will not be permitted to attend graduation and/or participate in events on or off campus, related to graduation and completion of studies
- Expulsion, accompanied by the expunging of accrued academic credit in whole or in part
- Recommendation to the Principal to revoke or downgrade an academic award already made (see [Section 6](#) below)
- Prevention from attending graduation and/or participating in events related to graduation and completion of studies
- Limiting learning and teaching activities to online classes only (where already available)
- In cases where significant mitigating factors have been disclosed and are considered to have had a direct bearing on the student's conduct, the Student Conduct Committee may recommend supportive action in line with the University's policy on extreme and extenuating circumstances
- Termination of occupancy in Caledonian Court
- Any other sanction that is considered proportionate and reasonable in the circumstances.

4. Conduct that may constitute a Criminal Offence

- 4.1. The University may report allegations of misconduct which potentially constitute a criminal offence to the police.
- 4.2. Where the alleged offence is in relation to a GCU student, the reporter will be encouraged to report the matter to the police. Members of the public making a complaint against a University student will be advised on how to report the matter to the police, and support will be provided to GCU students and staff in reporting a concern to the police. Only in very limited and exceptional circumstances will the University report a matter without the consent of the reporter/person impacted by the alleged misconduct, and this will only be done following consideration of data protection implications.
- 4.3. Any alleged cases of financial irregularity involving students should be dealt with in the first instance in accordance the University's Financial Regulations.
- 4.4. The University will normally adjourn any conduct investigation in respect of alleged criminal misconduct to await the outcome of any criminal proceedings, but reserves the right to continue these proceedings where it is deemed to be in the interests of the University, its students or the wider community.

5. Protective Suspension

- 5.1. Where it is considered that alleged misconduct may pose a risk of any kind to the University, its students or the wider University community, the University may place a student on a protective suspension with immediate effect. The Principal or their nominee may place a student on a protective suspension, normally following a request from the Department of Governance and Legal Services. The student will be advised, in writing, of the reasons for the protective suspension and the process for review of the protective suspension.
- 5.2. The purpose of a protective suspension is to be differentiated from the use of suspension as a disciplinary sanction, which is a sanction that can only be issued by the Student Conduct Committee.
- 5.3. The criteria for determining when protective suspension will be appropriate and include, but are not restricted to, the protection of an individual student or staff member; members of the University community more generally; the public; the University's reputation; or the property or other resources of the University or a third party.
- 5.4. Protective suspension may also be used if a student is subject to criminal investigation, has received criminal charges or been convicted of a criminal offence. The University appreciates the significant impact this may have on a student's progression and, in the case of international students, on their visa status and as such, will balance the foregoing against any potential prejudice caused to the student and

will endeavour to come to a proportionate decision, based on the relevant facts and circumstances.

- 5.5. A protective suspension will normally mean the withdrawal of a student's rights of access to all of the University's premises, services or facilities, or participation in University activities, with the exception of support from the Students' Association Advice Centre and Wellbeing services. If appropriate, and after taking account of all relevant factors, consideration may be given to allowing the student to engage with their studies remotely, or submit assessments and undertake, with appropriate conditions and supervision, on campus assessments. The letter of suspension will clarify the terms of the protective suspension.
- 5.6. The circumstances of each case will determine how long a protective suspension will be in place. All protective suspensions will be reviewed by the Student Conduct Committee, normally within three weeks of the date of the formal protective suspension notification. Students will be invited to attend the Student Conduct Committee and present a case for the lifting or variation of the protective suspension. A protective suspension will normally remain in force until conduct proceedings have been completed or until the University is able to conclude an internal investigation. However, the Student Conduct Committee can decide at any time to lift or modify the protective suspension if evidence to support doing so emerges before the proceedings are complete. The University will assess the circumstances and risks upon the Student Conduct Committee making such determination.
- 5.7. If it is possible for the University to conclude any investigation within the period prior to the Student Conduct Committee suspension review meeting, then the meeting of the Student Conduct Committee will hear formal allegations against the student. If the investigation has found there is no case to answer, then the suspension will be lifted with the approval of the Chair (or their vice if not available) of the Student Conduct Committee.
- 5.8. Where a student is awaiting the conclusion of a criminal investigation or charge, it is the responsibility of the student to keep the University informed of the progress of the case and provide official documentation or a lawyer's letter as evidence of any material changes. The Clerk to the Student Conduct Committee will contact the student from time to time to request updates.
- 5.9. The student may request a review of the protective suspension if there is a material change in circumstances. The request should be made in writing to the Clerk of the Student Conduct Committee at StudentConduct@gcu.ac.uk. The materiality of the request will be considered by the Department of Governance & Legal Services in conjunction with the Chair/Vice-Chair of the Student Conduct Committee.
- 5.10. The student may submit an appeal against the review decision. The appeal must be submitted in writing within 5 working days of receipt of the review decision, to the University Secretary who, together with the Chair of Court, will review the circumstances. The protective suspension shall continue to operate pending consideration of the appeal. A decision will normally be notified to the student in

writing by the University Secretary within 10 working days of receipt of the appeal, however depending on the circumstances this may take longer.

6. Revocation or Downgrading of An Award

- 6.1. As outlined in the Awards and Graduations Regulations, the University reserves the right to revoke or downgrade any academic award that has been granted to a former student where academic misconduct, fraud or deception has occurred but was not discovered prior to the granting of the award. There is no limit to the length of time between an award being granted and revocation. All allegations will be investigated in line with either Part Two (Academic Misconduct) or Part Three (Non-Academic Misconduct) of this Code.
- 6.2. Where it is possible to do so, the former student will be informed of the investigation (via University and last known personal email addresses) and will have the right to participate in the investigation and respond to the allegations made. The Academic Registrar will be informed of all investigations. Where it is not possible to contact the former student, or the former student does not engage in the process, this will not prevent the case being progressed and an award being revoked or downgraded if appropriate.
- 6.3. The potential outcomes of such a recommendation are:
 - dismissal of the case, with no further action taken; or
 - the revocation or downgrading an academic award.
- 6.4. The Chair of Senate, or their designate, will make the final decision regarding any recommendation which involves the revoking or downgrading of an academic award.
- 6.5. Where it has been agreed that an award be revoked or downgraded, the former student will have the right of appeal in line with this Code. The University's decision letter will inform of this right of appeal.

