



Code of Student Conduct
Academic Session 2018-19

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GLASGOW CALEDONIAN UNIVERSITY CODE OF STUDENT CONDUCT

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PREFACE

UNIVERSITY MISSION AND VALUES

The University's mission is to be recognised as a University for the Common Good that transforms lives, enriches cities and communities, innovates for social and economic impact and engages globally.

The University's core values of integrity, creativity, responsibility and confidence underpin what we do and how we do it.

Students, as members of the University, play an important role in helping the University achieve its mission locally, nationally and internationally.

CODE OF STUDENT CONDUCT

Glasgow Caledonian University (the University) is committed to providing a high quality teaching and learning 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.

Students are expected to 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 to ensure that they have read and are familiar with the Code of Student Conduct (the Code).

The Code is designed to encourage all students to meet the standards of behaviour required by the University. 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. 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. International students should contact the University's Visa Immigration Support and Advice as early as possible in the process to discuss the specifics of their case.

1. INTRODUCTION

- 1.1 The Code sets out how the University will proceed in cases where students may not comply with the standards of behaviour required of them. Examples of conduct which may constitute minor or major breaches of the Code are set out at Appendix 1. This list is illustrative and not exhaustive.
- 1.2 Students on certain professionally registered programmes are 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, 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 which may have a bearing on a student's fitness to practise or which raise questions about their suitability to be placed on a professional register after qualification.
- 1.3 All students are subject to the jurisdiction of the Principal in respect of their conduct. The Principal, through the Deputy Vice-Chancellor Academic, or equivalent Executive role, has overall responsibility for the application of the Code. In the absence of the Pro Vice-Chancellor, another member of the Executive may undertake some of the responsibilities of this role in cases where urgent action is required.
- 1.4 The Code will be reviewed annually as part of the University's annual review of policy compliance. However, the University reserves the right to review and amend the Code before that time in the light of changing circumstances and/or in response to legislative or regulatory requirements.

2. SCOPE

- 2.1 The Code applies to all registered students of the University.
- 2.2 The Code applies to any alleged misconduct committed:
 - 2.2.1 on University Property which includes any property and/or premises owned or controlled by the University whether in the United Kingdom or abroad or to which access has been gained through membership of the University, including but not restricted to the Students' Association Building, University sports facilities and halls of residence;
 - 2.2.2 at any other institution whether in the United Kingdom or abroad which a student attends as part of a university course, on external secondments, placements, field trips, residential trips or as part of any reciprocal agreement with another institution. Where the Memorandum of Understanding between GCU and the other institution details that a GCU student participating in any activity such as the above will be subject to those procedures, allegations of misconduct relating to GCU students will be dealt with under the host

institution's code and reported to GCU. This does not necessarily preclude action being taken additionally under this Code; or

- 2.2.3 at any other location whether in the United Kingdom or abroad where the University is of the view that the alleged offence has, or may, impact on the university community or the student's suitability to remain registered as a student, including circumstances where misconduct may also constitute a criminal offence.

3. PRINCIPLES

- 3.1 The Code will be applied in a manner which deals with cases fairly. This means that disciplinary cases should take account of the following principles:
- 3.1.1 action is proportionate to the circumstances of each case of alleged misconduct;
 - 3.1.2 there is scope for instances of minor misbehaviour to be dealt with as closely as possible to their point of origin;
 - 3.1.3 each allegation is examined to establish whether or not there is a case to answer before any disciplinary action is taken and, in more complex cases or circumstances of alleged major breaches this may involve commissioning an investigation regardless of the location of the misconduct;
 - 3.1.4 at the point at which the student is advised of alleged misconduct, he/she should be made fully aware of the nature of any allegations made against him/her and should be given an opportunity to reply to any allegations;
 - 3.1.5 the student has the opportunity to participate in proceedings;
 - 3.1.6 all proceedings will be deemed to be conducted from GCU Glasgow and under Scots Law. Where it is not reasonably practicable for students studying by distance learning or at locations other than GCU Glasgow campus to travel to disciplinary meetings or hearings these may be conducted by conference call/Skype or may proceed in the student's absence ;
 - 3.1.7 there is due respect for the confidentiality of proceedings. All staff and students must treat any information communicated to them in connection with a disciplinary matter as confidential;
 - 3.1.8 allegations of misconduct submitted anonymously will be considered if there is sufficient information to investigate, although the investigation may be limited by lack of detailed information. If, however, an anonymous allegation does not provide enough information to enable further action to be taken, the Head of the Department to which the student belongs, in consultation with the

Dean, may decide not to pursue it except where there are issues of concern for the health and safety of students, staff or the general public;

3.1.9 where an allegation of misconduct is considered to be malicious or vexatious, the Dean may decide not to pursue it.

3.2 Standard of Proof

The standard of proof is the 'civil standard' of proof (non-criminal). The objective is to demonstrate the true facts of the case on the balance of probabilities, in other words, what is more likely than not to be the truth of the matter.

3.3 Notification of Allegations to Students

All students are responsible for ensuring that the University has their most current address. All written communications with the student shall be sent to the last address notified by the student to the University and shall be delivered by recorded delivery. Communications will also be sent by email to the student's university email address.

3.4 Attendance at Investigatory and Disciplinary Meetings and Hearings

If a student fails to attend an investigatory or disciplinary meeting or appear before the Senate Disciplinary Committee without good reason or otherwise fails to engage with the disciplinary process, proceedings may go ahead in the student's absence and a decision may be reached and a sanction imposed in the student's absence. There may be occasions when, even if the student does have good reason for non-attendance, their case may be dealt with in the student's absence. The same principle applies also to appeal hearings at all levels, including hearings of the Appeal Committee of the University Court.

3.5 Right to be accompanied at Disciplinary Meetings and Hearings

All students have the right to be accompanied by a Student Adviser from GCU Students' Association, a relative, fellow student, or a member of University staff. Normally, a student may be accompanied by one person. Only the Senate Disciplinary Committee or the Court Appeal Committee at that level of appeal will have discretion to allow a second person to accompany the student for moral support. Only one person is permitted to speak on behalf of the student. The person accompanying the student will be able to make submissions and ask questions on behalf of the student but is not allowed to answer questions on behalf of the student. In circumstances of a relevant disability, reasonable adjustments will be made. As the Code sets out internal disciplinary processes students should be aware that legal representation would not normally be appropriate.

Any individual accompanying a student to a hearing who may incidentally be legally qualified may not act as a legal representative, nor may anyone directly involved in the incident act as the student's representative.

3.6 Illness

- 3.6.1 If a student appears to be suffering from physical or mental illness at any stage during the disciplinary proceedings, the proceedings may be adjourned and the University may request that the student obtains a medical report.
- 3.6.2 If there is medical evidence that the student is suffering from physical or mental illness, disciplinary 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.

3.7 Normal Target Timescales

The University will, wherever possible, complete each stage of the disciplinary procedures within the timescales set out in the Code (see Appendices 2 and 3). Throughout this document, the times indicate the expected timescale in working days and exclude weekends and holidays when the University is closed. However, timescales may need to be extended, for example, due to limited witness availability or the need to ensure the quorum required by the Senate Disciplinary Committee. The student will be kept informed of any changes to the timescales by the officer handling the investigation or disciplinary hearing.

3.8 University Officers

References within the Code to the Principal, the Deputy Vice-Chancellor, the Deputy Vice-Chancellor Academic or equivalent role, the University Secretary, the Vice Principals & Pro Vice-Chancellors, Deans, Plagiarism Assessors and Heads of Department shall include any nominated member of staff to whom those officers may delegate responsibility for implementing the Code.

4. DEFINITION OF MISCONDUCT

- 4.1 Misconduct means any behaviour which falls short of the standard expected of a student of the University. Examples of minor and major misconduct which may lead to disciplinary action are set out in Appendix 1. The list is not exhaustive.
- 4.2 The University recognises that there is a distinction between minor and major breaches of the Code. Factors which the University will take into consideration when deciding whether an allegation of misconduct should be treated as a minor or major breach include the following. This list is not exhaustive.

- i. the extent and impact of the misconduct;
- ii. whether the misconduct is sustained and/or repeated;
- iii. any evidence that the offence has occurred because of poor academic practice rather than a deliberate attempt to gain unfair advantage;
- iv. the student's previous history or record;
- v. the student's level of study and the length of exposure to University procedures, practices and regulations;
- vi. in the case of plagiarism the degree of plagiarism and whether it is a first or repeat offence.

5. OVERVIEW OF DISCIPLINARY PROCEDURES

5.1 Breaches of the Code are normally classified into one of the following four categories.

- i. Minor admitted breach
- ii. Minor disputed breach which requires clarification through formal interview with the student and any other relevant parties where evidence is unclear and/or the matter is in dispute
- iii. Major breach
- iv. Plagiarism

5.2 An overview of the procedure to be followed for each category is set out in the flowcharts in Appendix 2. The flowcharts are for guidance only. Reference should be made to section 9 of the Code for the detailed procedure to be followed.

6. ADVICE AND GUIDANCE FOR STUDENTS SUBJECT TO DISCIPLINARY ACTION

6.1 Students who are subject to disciplinary action for alleged misconduct are strongly advised to seek advice and assistance from a Student Adviser within the Students' Association Advice Centre. The Students' Association is a body independent from the University.

6.2 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 visa. International students should contact the University's Visa Immigration Support and Advice as early as possible in the process to discuss the specifics of their case.

- 6.3 If a student believes that the alleged misconduct is as a consequence of a physical or psychological problem, support and advice may be sought from the University's Student Support Services.
- 6.4 The Department of Governance will provide any necessary further explanation of the procedures set out in the Code and their implications.

7. MISCONDUCT THAT MAY ALSO CONSTITUTE A CRIMINAL OFFENCE

- 7.1 Allegations of misconduct which may constitute a criminal offence may be reported to the police by GCU. This will be determined by the University Secretary. However, cases of financial irregularities should be dealt with in the first instance in accordance of section 24.2 of the University's Financial Regulations (see Appendix 8). A report may subsequently be made to the police.
- 7.2 Allegations of misconduct which may constitute a criminal offence will normally precipitate the use of the Code. The University may take action irrespective of whether the matter is pursued by the Police and irrespective of whether criminal proceedings are initiated. The University may adjourn any internal disciplinary action in respect of alleged criminal misconduct to await the outcome of any criminal proceedings.

8. SUSPENSION

- 8.1 If there is prima facie evidence that a major breach of the Code may have occurred such that the outcome could be expulsion, an immediate suspension may be imposed until the disciplinary proceedings are completed or the suspension is lifted or modified by the Senate Disciplinary Committee. The Principal or her/his nominee may suspend a student with immediate effect in such cases. The student will be advised, in writing, of the reasons for suspension.
- 8.2 The criteria for determining when suspension will be appropriate include, but are not limited 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. Suspension may also be used pending the completion of any criminal investigation or proceedings. The University appreciates the significant impact this may have on a student's progression or, in the case of international students, on their visa status, but the protection of the University or individuals will take priority.
- 8.3 Suspension will normally mean the withdrawal of a student's rights of access to all of the University's premises, services or facilities and/or participation in university activities. The letter of suspension will clarify the constraints of the suspension.

- 8.4 Where a student has been suspended, the Senate Disciplinary Committee shall endeavour to meet as soon as possible, and normally within 14 working days, to review the suspension. The Senate Disciplinary Committee, having evaluated the risks and circumstances, may decide to lift or modify the terms of the suspension.
- 8.5 A suspension, either in full or modified, will normally remain in force until the disciplinary proceedings have been completed. However, the Senate Disciplinary Committee can also decide at any time to lift or modify the suspension if compelling evidence emerges before the proceedings are completed. Furthermore, a suspension will be reviewed at four weekly intervals, or earlier subject to section 8.6 by the Chair or Vice Chair of the Senate Disciplinary Committee. Where a suspension has been in force for more than three months or where the period of suspension coincides with examinations, the Senate Disciplinary Committee will review the suspension automatically.
- 8.6 The student may, at any point, request a review of the suspension by the Senate Disciplinary Committee if there is a material change in his or her circumstances. The request should be made in writing to the Clerk of the Senate Disciplinary Committee.
- 8.7 Where following a review under section 8.6, and the Senate Disciplinary Committee maintains a suspension, the student may submit an appeal against this decision. The appeal must be submitted in writing within 5 working days to the University Secretary who, together with the Chair of Court, will review the circumstances. The suspension shall continue to operate pending consideration of the appeal. A decision will be notified to the student in writing by the University Secretary within 5 working days of receipt of the appeal.
- 8.8 The purpose of suspension, as defined and discussed in this section, is to be differentiated from the use of suspension as a disciplinary sanction in cases of major breaches of the Code (section 11.4 refers). The review and appeal provisions of section 8 will not apply to punitive suspension imposed under section 11.4. Any appeal against punitive suspension will be dealt with under section 13.