7. Delegated Authority

- 7.1. References within the Code to the Principal, the Pro Vice-Chancellors, Vice-Principals, Deans, Directors and Heads of Department shall include any nominated member of staff to whom those officers may delegate responsibility for implementing the Code.

Part Two

Responding to Allegations of Academic Misconduct in Taught Degrees

8. Academic Misconduct

8.1. All work submitted by a student is required to be their own original, appropriately referenced, work. The only exceptions to this are:

- a. officially sanctioned (as detailed in the guidelines for the assessment) group work, where a number of students have worked together to prepare a single submission to an assessment
- b. where the use of Artificial Intelligence (AI) aligns with the guidelines for an assessment.

8.2. Any offences in connection with examinations or assessments which allow or are intended to allow the student to obtain an unfair advantage are considered to be academic misconduct. These include but are not limited to:

- a. Plagiarism (including self-plagiarism)
- b. Collusion
- c. Ghostwriting, including the use of material from essay writing companies, websites or any third party
- d. Inappropriate use of generative AI
- e. Breach of the Regulations for the Conduct of Examinations
- f. Research misconduct, including failure to obtain or follow ethical approval
- g. Falsification of any kind
- h. Impersonation
- i. Any other behaviour that could be described as academic misconduct or is considered to give an unfair academic advantage.

8.3. Poor Academic Practice

- 8.3.1. Where there are minor breaches of academic integrity, such as improper referencing or slight, non-extensive plagiarism or inappropriate use of AI caused by inexperience or negligence, this may be considered to be Poor Academic Practice (PAP). PAP may be determined in the marking process without there having been an academic misconduct investigation, or as a result of an academic misconduct investigation (see [Section 10.2.2](#)). In both cases, the marker or Investigator must check with the Department of Governance and Legal Services to find out if the student has been investigated for any previous relevant misconduct as this will help determine whether a PAP finding is appropriate.

- 8.3.2. In such cases, the assessment will be marked in line with normal arrangements, with no formal sanction (it is acknowledged however that the work may be of an insufficient standard and be a fail in its own right). The student may be given advice about what constitutes good academic practice and directed towards academic support, for example online resources, the Learning Development Centres or the Library but these are not a 'requirement'.

8.4. Plagiarism

- 8.4.1. Plagiarism is considered to be the unacknowledged use of someone else's work, ideas and sources and passing this off as the student's own. Plagiarism can be intentional or unintentional, however lack of understanding or ignorance does not excuse plagiarism. For the purposes of this Code, plagiarism is interpreted in its widest sense and includes self-plagiarism. Self-plagiarism is resubmitting work, or reusing portions of work, that the student has already included in another assessment, and passing it off as new material.

- 8.4.2. Examples of plagiarism include:

- a. use of another person's academic material (writing, drawings, ideas, and data) without reference or acknowledgement
- b. summarising another person's written material by changing some words or altering the order of presentation without acknowledgement
- c. use of the ideas of another person without acknowledgement of the source
- d. copying the work of another student with or without that student's knowledge
- e. use of commissioned material, without reference or acknowledgement – often termed ghostwriting (see [Section 8.7](#))
- f. the acceptable use of AI that is not acknowledged appropriately
- g. use of additions or academic corrections made by a proofreader who has relevant knowledge in the subject discipline
- h. collusion with another student or other students via any means including in person, via text, email, social media or any form of electronic communication
- i. self-plagiarism (as defined above)
- j. reproduction of model answers, in whole or in part, from any source in assessments and examinations.

8.5. Collusion

- 8.5.1. Academic collusion is deemed to be unacceptable where it involves the unauthorised and unattributed collaboration of students' or others' work resulting in plagiarism. When investigating collusion, consideration should be given to whether the collusion was consensual, or whether there has been any coercion or using another student's data without their knowledge or consent.

8.6. Inappropriate use of generative Artificial Intelligence (AI)

- 8.6.1. Assessment guidelines will clearly indicate when and how AI may be used. Any use of AI must be acknowledged appropriately. The unacknowledged or inappropriate use of AI will be treated as a breach of this Code and investigated in line with [Section 9](#).

8.7. Ghostwriting

- 8.7.1. This is defined as the use of commissioned material, written or provided by a third party, without reference or acknowledgement. This material may have been paid for, or provided free of charge. Commissioning work that is paid for is also known as Contract Cheating, and may be undertaken by an individual or an Essay Mill, a business that enables students to commission an original piece of writing on a particular topic.

8.8. Falsification and Fabrication of Data

- 8.8.1. Any form of falsification, including:
- making up or altering data or results of experiments/questionnaires and other research, data and information gathering activities.
 - falsifying or adding signatures or other forms of approval without due process or permission that would give the student an academic advantage.

8.9. Falsification of Academic References

- 8.9.1. Including in formal assessments, references for books, journals, articles and other sources that do not exist.

8.10. Academic Misconduct in Formal Written Examinations

- 8.10.1. Formal Written Examinations are exams that have been organised by the Exams Office and are also subject to the Regulations for the Conduct of Examinations. Academic misconduct includes copying from another student or possession or use of prohibited items such as study notes, internet enabled devices including phones and smart watches, or any other item that could enable a student to access assistance or gain advantage in an examination.

8.11. Academic Misconduct in Digital Assessment.

- 8.11.1. In line with the [GCU Digital Assessment Policy](#), digital assessments are defined as a range of assessment practices including, but not limited to, online exams (written and oral) and class tests, online distribution of coursework assignments and submission of student work. As with all other assessments, alleged academic misconduct in a digital assessment will be considered with the same degree of seriousness and in the same manner as alleged cheating in a traditional exam, class test or other assessment.

- 8.11.2. Where there are concerns about alleged academic misconduct in a digital assessment, including unauthorised use of the internet, communication with others and using prohibited notes or literature, these should be responded to in the same way as an assessment undertaken in a traditional or non-digital environment. This means that allegations relating to plagiarism, collusion, ghostwriting and inappropriate use of AI should be reported and investigated in the same manner as outlined in the relevant sections of this Code.