9. REPORTING, CLASSIFYING AND INVESTIGATING BREACHES OF THE CODE

9.1 Reporting Breaches

- 9.1.1 Allegations of misconduct may be reported by a member of University staff, a student, an external examiner, a member of the public or, where a student is on placement or an exchange, by the host institution. The person in receipt of the report must pass on details in the first instance to the student's Head of Department or equivalent. Where the alleged misconduct takes place during a written examination the provisions in the Scheme of Invigilation will apply.

9.2 Classifying Breaches

9.2.1 There will be circumstances where an instance of poor behaviour is slight and the Head of Department or equivalent may choose to deal with the matter by way of an informal discussion with the student. The Head of Department or equivalent may consult the Dean for advice. In such circumstances, the Code will not be invoked and no formal record of the matter will be forwarded to the Department of Governance. This provision does not apply in cases of potential academic misconduct.

9.2.2 Where an alleged breach is reported to the Head of Department or equivalent, he/she will refer the matter to the Dean who, in consultation with the Department of Governance, decides whether the matter should be classified as a minor or major breach or an instance of plagiarism, the procedure for which is set out in section 9.6. Single incidents which are committed inadvertently through lack of experience and have no detrimental impact on the University or any other person(s) are classified as minor breaches. Examples of conduct which may constitute minor or major breaches of the Code are set out at Appendix 1. This list is illustrative and not exhaustive, as it is not possible to cover all eventualities in the Code. Classifying breaches requires the application of a degree of judgement and flexibility. Any breach which takes place within an examination venue will be classified as a major breach and referred by the Examinations Office to the Department of Governance for consideration by the Senate Disciplinary Committee in line with the Regulations for Conduct of Examinations.

9.2.3 Where a breach is initially classified as a minor breach, further information may come to light during any investigation or disciplinary meeting with a Head of Department or Dean which would cause the breach possibly to be reclassified as major. In such an event the Dean must consult with the Department of Governance.

9.2.4 Where an alleged breach is classified as minor, the Head of Department will contact the student in writing setting out the allegation and inviting the student to attend a meeting within 5 working days.

9.2.5 Where the student admits the allegation, the procedure for a Minor Admitted Breach will apply (9.3).

9.2.6 Where the student does not respond to the Head of Department or where he/she disputes the allegation in whole or in part, the Head of Department will refer the matter to the Dean to be dealt with under the provisions of 9.4.

9.2.7 Mediation

There may be circumstances, for example a complaint from one student about the behaviour of another, where the Dean, having decided that the nature of the alleged misbehaviour is classifiable as a minor breach and having sought the mutual consent of the parties involved, may use mediation

by an independent third party (a trained member of University staff) to seek to resolve the matter.

Where the matter is resolved through mediation, the Dean will report this outcome to the Department of Governance to be recorded on the Student Discipline Register.

Where the matter cannot be resolved through mediation, the disciplinary allegation will be dealt with as a minor disputed breach, and the Dean will proceed to appoint an investigator in terms of 9.4.2.

9.3 Minor Admitted Breach

9.3.1 In cases where the student admits the allegation immediately, the Head of Department will discuss the misconduct with the student and will issue a formal written reprimand. The Head of Department will also consider whether any additional sanctions applicable to particular forms of minor admitted breach should be applied in accordance with sections 11.1 and 11.2.

9.3.2 The Head of Department will complete and sign a minor disciplinary offences record form (Appendix 7a) to be submitted to the Department of Governance. The Head of Department will inform the student that a record of the sanction(s) will be recorded on the Student Discipline Register maintained by the Department of Governance.

9.3.3 If it is reasonable to do so, the student will be informed of the Head of Department's preliminary decision at the meeting. The decision will be confirmed in writing by the Head of Department normally no later than 5 working days after the date of the decision. The student will also be advised of a right to lodge an appeal under section 12.

9.4 Minor Disputed Breach

9.4.1 Where the Head of Department reports to the Dean that a student has failed to engage with the disciplinary process, the Dean will contact the student in writing inviting him/her to respond to the allegation within a further 5 working days. Should the student persist in their failure to engage with the disciplinary process, the Dean will report the matter to the Department of Governance. Persistent failure to engage with the disciplinary process will be regarded as a major offence.

9.4.2 Where, in respect of a minor breach, the Head of Department informs the Dean that the student disputes the allegation in whole, or in part, the Dean will appoint a member of the School staff who has had no involvement in the matter to carry out an investigation.

- i. The aim of the investigation is to establish the facts relating to the alleged misconduct, and will form part of the evidence to permit the Dean to

form a judgement as to whether, on the balance of probabilities, the alleged misconduct did take place.

- ii. The investigator may hold meetings with the student, the person making the allegation and any potential witnesses to undertake any necessary additional fact finding and/or clarification.
- iii. Failure by the student to engage with the investigation or to submit a statement shall not prevent the investigation proceeding.
- iv. Normally an investigation will be completed and a report submitted to the Dean within 10 working days.

9.4.3 Upon receipt of the investigatory report, the Dean will convene a disciplinary meeting.

- i. The student will be given no fewer than 5 working days written notice of the date and time of the disciplinary meeting. The student will be advised that he/she may be accompanied at the meeting by a Student Adviser from GCU Students' Association, a relative, a fellow student, or member of University staff. The student will be invited to submit a written response to the allegations, ideally in advance of the meeting. At the disciplinary meeting the student may lead evidence including any relevant witnesses.
- ii. If the student is unable to attend the disciplinary meeting for good reason he/she should notify the Dean in writing immediately and an alternative date normally will be arranged. However, where a suitable alternative date cannot be found within a reasonable timescale, and in order to avoid indefinite adjournments, the Dean retains the discretion to proceed in the student's absence and reach a decision.
- iii. If the student fails to attend the disciplinary meeting without good reason, the Dean may proceed with the meeting in the student's absence and reach a decision.
- iv. The Dean will appoint a member of staff from the relevant School to support the administrative arrangements and to keep a record of the substance of the meeting.

9.4.4 Having considered the evidence, the Dean may:

- i. dismiss the allegation; **or**
- ii. uphold the allegation in whole or in part.

9.4.5 Where the allegation is upheld in whole or in part, a sanction for a minor offence will be imposed in accordance with sections 11.1 and 11.2 of the Code.

9.4.6 If it is reasonable to do so, the student may be informed of the Dean's provisional decision at the meeting. The decision will be confirmed in writing

normally no later than 5 working days after the date of the decision. The student will also be advised of the right to lodge an appeal under section 12.