8.12. Misconduct in any other form of assessment

- 8.12.1. This includes any form of academic misconduct in Observed Structured Clinical Examination (OSCE), oral or practical assessments, or any other form of assessment where the results form part of formal assessment.

8.13. Use of a Proofreader

- 8.13.1. The purpose of a proofreader is to assist students to improve the clarity, grammar, punctuation, and overall quality of their written work. A proofreader may be a fellow student, friend, family member or a professional proofreader. A proofreader does not add any academic content to an assessment. To avoid concerns of academic misconduct, proofreaders should not have any specialist knowledge of the subject in question.
- 8.13.2. Students are allowed to use proofreaders to identify errors and suggest changes to language, grammar, idiom, and structure. Students are not allowed to use proofreaders to make automatic or direct changes into the text without reviewing the suggestions and making an informed decision to accept or reject changes. Proofreaders should not translate text, add information, sources or critical argument.
- 8.13.3. There are also commercial software options for proofreading and the same principles as outlined above apply to the use of any proofreading software.
- 8.13.4. If a student submits an assessment where it is considered that there has been inappropriate use of a proofreader or proofreading software, this will be investigated as potential academic misconduct.
- 8.13.5. Students are required to retain the original and proofread copies, with comments and suggestions, of all assessments so these to be considered as part of any misconduct investigation.

9. Investigatory Process for Alleged Academic Misconduct

- 9.1. Investigations into all forms of alleged academic misconduct are undertaken by the academic area responsible for the assessment in question, by the Head of Department or their nominee (a senior member of staff with relevant academic expertise). In the case of GCU London programmes, this may be any senior member of staff with relevant academic experience. The Investigator must check with the Department of

Governance and Legal Services to find out if the student has been investigated for any previous relevant misconduct.

- 9.2. The student should be invited by email requiring them to attend an investigatory meeting with the Investigator. Reasonable notice of the meeting, taking account of the allegations being investigated, should be given. The notice to the student in relation to the meeting will:
- indicate that the meeting is in relation to alleged academic misconduct, with some brief detail
 - inform the student of their right to be accompanied by a Student Adviser from GCU Students' Association Advice Centre, a relative, or a friend
 - inform the student that the meeting may proceed in their absence should they fail to attend or engage with the process, and
 - provide signposting to Wellbeing support.
- 9.3. Another member of staff may be present at the meeting for the purposes of record keeping and/or subject knowledge. A record of the meeting must be taken.
- 9.4. Where allegations of ghostwriting, inappropriate use of AI or cheating in formal exams are being investigated, it is appropriate to undertake a structured academic discussion where the student is questioned on their knowledge and understanding of the assessment in question. The student must be informed in advance that this will form part of the meeting.

10. Outcomes following Academic Misconduct Investigation

- 10.1. In all cases, in reaching an outcome, the Investigator will make their decision on academic judgement based on the matters discussed at the meeting, available evidence, the level of study, and the balance of probabilities.
- 10.2. In most cases, there are three possible outcomes:
- 10.2.1. *No case to answer*: No misconduct has been established. The assessment will be marked in line with normal arrangements, with no sanction.
 - 10.2.2. *Poor Academic Practice*: Where there are minor breaches of academic integrity, such as improper referencing or slight, non-extensive plagiarism or inappropriate use of AI caused by inexperience or negligence (see [Section 8.3](#)).
 - 10.2.3. *Confirmed Offence*: All cases of confirmed academic misconduct will result in an academic sanction. The sanction will depend on the nature and seriousness of the offence, and whether it is a first, second or repeat offence and are outlined at [Section 11](#) below.

11. Sanctions for Confirmed Academic Misconduct

11.1. Where there has been more than one instance of confirmed academic misconduct within a short period of time (for example within the same assessment diet) **and** the student has not had feedback **and** the opportunity to improve their academic practice between submitting each assessment or obtain appropriate academic support, these will be considered as concurrent offences. This means that each offence will be considered to be a first offence with an appropriate sanction issued for each assessment.

11.2. Academic Misconduct in Academic Assessments (Not formal examinations)

11.2.1. Breaches considered and resolved via Route 1

11.2.1.1. Normally, a confirmed first or second offence of academic misconduct will be considered and resolved via Route 1.

11.2.1.2. First offence of Academic Misconduct

In the case of a **first offence only**, all of the following applies

- a. The content of the assessment that is not considered to be academic misconduct will be marked in line with the marking rubric and an appropriate mark for the assessment given. Where the academic misconduct is extensive, or it is not possible to distinguish what work is the student's own and what is work produced by academic misconduct, a zero mark may be applied;
- b. The attempt to be counted, meaning students who do not receive a pass mark may be required to resubmit if they have attempts remaining;
- c. A formal warning, with the academic misconduct formally recorded; and
- d. The student is required to undertake an online academic integrity awareness training course within 3 weeks of receiving the outcome of the investigation and engage with any other academic development services as determined by the investigating academic(s).

11.2.1.3. Other non-academic sanctions (see [Section 3.2](#)) may also be applied in conjunction with the academic sanction depending on the circumstances and nature of the offence. For example, theft of another student's work which is then plagiarised, would normally carry an additional penalty for the theft and require a letter of apology to the University.

11.2.2. Breaches considered via Route 2

- 11.2.2.1. Where a student has committed a third or more confirmed offence of academic misconduct, or where the investigator considers that the nature and extent of a first or second academic misconduct offence potentially warrants referral to the Student Conduct Committee for a higher sanction than the sanction available at department level, the Head of Department should contact the Department of Governance and Legal Services for advice (StudentConduct@gcu.ac.uk). The Department of Governance and Legal Services may liaise with the Chair/Vice-Chair of the Student Conduct Committee to establish if a case meets the criteria for referral to Committee.