9.4.7 Where a disputed allegation of minor misconduct is upheld, the Dean will complete and sign a minor disciplinary offences record form (Appendix 7a) for submission to the Department of Governance. The Dean will inform the student that a record of the sanction(s) will be recorded on the Student Discipline Register maintained by the Department of Governance.

9.4.8 Where an allegation of minor misconduct is not upheld a record of the proceedings will be retained by the Department of Governance.

9.5 Major Breach

Where an alleged breach of the Code has been classified as major, the Dean of the School to which the student belongs or the Registry Operations Manager (Assessment and Exams), as appropriate, shall formally refer the matter to the Department of Governance for consideration and disposal by the Senate Disciplinary Committee under the procedure set out in section 10.

9.6 Plagiarism

9.6.1 For the purposes of this Code, Plagiarism is interpreted in its widest sense and includes self-plagiarism. Plagiarism is considered to be either the unacknowledged incorporation of the academic material (published or unpublished) of another person or persons, or the re-use of a student's own previous written work or data presented for assessment on a previous occasion (self-plagiarism). Depending on the circumstances it may be classified as poor academic practice, minor offence of plagiarism or a major offence of plagiarism.

Examples of Plagiarism include:

- i. use of another person's academic material (writing, drawings, ideas, and data) without reference or acknowledgement;
- ii. summarising another person's written material by changing some words or altering the order of presentation without acknowledgement;
- iii. use of the ideas of another person without acknowledgement of the source;
- iv. copying the work of another student with or without that student's knowledge;
- v. use of commissioned material, without reference or acknowledgement – often termed ghost writing;
- vi. use of additions or corrections by a proof reader with relevant knowledge in the subject;
- vii. collusion with another student or other students;

- viii. self-plagiarism (as defined above).
- ix. reproduction of model answers, in whole or in part, from any source in assessments and examinations.

9.6.2 Where an allegation of plagiarism is made, the Head of Department will consult the Department of Governance to ascertain whether the student has previously committed plagiarism. The Head of Department must determine whether or not the case is a major offence and where there is an allegation of a major or repeat offence of plagiarism, shall forward to the Department of Governance a signed Major Plagiarism Referral Form (Appendix 6b) together with all relevant documentation.

First Occurrence of Alleged Minor Plagiarism

9.6.3 The procedure for alleged First Offences of Plagiarism which are considered to be minor are detailed in paragraphs 9.6.3.1 to 9.6.3.9.

9.6.3.1 First offences which are not major will be dealt with by the Head of the Department. Where the Head of Department has a potential conflict of interest e.g. module leader or marker, he/she should pass the case to another Head of Department within the School.

9.6.3.2 The adjudicating Head of Department will write to the student informing them of the allegation and will hold a meeting with the student as soon as reasonably practicable and normally within 5 working days.

9.6.3.3 Failure by the student to appear before the Head of Department or to submit a statement shall not prevent the investigation proceeding.

9.6.3.4 The adjudicating Head of Department may seek advice from a subject expert not directly involved with the case, and ask the subject expert to attend the meeting with the student.

9.6.3.5 The student will be advised that he/she may be accompanied to the meeting by a Student Adviser from GCU Students' Association, a relative, a fellow student, or member of university staff.

9.6.3.6 At the meeting, the student will be shown his or her work and given a clear account of the alleged irregularity and will be given the opportunity to defend the work. The student may be asked subject-based questions relevant to the work under investigation, by the adjudicating Head of Department and, if applicable, by a subject expert.

9.6.3.7 The adjudicating Head of the Department will keep a record of the substance of the meeting.

- 9.6.3.8 If the adjudicating Head of Department is satisfied that there is no case for the student to answer, he/she will inform the student in writing and the piece of work in question will be marked in accordance with normal arrangements, without penalty. The Department of Governance will be notified using the form in Appendix 6a.
- 9.6.3.9 If the adjudicating Head of Department considers that the student has engaged in poor academic practice rather than plagiarism, the student will receive advice about what constitutes good academic practice and the Department of Governance will be notified using the form in Appendix 6a. The student may also be required to engage with appropriate academic support services within the University. However, the piece of work in question will be marked in accordance with normal arrangements, without penalty for plagiarism.
- 9.6.3.10 If the adjudicating Head of Department is satisfied on a balance of probabilities that a minor instance of plagiarism has occurred he or she will:
- i. decide on the penalty to be imposed in accordance with section 11.2;
 - ii. notify the Module Leader and Programme Leader of the penalty in writing;
 - iii. notify the Department of Governance (using the form in Appendix 6a) who will record the decision in the Student Plagiarism Register;
 - iv. notify the student in writing of the decision and his/her right of appeal under section 12.

First Occurrence of Alleged Major Plagiarism or Second Occurrence of Alleged Minor Plagiarism

- 9.6.4 The procedures for an alleged first offence of major plagiarism or an alleged second instance of minor plagiarism are detailed in paragraphs 9.6.4.1 to 9.6.4.10.
- 9.6.4.1 In respect of allegations of major plagiarism or an alleged second instance of plagiarism, the Department of Governance will inform the student in writing that a major or second instance of plagiarism is suspected to have occurred and that an investigation will be carried out by an independent Plagiarism Assessor. The Plagiarism Assessor will provide the student with details of the irregularity within 5 working days and the student will be given the opportunity to submit a written statement in response within a further 5 working days. The Plagiarism Assessor may seek advice from a subject expert not directly involved with the case, and ask the subject expert to attend the meeting with the student.

- 9.6.4.2 The Plagiarism Assessor will invite the student to a meeting within 15 working days of the notification of the allegation to the student by the Department of Governance under section 9.6.4.1. The student will be informed of his or her right to be accompanied. At the meeting, the student will be shown his or her work and will receive an account of the alleged irregularity and will be given the opportunity to defend the work. The student may be asked subject-based questions relevant to the work under investigation, by the Plagiarism Assessor and, if applicable, by a subject expert. The Plagiarism Assessor will come to a decision on the basis of the student's written and/or oral statements and any other supporting evidence.
- 9.6.4.3 Failure by the student to appear before the Plagiarism Assessor or to submit a statement shall not prevent the investigation proceeding.
- 9.6.4.4 The Plagiarism Assessor will prepare a record of the substance and findings of the meeting.
- 9.6.4.5 If the Plagiarism Assessor is satisfied that there is no case for the student to answer, he/she will notify the Department of Governance using the form in Appendix 6c that the piece of work in question will be marked in accordance with normal arrangements, without penalty.
- 9.6.4.6 If the Plagiarism Assessor considers that the student has engaged in poor academic practice rather than plagiarism, he/she will notify the Department of Governance using the form in Appendix 6c. The Plagiarism Assessor may require the student to engage with appropriate academic support services within the University. However, the piece of work in question will be marked in accordance with normal arrangements, without penalty for plagiarism.
- 9.6.4.7 If the Plagiarism Assessor is satisfied on the balance of probabilities that a first instance of plagiarism is of a minor rather than of a major nature, then he or she will report this to the Department of Governance using the form in Appendix 6c who will refer the matter back to the Head of Department for disposal in accordance with section 9.6.3.9.
- 9.6.4.8 If the Plagiarism Assessor decides, on the balance of probabilities that the student has committed plagiarism which is of a major nature or that a second instance of minor plagiarism has occurred, he or she will either:
- i. decide on the penalty to be imposed in accordance with section 11.3 and notify the Department of Governance, using the form in Appendix 6c, who will record the decision in the Student Plagiarism Register; or

- ii. refer the matter directly to the Senate Disciplinary Committee in circumstances where the penalties under section 11.3 are not considered to be sufficient.

9.6.4.9 The Department of Governance will notify the student in writing within 10 working days of the decision being delivered and his or her right of appeal under Section 12.

9.6.4.10 The Department of Governance will record the case in the Student Plagiarism Register and notify the Head of Department of the outcome of the investigation. The Head of Department will notify the Module Leader and Programme Leader of the outcome of the investigation.

Second or Subsequent Occurrence of Alleged Major Plagiarism or Third or Subsequent Occurrence of Alleged Minor Plagiarism

9.6.5 In cases where the alleged plagiarism is: a second or subsequent occurrence of major plagiarism; or a third or subsequent occurrence of minor plagiarism, it will be investigated in accordance with the procedure detailed in section 9.6.4. However, the provision under 9.6.4.8 for the Plagiarism Assessor to decide on a penalty does not apply and the matter must be referred to the Senate Disciplinary Committee.

9.7 Alleged Cases of Ghost Writing

9.7.1 Ghost writing is defined as the use of commissioned material, without reference or acknowledgement and is considered to be a major breach of the Code with allegations being considered by the Senate Disciplinary Committee.

9.7.2 Where an allegation of ghost writing is made, the Dean of the School should instigate an investigation to gather appropriate evidence.

9.7.3 A student accused of ghost writing may be invited to attend a viva. The viva should be conducted by at least two members of academic staff from the subject area with knowledge of the student's work. The student must be informed of the purpose of the viva and that it is being held in accordance with the Code of Student Conduct. A student has the right to be accompanied to a viva as outlined at Section 3.5 of the Code.

9.7.4 On completion of the investigation, an allegation and supporting evidence should be forwarded by the Dean of the School, by completion of a major disciplinary breach referral form (Appendix 7b), to the Department of Governance for consideration by the Senate Disciplinary Committee.

10. SENATE DISCIPLINARY COMMITTEE

10.1 Senate Disciplinary Committee

10.1.1 The membership and remit of the Senate Disciplinary Committee are set out at Appendix 4. No member of the Senate Disciplinary Committee will have had any direct involvement in the student's case at an earlier stage.

10.1.2 The Department of Governance will be responsible for the administration of all hearings before the Senate Disciplinary Committee. The Assistant Head of Governance, or nominee, will act as Clerk and keep a record of the substance of proceedings. The Clerk will be responsible for issuing the student and the Senate Disciplinary Committee with relevant documentation as set out in 10.2.3 at least 7 working days ahead of the hearing.

10.1.3 In compiling the necessary documentation for submission to the Senate Disciplinary Committee, the Clerk to the Committee may request that the Dean for the School to which the student belongs provides an investigatory report to assist the Senate Disciplinary Committee. This report will be compiled according to the provisions of section 9.4.2 (ii) and reported to the Department of Governance by completion of a major disciplinary breach referral form (Appendix 7b).

10.2 Senate Disciplinary Committee Hearing

10.2.1 The Department of Governance will arrange a hearing of the Senate Disciplinary Committee as soon as is reasonably practicable and normally no later than 20 working days from the date on which the matter is referred by the Dean of the School or the Assistant Academic Registrar (Assessment & Exams) in the Examinations Office. However, timescales may vary and may be extended to accommodate witness availability or to ensure a quorum of the Senate Disciplinary Committee. The Clerk to the Senate Disciplinary Committee will keep the student informed of the timescales.

10.2.2 The administrative procedures and normal timescales for the proceedings of the Senate Disciplinary Committee are as follows, and are illustrated in Appendix 3, Diagram A3 - 1.

- At least 7 working days prior to the hearing the Clerk to the Senate Disciplinary Committee will notify the student and the members of the Committee of the date and time of the meeting and issue the allegations and documentation as set out in 10.2.3.
- It is the responsibility of the student to provide the Clerk to the Senate Disciplinary Committee with the following information (as applicable) at least 2 working days prior to the hearing:
 - i. the name of an accompanying person
 - ii. any documentation he/she wishes considered in evidence

- iii. the name of any witnesses he/she wishes to call. SDC 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.
- On the receipt of any additional evidence, and at least 1 working day prior to the hearing, the Clerk to the Senate Disciplinary Committee will distribute any additional evidence provided by the student to the Committee.

10.2.3 The notice to the student in relation to the Senate Disciplinary Committee hearing will:

- i. include a description of the alleged misconduct in the formal allegation(s);
- ii. inform the student of his or her right to attend the hearing;
- iii. inform the student of his or her right to call witnesses and present evidence;
- iv. inform the student of his or her right to be accompanied by a Student Adviser from GCU Students' Association, a relative, a fellow student, or a member of the university staff;
- v. inform the student that the hearing may proceed in his or her absence;
- vi. include copies of any documentation to be considered at the hearing including a list of any witnesses the Senate Disciplinary Committee intends to call to the hearing;
- vii. include details of where help and advice may be sought;
- viii. include a copy of the Code.

10.2.4 The procedure for the conduct of the Senate Disciplinary Committee hearing is set out in Appendix 4.

10.2.5 If it is reasonable to do so, the student may be informed of the Senate Disciplinary Committee's decision at the meeting. The decision will be confirmed in writing by the Clerk to the Senate Disciplinary Committee normally no later than 10 working days after the date of the decision. The student will also be advised of his or her right to appeal and the timescales within which an appeal can be lodged with the University Secretary.

10.2.6 A sanction imposed by the Senate Disciplinary Committee may lead to a student being: unable to continue his or her current programme; or temporarily suspended. In such cases, the student must seek academic guidance from his or her Programme Leader. International students who hold a visa must contact Visa Immigration Support and Advice as a matter of urgency in these circumstances.