11.3. Cheating in Formal Written Examinations

- 11.3.1. Where there has been a breach of the Regulations for the Conduct of Examinations the Exams Office will forward the Invigilation Report to the Department of Governance and Legal Services to take forward for investigation in conjunction with the academic department. Where misconduct leading to academic advantage is suspected after an exam or during the marking process, the Department of Governance and Legal Services should be contacted for advice on how to take the case forward.
- 11.3.2. In some instances of Academic Misconduct in Formal Written Examinations, whilst there will have been a minor, technical breach of the regulations, there could have been no academic advantage to the student (e.g. having unauthorised spare paper for notes or calculations). In such cases, no sanction will be applied but the student will receive a letter of guidance regarding their future conduct in examinations from the Department of Governance and Legal Services and may be referred to the academic support teams.
- 11.3.3. Where, following a full investigation, it is considered that there is sufficient evidence to support an allegation of cheating in a formal exam, this will be considered as a Route 2 breach and referred to the Student Conduct Committee for consideration.

11.4. Impact of Sanctions for Academic Misconduct

- 11.4.1. For some students, a sanction for academic misconduct will mean that they have no more attempts remaining at an assessment and are unable to complete the degree they registered for. As such, they will leave with either no award, or an award that is lower than the degree they registered for. This is an unintended consequence of imposing a fair, proportionate and consistent sanction, based on the circumstances of each case. The impact of a sanction is not an acceptable ground for appeal.

11.5. Accepted Extreme & Exceptional Extenuating Circumstances (EEEC) or other Mitigation

11.5.1.1. In normal circumstances where an Extreme and Exceptional Extenuating Circumstances (EEEC) application has been accepted or there are other mitigating circumstances, this will **not** override a finding of academic misconduct.

11.5.2. In very exceptional circumstances, where:

- there are significant mitigating factors that have been clearly evidenced and considered as part of the misconduct investigation
- where the standard sanction would result in the student being out of attempts at an assessment
- and it was the student's first case of confirmed academic misconduct

an extraordinary, additional attempt may be granted following discussion with the Department of Governance and Legal Services to ensure consistency of approach. Authorisation will be sought from the relevant School's Associate Dean Learning, Teaching and Quality in order to align this with the Extreme and Exceptional Extenuating Circumstances process.

11.6. Cases of Academic Misconduct Identified only after an Assessment Board has met.

11.6.1. Where alleged academic misconduct comes to light after an Assessment Board has met to consider a student's assessment, but before the student has completed their studies, the allegation will be dealt with in accordance with the procedure set out in this Part of the Code. Where an allegation is upheld in whole or in part, the sanctions relating to academic misconduct will be notified to the Programme Leader, Head of Department and Chair of the Assessment Board. Chair's action will be taken to amend the student's academic profile in respect of the affected assessment(s). If the outcome affects the student's overall final pass or progression result, the Chair of the Assessment Board will inform the Department of Governance and Legal Services in writing. The Chair of the Assessment Board will also inform the student, in writing, of the altered overall final pass or progression result.

11.6.2. Where alleged academic misconduct comes to light after a student has graduated see [Section 6](#).

12. Right of Appeal

12.1. An appeal against a disciplinary outcome may be made on one or more of the following grounds:

- evidence becomes available which was not available, or could not reasonably have been made available, at the time of the original decision
- the decision was wholly unreasonable in light of the evidence available at the time the case was heard
- there was a procedural irregularity which was prejudicial to the student.

12.2. Appeals against Route 1 Confirmed Academic Breaches of the Code of Student Conduct

- 12.2.1. A request for an appeal must be lodged with the Department of Governance & Legal Services (StudentConduct@gcu.ac.uk) within 10 working days of the issue of the formal written decision. Where there is good and evidenced reason for a student being unable to submit an appeal within this timescale, consideration may be given to a late appeal. An appeal must clearly state in full, the grounds on which the appeal is being made. Where no valid grounds for appeal can be established, the appeal will be rejected.
- 12.2.2. Where valid grounds for appeal have been confirmed, the Department of Governance and Legal Services, in consultation with the Dean of the student's school, will nominate another Head of Department who has had no previous involvement in the case, to consider the appeal. In the case of students on GCU London programmes, the Director of GCU London will either undertake the appeal themselves or appoint another senior academic member of GCU London staff.
- 12.2.3. Under normal circumstances, an appeal outcome will be determined within 20 working days of receipt of the appeal. The person considering the appeal will take into account the grounds for appeal, any written submissions made by the student, the evidence available from the Route 1 investigation and may also meet with the student and the Route 1 Investigator if appropriate. If required, they may also conduct further investigations in order to obtain additional relevant information.
- 12.2.4. The person considering the appeal may uphold, amend or overturn the original decision, or refer the matter to the Student Conduct Committee for consideration. Where any part of the allegation of a Route 1 breach is upheld on appeal, the decision may also be taken to impose a different sanction. The person considering the appeal will inform the Department of Governance and Legal Services of the outcome, who will then notify the student in writing of the decision normally no later than 20 working days after the date of receipt of the appeal.
- 12.2.5. The appeal decision is final and there is no further appeal route.

12.3. Appeals against Route 2 (Student Conduct Committee) Confirmed Academic Breaches of the Code of Student Conduct

- 12.3.1. This is outlined in Annex A - Student Conduct Committee.

Part Three

Responding to Allegations of Non-Academic Misconduct

13. Non-Academic Misconduct

13.1. The following is a non-exhaustive list of behaviour that may be considered to be non-academic misconduct:

- a. conduct giving rise to a criminal investigation, charges or conviction (see the Criminal Charges and Conviction Policy)
- b. violent, indecent, disorderly, threatening, bullying, offensive or anti-social behaviour
- c. harassment, discrimination or incitement to harass or discriminate on the grounds of race, sex, sexual orientation, gender reassignment, nationality, ethnic origin, religious, political or philosophical belief or lack of such belief, disability, age, marital status, or any other grounds
- d. any form of non-consensual physical contact
- e. conduct which falls under the definition of gender-based violence, as outlined in the University's Preventing and Responding to Gender Based Violence Policy
- f. the publication of violent, indecent, disorderly, threatening, discriminatory or offensive material, in any format including social media and any form of electronic messaging
- g. dishonesty in any dealings and correspondence with the University
- h. theft, fraud or unauthorised possession of funds or property
- i. misuse, or unauthorised use, of University computing equipment or the University computing network including breaches of the University's IT Policies
- j. the possession, supply, use or sale of controlled or illegal substances or products
- k. contravention of the Copyright Licensing Agency Photocopying and Scanning HE Licence
- l. breach of University Intellectual Property rights including, but not restricted to, posting on essay and course note sharing platforms/sites
- m. failure to return any equipment or property loaned from the University
- n. failure to engage with the conduct process or to comply with any sanction(s) imposed
- o. failure to comply with the University's policies and procedures or working practices
- p. failure to comply with legislative requirements, e.g. health and safety legislation, fire safety procedures
- q. anti-social activities e.g. dropping litter, noise, disruptive behaviour
- r. damage to University property, the property of other members of the University community or the property of visitors to the University, and
- s. any other conduct or activity, of any nature, which may bring the University into disrepute.

13.2. Reporting Breaches

- 13.2.1. Anyone from within or outside the University can report allegations of non-academic misconduct. The report should be made in the first instance to the student's Head of Department (or equivalent). If this is not known, then the report can be made to the Department of Governance and Legal Services via the student conduct mailbox StudentConduct@gcu.ac.uk.
- 13.2.2. The Head of Department will contact the Department of Governance and Legal Services (StudentConduct@gcu.ac.uk) to ascertain if the student has a record of any prior formal misconduct and advise the Department of Governance and Legal Services of any informal warning that may have been issued.

13.3. Gender Based Violence, Racism, Bullying, Discrimination and Harassment

- 13.3.1. All members of the University community have the right to study and work without experiencing any form of gender-based violence (GBV), abuse, racism, bullying, discrimination, harassment or any other form of inappropriate behaviour. The University will not tolerate any inappropriate conduct of any kind in any form, and all allegations of inappropriate conduct will be investigated and responded to in line with this Code. All reports of student misconduct received via the Complaints Handling Procedure will be taken forward in line with this Code.
- 13.3.2. Reports of gender-based violence, racism, bullying, discrimination and harassment can also be made via Report and Support.
- 13.3.3. In cases of student-on-student misconduct, appropriate support will be offered to both parties. Consideration will also be given to what protective or mitigation action, including Protective Suspension, may be required whilst the investigation is underway.

13.4. Case Conference

- 13.4.1. Cases involving a criminal investigation, charge or conviction, or allegations of GBV, racism, bullying and harassment or any other form of inappropriate behaviour may require a case conference to consider the best way to respond to the allegations.
- 13.4.2. Participation in the case conference will be determined by the nature of the case being considered but will typically include representatives from:
 - Department of Governance and Legal Services
 - Student Life
 - Campus Security
 - Relevant academic department, and
 - Other appropriate staff as required.
- 13.4.3. The following factors will be taken into account when considering whether to take the matter forward for action under this Code:

- the individual circumstances of the case
- the University's duty of care to staff, students, and visitors
- the implications and the risk associated with the student remaining an active member of the student body
- any reputational risk
- any requirements of the relevant professional body and/or regulatory body (for programmes requiring enhanced disclosure only), and
- whether the matter is best considered via the [Fitness to Study Policy](#) or the [Fitness to Practise Policy](#).

13.5. Informal Resolution

- 13.5.1. There will be circumstances where an allegation of non-academic misconduct is deemed to be low level. In such circumstances, the University may choose to deal with the matter by way of an informal discussion and resolution with the student. This may involve the student concerned being requested to adhere to some behavioural requirements.
- 13.5.2. Informal resolution may also be the preferred approach of the reporting individual in cases of misconduct that could be taken forward formally via Route 1. Informal resolution does not seek to minimise the nature of the inappropriate behaviour or the impact on the reporting individual, but allows the matter to be taken forward and resolved promptly.
- 13.5.3. This discussion will usually be done by the Head of Department, or equivalent in GCU London. The Head of Department may consult the Department of Governance and Legal Services for advice. In such circumstances, no formal record of the matter will be forwarded to the Department of Governance and Legal Services, however a record of this discussion will be kept by the Head of Department.
- 13.5.4. Should there be any repeat of behaviours responded to informally, this will normally be considered via Route 1 or 2 depending on the circumstances of the case.

13.6. Formal alleged breaches

- 13.6.1. Where an alleged breach is reported to the Head of Department, they will, in consultation with the Department of Governance and Legal Services, consider whether the matter is most appropriately to be considered via Route 1 or Route 2. In either case the procedure as set out in [Section 14](#) below will be initiated.
- 13.6.2. Breaches that are considered to have been committed inadvertently through lack of knowledge or experience and have no detrimental impact on the University or any other person or organisation, will normally be considered informally or via Route 1. Incidents where there is the potential for significant

reputational or other risk to the University or any other person or organisation, will normally be taken forward via Route 2.

14. Investigatory Process for Alleged Non-Academic Breaches of the Code

- 14.1. Where a report of alleged student misconduct is received, it is important that the facts of the case are established. In cases of alleged non-academic misconduct, the Investigator will be a senior member of staff with the experience and knowledge of how to investigate the case, normally the student's Head of Department (or GCU London equivalent) or their nominee, a member of staff from Governance and Legal Services, a senior member of staff from elsewhere in the University, or an external investigator appointed specifically for this purpose. Where necessary, the Department of Governance and Legal Services will appoint an appropriate investigator. The investigator must check with the Department of Governance and Legal Services to find out if the student has been investigated for any previous misconduct.
- 14.2. The student should be invited by email requiring them to attend an investigatory meeting with the Investigator. Reasonable notice, as determined by the Investigator, of the meeting, taking account of the allegations being investigated, will be given. The notice to the student in relation to the meeting will:
- indicate that the meeting is in relation to alleged misconduct, with some brief detail
 - inform the student of their right to be accompanied by a Student Adviser from GCU Students' Association Advice Centre, a relative or a friend
 - inform the student that the meeting may proceed in their absence should they fail to attend or engage with the process, and
 - provide signposting to Wellbeing support or other appropriate external support.
- 14.3. Another member of staff may be present at the meeting for the purposes of record keeping. A subject expert and/or a member of staff from the Department of Governance and Legal Services may also participate if appropriate. A record of the meeting must be taken.
- 14.4. At the meeting, the allegations will be discussed. The student should be given the opportunity to respond to the allegations and present any evidence or mitigation or be given the opportunity to present this by a specified future date. The student may also provide the name of any potential witnesses who they consider able to support their position, for the University to contact. The Investigator has no authority to compel witnesses to provide evidence in an investigation. The Investigator will be entitled to gather their own evidence and witnesses, and refer to evidence that may have been obtained as part of an investigation into a separate but related matter.
- 14.5. In complex or serious cases, more than one investigatory meeting with the student, any witnesses or other relevant parties may be needed. There may also be the need