11. SANCTIONS FOR BREACHES OF CODE OF CONDUCT

11.1 Guiding Principles

When determining the sanction to be applied consideration will be given to:

- i. the seriousness of the alleged misconduct;
- ii. whether the alleged misconduct was a deliberate act;
- iii. any mitigating circumstances;
- iv. the student's previous disciplinary record;
- v. the conduct of the student following the alleged misconduct;
- vi. whether, and at what point, the student has admitted the alleged misconduct and has shown remorse/taken steps to ensure the misconduct will not be repeated ;
- vii. where relevant, any requirements or reasonable professional expectations of professional, statutory and/or regulatory bodies;
- viii. whether any sanctions have been imposed already within the University or by another agency.

11.2 Sanctions which may be imposed by: The Head of Department (Minor Admitted breach or a first instance of Minor Plagiarism); and, The Dean (Minor Disputed breach).

11.2.1 In cases of non-academic or behavioural breaches, the following sanctions may be applied, either singly or, more often, in combination:

- i. A formal written reprimand.
- ii. A requirement to make good any damage caused to property belonging to the University, a member of staff, a fellow student or a visitor to the University (a payment plan should be agreed with the Finance Office if necessary).
- iii. A requirement to undertake training (for example Equality & Diversity training).
- iv. A requirement to engage with appropriate support services within the University.
- v. A requirement to issue appropriate letters of apology.

11.2.2 In cases of a minor first offence of plagiarism or minor academic misconduct, the following sanctions may be applied, either singly or, more often, in combination:

- i. A formal written reprimand.
- ii. A requirement to engage with appropriate academic support services within the University.
- iii. A reduction of: either, the mark for the examination component concerned to the relevant pass mark; or the mark for the coursework element concerned to the relevant pass mark.
- iv. A requirement to re-sit the examination component concerned or to resubmit the coursework element concerned provided the number of attempts does not exceed the maximum permissible. Where a re-sit or resubmission would exceed the number permissible, then the student would be considered as having exhausted all attempts at this assessment. In other words, both the original examination component or submission and any resit or resubmission are to be recorded as attempts.

In either case the maximum mark awardable will be the relevant pass mark.

11.3 Sanctions which may be imposed by the Plagiarism Assessor (First instance of Major Plagiarism or a second instance of Minor Plagiarism)

In cases of a first offence of major plagiarism or a second offence of minor plagiarism, the following sanctions may be applied, either singularly or, more often, in combination:

- i. A formal written reprimand.
- ii. A requirement to engage with appropriate academic support services within the University.
- iii. A reduction of: the mark for the examination component concerned to the relevant pass mark; the mark for the coursework element concerned to the relevant pass mark.
- iv. A reduction of: the mark for the examination component concerned to the relevant pass mark; the mark for the entire coursework component to the relevant pass mark; the module mark to the relevant pass mark.
- v. A requirement to re-sit the examination component concerned, with or without the addition of an attempt in the recorded number of attempts (provided the number of attempts does not exceed the maximum permissible); or to resubmit the coursework element concerned, with or without the addition of an attempt in the recorded number of attempts (provided the number of attempts does not exceed the maximum permissible).

In all such cases the maximum mark awardable for the examination resit or the coursework resubmission will be the relevant pass mark; or the maximum mark awardable for the entire coursework component will be the relevant pass mark; or the maximum module mark awardable will be the relevant pass mark.

11.4 Sanctions which may be imposed by Senate Disciplinary Committee

If any allegation is admitted or upheld before the Senate Disciplinary Committee, the following sanctions may be applied either singly or in combination:

11.4.a Major Non-Academic Misconduct

- i. A formal written reprimand.
- ii. Suspension from the University for a specified period of time.
- iii. Expulsion from the University.
- iv. Expulsion accompanied by the expunging of accrued student credit in whole or in part.
- v. A requirement to make good any damage caused to property belonging to the University, a member of staff, a fellow student or a visitor to the University (a payment plan should be agreed with the Finance Office if necessary).
- vi. A requirement to undertake training (for example, Equality & Diversity training).
- vii. A requirement to engage with appropriate support services within the University.
- viii. A requirement to issue appropriate letters of apology.

11.4.b Major Academic Misconduct

- i. A formal written reprimand.
- ii. Suspension from the University for a specified period of time.
- iii. Expulsion from the University.
- iv. Expulsion accompanied by the expunging of accrued student credit in whole or in part.
- v. A requirement to engage with appropriate academic support services within the University.
- vi. An examination or coursework attempt annulled but to count as an attempt.
- vii. An examination or coursework attempt annulled but to count as an attempt with one further attempt forfeited.
- viii. The entire examination diet annulled but to count as an attempt for all exams at that diet.
- ix. The maximum mark awardable for the examination resit or the coursework resubmission will be the relevant pass mark; or the maximum mark awardable for the entire coursework component will be the relevant pass mark; or the maximum module mark awardable will be the relevant pass mark.

12. APPEALS PROCEDURE

12.1 Grounds for Appeal

An appeal may be made on the following grounds:

- i. evidence becomes available which was not available, or could not reasonably have been made available, at the time of the original decision;
- ii. the decision was unreasonable in the light of the evidence submitted by the student, and/or the sanction was unduly harsh;
- iii. there was a procedural irregularity which was prejudicial to the student.

12.2 Administrative Arrangements for Appeal Procedures

The administrative arrangements for all appeal procedures will be managed by the Department of Governance.

Appeals against decision taken by Head of Department, Dean or Plagiarism Assessor

12.3 Appeals against Decisions Taken by the Head of Department

12.3.1 A student may lodge an appeal in respect of any sanction(s) imposed. An appeal must be lodged with the Department of Governance within 20 working days of the issue of the written decision. The Department of Governance, 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.

12.3.2 If the nominated Head of Department decides that there are no grounds for appeal, he/she will inform the Department of Governance who will advise the student in writing no later than 10 working days after the date of receipt of the appeal that it has been rejected and that the original outcome remains unchanged.

12.3.3 Normally, an appeal will be determined within 10 working days. The Head of Department considering the appeal will take into account written submissions made by the student and may also meet with the student. Having considered the appeal, the nominated Head of Department may uphold, amend or overturn the original decision. Where any part of the allegation of a minor breach is upheld on appeal the decision to impose any additional sanction(s) may be upheld, amended or overturned.

12.3.4 The Head of Department will inform the Department of Governance who will notify the student in writing of the decision normally no later than 10 working days after the date of receipt of the appeal.