to obtain additional evidence. Whilst there is no set timescale for undertaking investigations of this nature, progress will be made as quickly as is reasonably possible keeping in mind the wellbeing of all involved in the investigation.

15. Investigation Outcome

15.1. No Case to Answer

- 15.1.1. If the Investigator is satisfied that there is no case for the student to answer, they will, where possible, inform the student verbally at the meeting and in all cases, in writing, normally within 5 working days of the meeting. The Department of Governance and Legal Services will also be notified.

15.2. Breach Confirmed - Route 1: Local Resolution

- 15.2.1. If the Investigator is satisfied on a balance of probabilities that a breach of the Code has occurred that can be appropriately responded to via Route 1, they will:
- decide on the appropriate sanction as outlined in Part One of this Code to be imposed, taking account of the Guiding Principles also outlined at Part One. Sanctions must be reasonable and proportionate in light of the offence under consideration and taking account of any mitigating factors
 - notify the student in writing of the decision and of their right of appeal
 - complete the Route 1 breach form to notify key staff of the outcome
 - consider, in line with data protection regulations, if anyone else, e.g. the complainant or professional body, should be informed of the outcome of the investigation
 - For programmes within the scope of the Fitness to Practice Policy, consider whether any action is required under this policy.

- 15.2.2. The Department of Governance and Legal Services, will record the decision on a central Student Conduct Register

15.2.3. Sanctions for Route 1 Non-Academic Breaches of the Code of Student Conduct

- 15.2.3.1. These are outlined in Part One of the Code (see [Section 3.2](#)).

15.3. Breach Confirmed – Route 2: Referral to Student Conduct Committee

- 15.3.1. If, following the investigation, the Investigator considers that the matter cannot appropriately be resolved via Route 1 they must consult with the Department of Governance and Legal Services and determine if a referral to the Student Conduct Committee should be made. If a referral is agreed, the Investigator should:

- notify the student in writing of the referral advising them that the Department of Governance and Legal Services will contact them in due course to advise of the next steps in the process, and
- complete a Route 2 Breach Referral Form and submit to the Department of Governance and Legal Services (StudentConduct@gcu.ac.uk) along with all relevant evidence.

15.3.2. See Annex A for information on the Student Conduct Committee.

16. Right of Appeal

16.1. An appeal may be made on the following grounds:

- evidence becomes available which was not available, or could not reasonably have been made available, at the time of the original decision
- the decision was wholly unreasonable in light of the evidence available at the time the case was heard, or
- there was a procedural irregularity which was prejudicial to the student.

16.2. Appeals against Route 1 Confirmed Non-Academic Breaches of the Code of Student Conduct

- 16.2.1. A request for an appeal must be lodged with the Department of Governance and Legal Services (StudentConduct@gcu.ac.uk) within 10 working days of the issue of the formal written investigation outcome. The appeal must clearly state in full, the grounds on which the appeal is being made and include all relevant documentation. Where no valid grounds for appeal can be established, the appeal will be rejected. Where valid grounds for appeal have been confirmed, the Department of Governance and Legal Services, in consultation with the Dean of the student's school, will nominate another Head of Department, who has had no previous involvement in the case, to consider the appeal. In the case of students undertaking programmes within GCU London's academic portfolio, the Director of GCU London will appoint another senior member of academic staff to undertake the appeal, or undertake the appeal themselves.
- 16.2.2. Under normal circumstances, an appeal outcome will be determined within 20 working days. The member of staff considering the appeal will take into account the grounds for appeal, any written submissions made by the student, the evidence available from the Route 1 investigation, any additional evidence that the student may have provided and may also meet with the student and the Route 1 Investigator if appropriate. If required, they may also conduct further investigations in order to obtain additional relevant information.
- 16.2.3. The person considering the appeal may uphold, amend or overturn the original decision, or refer the matter to the Student Conduct Committee for consideration. Where any part of the allegation of a Route 1 breach is upheld

on appeal, the decision may also be taken to impose a different sanction. The person considering the appeal will inform the Department of Governance and Legal Services of the outcome, who will then notify the student in writing of the decision.

- 16.2.4. The appeal decision is final and there is no further internal appeal route. A student may then if they wish, seek external independent review by the Scottish Public Services Ombudsman (SPSO) (see [Section 34](#)).

16.3. Appeals against Route 2 (Student Conduct Committee) Confirmed Non-Academic Breaches of the Code of Student Conduct

- 16.3.1. This is outlined in Annex A - Student Conduct Committee (see [Section 27](#)).

Annex A

Student Conduct Committee

17. Remit

- 17.1. Following investigation in line with Parts Two or Three of this Code, the Student Conduct Committee (SCC) is responsible for considering and disposing of any allegations made against a student, responded to via Route 2 of the Code of Student Conduct.

18. Composition

- 18.1. Members of the SCC will be drawn from a pool of suitably trained and experienced academic members of University staff and students appointed by the Students' Association. No member of the SCC will have had any direct involvement in the student's investigation at an earlier stage.
- 18.2. The SCC will additionally have a Chair and Vice-Chairs, appointed by selective interview, whose role is to Chair the proceedings of the SCC.
- 18.3. University staff with expert knowledge relevant to the case under consideration may be invited to attend a meeting of the SCC in an advisory capacity.