12.3.5 The nominated Head of Department's decision is final.

12.4 Appeals against Decisions Taken by the Dean or Plagiarism Assessor

12.4.1 A student may lodge an appeal in respect of the decision of the Dean or Plagiarism Assessor to uphold the allegation(s) in whole or in part, or in respect of any sanction(s) imposed. An appeal must be lodged with the Department of Governance within 20 working days of the issue of the written decision. The Department of Governance will nominate a Dean or Plagiarism Assessor of another School, who has had no previous involvement in the case, to consider the appeal.

12.4.2 If the nominated Dean or nominated Plagiarism Assessor decides that there are no grounds for appeal, he/she will inform the Department of Governance who will advise the student, in writing, normally no later than 10 working days after the date of receipt of the appeal that it has been rejected and that the original outcome remains unchanged.

12.4.3 Normally, an appeal will be determined within 10 working days. The Dean or Plagiarism Assessor considering the appeal will take into account written submissions made by the student and may also meet with the student. Having considered the appeal, the nominated Dean or Plagiarism Assessor may uphold, amend or overturn the original decision. Where any part of the allegation of a minor breach is upheld on appeal the decision to impose any additional sanction(s) may be upheld, amended or overturned.

12.4.4 The Dean or Plagiarism Assessor will inform the Department of Governance who will notify the student in writing of the decision normally no later than 10 working days after the date of receipt of the appeal.

12.4.5 The nominated Dean or Plagiarism Assessor's decision is final.

13. APPEAL COMMITTEE OF THE UNIVERSITY COURT (ACUC)

Appeals against a decision made by the Senate Disciplinary Committee

13.1 A student may appeal to the Appeal Committee of the University Court (ACUC) against a decision made by the Senate Disciplinary Committee. The membership and remit of the ACUC are set out in Appendix 5.

13.2 The appeal must be made in writing to the University Secretary no later than 20 working days after the student has been issued with formal notification of the Senate Disciplinary Committee's decision.

13.3 The student should provide any written documentation, witness statements or written submissions that he/she intends to use at the appeal hearing at the same time as he/she lodges the appeal.

- 13.4 The Chair of Court, in consultation with the University Secretary, will determine whether 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, no later than 10 working days from the receipt of the appeal, and confirm that the original outcome remains unchanged.
- 13.5 Where it is decided that there are prima facie grounds for an appeal, the appeal will be submitted to the ACUC for consideration.
- 13.6 The Head of Governance, or nominee, will arrange a hearing of the ACUC as soon as is practicable and normally no later than 20 working days after the appeal has been received.
- 13.7 The administrative procedures and normal timescales for the proceedings of the ACUC are as follows, and are illustrated in Appendix 3, Diagram A3-4.
- At least 10 working days prior to the hearing, the Clerk to the Appeal Committee of the University Court will notify the student of the date and time of the meeting and issue the notice as set out in 13.8.
 - At least 5 working days prior to the hearing the student must (if applicable) inform the Clerk to the ACUC of the name of an accompanying person.
 - At least 5 working days prior to the hearing the Clerk to the ACUC will distribute the documentation to the members of the ACUC and to the student.
- 13.8 The notice in relation to the ACUC hearing will:
- i. inform the student of his or her right to attend the hearing;
 - ii. inform the student of his or her right to be accompanied by a Student Adviser from the GCU Students' Association, relative, a fellow student, or a member of the university staff;
 - iii. inform the student that the hearing may proceed in his or her absence;
 - iv. include details of where help and advice may be sought;
 - v. include a copy of the Code.
- 13.9 The procedure for the conduct of the ACUC hearing is set out in Appendix 5.
- 13.10 The ACUC may decide to uphold, amend or overturn all or part of the Senate Disciplinary Committee's decision.
- 13.11 If it is reasonable to do so, the student may be informed of the decision of the ACUC at the meeting. Normally, however, the University Secretary will inform the student in writing of the Committee's decision no later than 10 working days after the hearing.
- 13.12 The decision of the ACUC will be final.

14. OTHER REGULATIONS, POLICIES AND PROCEDURES

- 14.1 There may be a degree of overlap between this Code and other University regulations or policies detailed in Appendix 8. Students should make sure that they are familiar with these.
- 14.2 The GCU Students' Association has approved its own code of student discipline which is set out in Schedule 3 to the Association's Constitution. The Constitution website is detailed in appendix 8. Students who are members of the GCU Students' Association (i.e. all registered GCU students unless they have opt-out) may be subject to the Association's Code of Student Discipline in relation to misconduct committed on the GCU Students' Association premises, university sports facilities or at any other location in the UK or abroad where the Association considers that the misconduct may have or has an impact on the university community. In cases of major misconduct, the Student President and the Chief Executive of the Students' Association will consult the Dean of the School to which the student belongs to determine whether the matter should be investigated under the University Code of Student Conduct.
- 14.3 Some University programmes are subject to validation or accreditation by professional bodies within the UK. Students are, therefore, required to comply with all requirements and expectations for professional conduct and behaviour and should be aware that failure to do so may result in the submission of a report by the University to the relevant professional, statutory and/or regulatory body.

15. CASES OF ACADEMIC MISCONDUCT IDENTIFIED ONLY AFTER AN ASSESSMENT BOARD HAS MET

- 15.1 Where alleged academic misconduct comes to light after an Assessment Board has met to consider a student's assessment, the allegation will be dealt with in accordance with the procedure set out in section 9 of the Code.
- 15.2 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).
- 15.3 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 in writing. The Chair of the Assessment Board will also inform the student, in writing, of the altered overall final pass or progression result.

16. RECORDS OF DISCIPLINARY PROCEEDINGS

- 16.1 The Department of Governance will keep a record of:
- i. all disciplinary proceedings, including the formal written allegation(s), written statements and reports of any investigations;
 - ii. a written record of all meetings, including appeal meetings;
 - iii. all letters sent to or by the University in relation to disciplinary meetings including appeal meetings;
 - iv. the Student Discipline Register of all disciplinary outcomes.
- 16.2 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.

17. INDEPENDENT EXTERNAL REVIEW

In accordance with the Further and Higher Education (Scotland) Act 2005, the Scottish Public Services Ombudsman (SPSO) has responsibility for investigating student complaints. The SPSO provides a route for those who have exhausted the University's appeals and complaints procedures, to refer their case for independent review, where they are dissatisfied with the handling of the internal appeals or complaints procedure. The SPSO may not consider matters of academic judgement.