19. Terms of Office

- 19.1. All academic staff members of SCC shall be appointed for a period of three years in the first instance, extendable for further periods of three years each, by mutual agreement. Where a Chair or Vice-Chair has had their period of office extended, the extension will be reported to Senate for information.
- 19.2. All student Full Time Officers are members of SCC. Additional student members are appointed on an annual basis by Student Voice, and serve a one-year term of office, which is extendable if the student is reappointed by the Students' Association.
- 19.3. Training will be provided for all members of the SCC.

20. Quorum

- 20.1. A quorum is four members, of whom at least two must be members of academic staff (one of whom must be the Chair, the Vice-Chair or the Chair's nominee) with at least one student representative.

21. Student Conduct Committee Secretariat

- 21.1. The Department of Governance and Legal Services will be responsible for the administration of all cases presented to SCC. A member of staff from the Department of Governance and Legal Services will act as Clerk. The Clerk will be responsible for issuing the student and the SCC members with relevant documentation normally at least 5 working days ahead of the committee meeting. In the event that additional documentation or evidence is produced after this time, the SCC may either allow the case to proceed, or to be delayed in order to give the student further time to consider the papers.

22. Student Conduct Committee Meeting

- 22.1. The Department of Governance and Legal Services will arrange a meeting of the SCC as soon as is reasonably practicable. Timescales may vary and may have to accommodate the availability of key participants or to ensure a quorum of the SCC. The Clerk to the SCC will keep the student informed of the timescales.
- 22.2. The processes and normal timescales for the proceedings of the SCC are as follows, however, these may be subject to change depending on the circumstances of each individual case:
- a. The Clerk to the SCC will notify the student and the members of the SCC of the date and time of the meeting and issue notice of the allegations and related documentation at least 5 working days prior to the meeting.
 - b. The notice to the student in relation to the SCC hearing will:
 - i. include a description of the alleged misconduct in the formal allegation(s)
 - ii. inform the student of requirement to attend the meeting
 - iii. inform the student of their right to call witnesses and present evidence
 - iv. inform the student of their right to be accompanied by a Student Adviser from GCU Students' Association Advice Centre, a relative, a fellow student, or a member of the university staff in accordance with [Section 2.12](#) above
 - v. inform the student of their right to submit a written statement in response to the allegation(s)
 - vi. inform the student that the meeting may proceed in their absence
 - vii. include copies of any documentation to be considered by the SCC, including all referral documentation and accompanying evidence, any witness statements, and the names of any witness(es) that have been invited to attend the meeting
 - viii. include details of where help and advice may be sought including GCU Student Wellbeing support
 - ix. include a link to the Code.
 - c. It is the responsibility of the student to provide the Clerk to the SCC with the following information (as applicable) at least 2 working days prior to the hearing:

- i. the name of an accompanying person and their relationship to the student
 - ii. any documentation they wish to be considered in evidence including a written statement in response to the allegations
 - iii. the name and if required by the Clerk or the SCC, the relevance of any witnesses they wish to call. SCC will have discretion whether or not to proceed and/or to accept late notification where there has been either a failure to notify or late notification of the details of an accompanying person, documentation or witnesses.
- d. The Clerk to the SCC will distribute any additional evidence provided by the student to the SCC.

23. Student Attendance at the Student Conduct Committee

- 23.1. Students are expected to attend the SCC. If the student cannot attend the meeting, they must inform the Clerk to the SCC in writing via StudentConduct@gcu.ac.uk as soon as possible. If a student is unable to attend the meeting and has provided good reason for non-attendance, a delay may be granted, and a further date may be arranged. All relevant parties will be notified in writing of the rescheduled date. The SCC retains the discretion to proceed in the student's absence.
- 23.2. If the student fails to attend the meeting and has not sought postponement, or the request for postponement has been refused, the SCC may proceed with the meeting in the student's absence and reach a decision.
- 23.3. Meetings of the SCC will normally be conducted in person at the Glasgow Campus. Where it is not reasonably practicable for students studying by distance learning or at locations other than the Glasgow campus to travel to SCC meetings, or in other exceptional circumstances, these may be conducted virtually. For students based in GCU London it is expected that the student will be on the London campus to participate in an online meeting of the SCC. This is to ensure that appropriate support is available to the student throughout and immediately after the meeting if needed.

24. Conduct of the Meeting

- 24.1. The Chair of the SCC hearing will:
 - invite all present to introduce themselves to the student
 - outline the purpose of the meeting
 - confirm who is accompanying the student, if applicable
 - where appropriate the Chair will confirm, for the record, that a student has chosen not to be represented
 - read out the allegation(s) against the student and invite the student to state whether they understand the allegation(s) and whether or not they admit or deny any or all of the allegation(s)
 - where appropriate, confirm the names of the witnesses (if any) who will be called
 - invite the student to speak to their written statement.

- 24.2. If the student admits all of the allegation(s) the SCC will proceed to determine the sanction to be imposed having considered the evidence and any representations, including any mitigating factors, from or on behalf of the student.
- 24.3. Where facts remain in dispute, the SCC will consider all documentary evidence and may put questions to the student.
- 24.4. If the student is accompanied to the meeting, the accompanying person must not answer any questions on behalf of the student.
- 24.5. Through the Chair, the student or the person accompanying the student may comment on the documentary evidence and any witness statements.
- 24.6. The Chair may invite the student to make a closing statement and/or raise any points of clarification.
- 24.7. The student and anyone accompanying the student will be asked to withdraw to allow the SCC to consider its decision in private.
- 24.8. Where there is no consensus amongst SCC members on the outcome of the case, the SCC will reach its decision by a majority vote, the Chair having a casting vote in the event of an equal division of votes.
- 24.9. The SCC may at any time require additional evidence or information from other parties. Should this be the case, all parties will be informed about the nature of the enquiry.
- 24.10. The SCC may adjourn the meeting and delay making a decision where it has decided that further investigation into the allegation(s) is required or pending the completion of criminal proceedings.

25. Notification of Outcome

- 25.1. Where possible, the student will be invited to rejoin the meeting and informed of the SCC's decision at the conclusion of the SCC's deliberations. In certain circumstances, this might not be possible. In all cases, formal written notification, including the right to appeal to the Student Conduct Appeal Panel, will be sent by the Clerk to SCC to the student, normally no later than 5 working days after the date of the decision. The student will also be advised of their right to appeal and the timescales within which an appeal can be lodged with the University Secretary.

26. Sanctions Available to the Student Conduct Committee

- 26.1. Taking account of the Guiding Principles for sanctions outlined in Part One, the full list of Sanctions available to the SCC is outlined at [Section 3](#), in Part One.

27. Appeals against Route 2 (Student Conduct Committee) Confirmed Breaches of the Code of Student Conduct

27.1. An appeal against a disciplinary outcome may be made on the following grounds:

- evidence becomes available which was not available, or could not reasonably have been made available, at the time of the original decision
- the decision was wholly unreasonable in light of the evidence available at the time the case was heard, or
- there was a procedural irregularity which was prejudicial to the student.

27.2. A request for an appeal must be lodged with the University Secretary (universitysecretary@gcu.ac.uk) within 10 working days of the issue of the SCC's written decision. This appeal must clearly state in full, the grounds on which the appeal is being made.

27.3. The appeal must contain any written documentation, witness statements or written submissions or any other evidence that the students intend to use at the appeal hearing at the same time as the appeal is lodged.

27.4. The University Secretary, in consultation with the Chair of Court will determine if there are valid grounds for appeal. If it is decided that there are no grounds for appeal, the University Secretary will notify the student of this in writing, where possible, within 20 working days from the receipt of the appeal, and confirm that the original outcome remains unchanged. Where appropriate, the University Secretary may decide to remit the matter back to the SCC for consideration. This may be deemed appropriate where new evidence has become available that could not have reasonably been made available to the original Student Conduct Committee. Depending on the nature of the new information, the SCC may reconsider the matter electronically or a meeting of the SCC may be convened, and the student invited to attend. The Clerk to the SCC will write to the student advising of the outcome of the SCC's consideration in line with the process outlined in Annex A.

27.5. Where an appeal is allowed to proceed, the Department of Governance and Legal Services will convene a Student Conduct Appeal Panel as soon as is reasonably practicable. See Annex B for more information on the Appeal Committee of the University Court (see [Section 28](#)).

Annex B

Appeal Committee of the University Court

28. Purpose

28.1. An Appeal Committee of the University Court (ACUC) will be convened to consider appeals against the outcome of a Student Conduct Committee (SCC) meeting, where it has been determined by the University Secretary and Chair of Court that the grounds for an appeal have been met.

29. Composition

- The Chair of Court or nominee
- One lay Court member
- One member of Senate who must not be the Principal or a member of the SCC
- The President of the Students' Association or their nominee, who did not participate in the relevant meeting of the SCC
- A Dean (or other senior academic member of staff) from another School.

29.1. The Chair of Court or nominee will Chair the ACUC.

29.2. The University Secretary will act as adviser to the ACUC. A member of the Department of Governance and Legal Services will act as Clerk to ACUC.

30. Remit

30.1. The ACUC is responsible for considering appeals against decisions taken by the SCC in relation to Route 2 breaches of the Code of Student Conduct.

31. Procedures

31.1. Under normal circumstances, at least 10 working days prior to the meeting, the ACUC Clerk will notify the student of the date and time of the meeting. The notice will:

- inform the student of the requirement to attend the meeting
- inform the student of their right to be accompanied by a Student Adviser from the Students' Association Advice Centre, relative, a fellow student, or a member of the University staff in accordance with [Section 2.12](#)
- inform the student that the meeting may proceed in their absence
- include details of where help and advice may be sought
- include a link to the relevant sections of the Code of Student Conduct.

- 31.2. At least 5 working days prior to the ACUC meeting the student must (if applicable) inform the ACUC Clerk of the name of any accompanying person and their relationship to them.
- 31.3. At least 5 working days prior to the hearing the ACUC Clerk will distribute the documentation to the members of the ACUC and to the student. This will include the allegations, deliberations and decision of the SCC as well as the appeal documentation submitted by the student.
- 31.4. The Chair of ACUC may request that the Chair of the SCC that considered the case, or their nominee if they are not available, attend the ACUC meeting to provide further detail or explanation.

32. Conduct of Hearing

- 32.1. ACUC meetings will normally be held in person on the Glasgow Campus. Where it is not reasonably practicable for students studying by distance learning or at locations other than the Glasgow campus to travel to ACUC meetings, or in other exceptional circumstances, these may be conducted virtually. For students based in GCU London it is expected that the student will be on the London campus to participate in an online meeting of the ACUC. This is to ensure that appropriate support is available to the student throughout if needed.
- The Chair will introduce all present.
 - The Chair will outline the grounds of appeal lodged by the student.
 - The student will be invited to amplify/clarify the documentation in support of their appeal.
 - The ACUC may question the student, the Chair of the SCC and any relevant witnesses.
 - The ACUC will deliberate in private and reach a decision.
 - The ACUC may decide to uphold, amend or overturn all or part of the SCC's decision. Where it decides to amend it, the ACUC may impose any sanctions available to the SCC.

33. Notification of Outcome

- The University Secretary will normally inform the student in writing of the ACUC decision, no later than 10 working days after the date of the hearing.
- The decision of the ACUC will be final and there is no further internal appeal route.
- Students will be informed in writing of their right to take their case for external review by the Scottish Public Services Ombudsman (SPSO) if they are dissatisfied with how their appeal has been handled.

34. External Independent Review

- 34.1. Students who are dissatisfied with the way in which their appeal has been handled by the University have the right to take their case to the Scottish Public Services Ombudsman (SPSO). The [SPSO](#) will consider the case and make a decision on whether or not it will take any further action.
- 34.2. The SPSO can only consider complaints when they have been through all stages of the University's internal procedures. The SPSO will not normally look at cases:
- where a student has not proceeded all the way through the University's internal procedures
 - where more than 12 months have passed since the matter that the student wants to complain about, or
 - that have been or are being considered in court.