The SPSO's contact details are:

By Post:

Scottish Public Services Ombudsman, Freepost SPSO
(this is all you need to write on the envelope, and you don't need to use a stamp)

In Person:

Scottish Public Services Ombudsman
Bridgeside House
99 McDonald Road
Edinburgh
EH7 4NS
(Open Monday, Wednesday, Thursday and Friday 9am-5pm; Tuesday 10am- 5pm)

Freephone 0800 377 7330 or call 0131 225 5300

Online contact www.spsso.org.uk/contact-us

Website www.spsso.org.uk

Mobile site <http://m.spsso.org.uk>

A. EXAMPLES OF MINOR MISCONDUCT

Examples of minor misconduct which may lead to disciplinary action include but are not limited to:

- i. minor anti-social activities e.g. dropping litter, noise, disruptive behaviour;
- ii. minor damage to University property, the property of other members of the University community or the property of visitors to the University;
- iii. first offences of plagiarism or other forms of academic misconduct which are considered to be of a minor nature;
- iv. conduct which falls under the definition of gender based violence, as outlined in the University's Preventing and Responding to Gender Based Violence policy.

B. EXAMPLES OF MAJOR MISCONDUCT

Examples of major misconduct which may lead to disciplinary action include but are not limited to:

- i. any criminal conviction under the law of Scotland, or elsewhere;
- ii. conduct giving rise to a police investigation (3.2, 7.2);
- iii. theft, fraud or unauthorised possession of funds or property;
- iv. violent, indecent, disorderly, threatening, offensive or anti-social behaviour;
- v. the publication of inappropriate, threatening or offensive material, including the posting of inappropriate, threatening or offensive material on social networking and media sites;
- vi. dishonesty in any dealings and correspondence with the University;
- vii. misuse, or unauthorised use, of University computing equipment or the University computing network including breaches of the University's IT Policy;
- viii. harassment, discrimination or incitement to harass or discriminate on the grounds of race, gender, sexual orientation, national origin, ethnic origin, religious, political or philosophical belief or lack of such belief, disability (including physical or mental impairment), age, married status, or any other grounds;
- ix. the possession, supply, use or sale of controlled substances;
- x. intentional or reckless damage to University property, the property of other members of the University community or the property of visitors to the University;
- xi. contravention of the Copyright Licensing Agency Photocopying and Scanning HE Licence;

- xii. non-return of any equipment or property loaned from the University;
- xiii. failure to engage with the disciplinary process or to comply with any sanction(s) imposed by a HoD, Plagiarism Assessor, Dean, the Senate Disciplinary Committee or the ACUC;
- xiv. failure to comply with the University's policies and procedures and working practices;
- xv. failure to comply with legislative requirements, e.g. health and safety legislation, fire safety procedures;
- xvi. any other conduct or activity, of any nature, which may bring the University into disrepute;
- xvii. offences in connection with examinations or assessments which allow and/or are intended to allow the student to obtain an unfair advantage, for example:
 - Plagiarism (as defined in Section 9 of the Code)
 - Ghost writing (as defined in Section 9 of the Code)
 - Breach of the Regulations for the Conduct of Examinations
 - Research misconduct
 - Falsification
 - Personation
- xviii. conduct which falls under the definition of gender based violence, as outlined in the University's Preventing and Responding to Gender Based Violence policy.

Diagrams illustrating the Processes for Major Breaches, Minor Breaches, and Plagiarism

The flow charts in this Appendix are for guidance only, and the full procedures are set out in sections 9, 10, 12 and 13.

In all cases, the times indicate the expected timescale in working days and exclude weekends and holidays when the University is closed. These normal target timescales may not be met in some circumstances – as explained in 3.7.

Diagram A2 – 1: Potential Major Breach

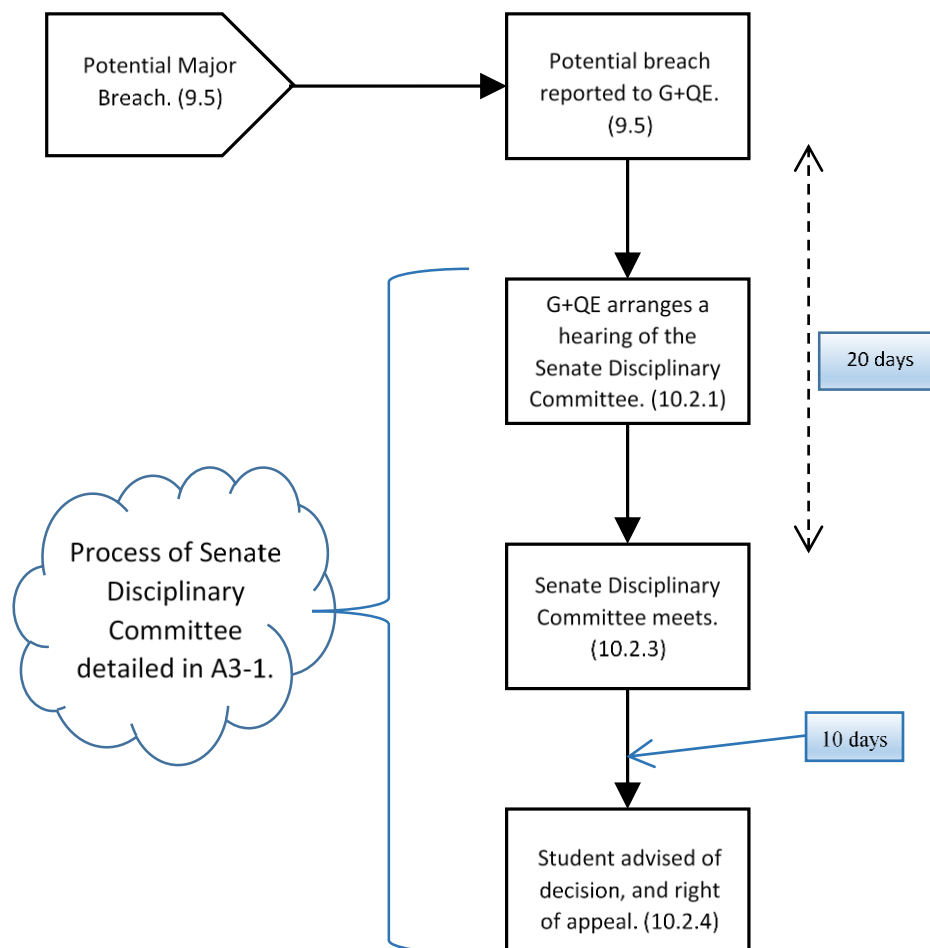


Diagram A2 – 2: Potential Minor Breach

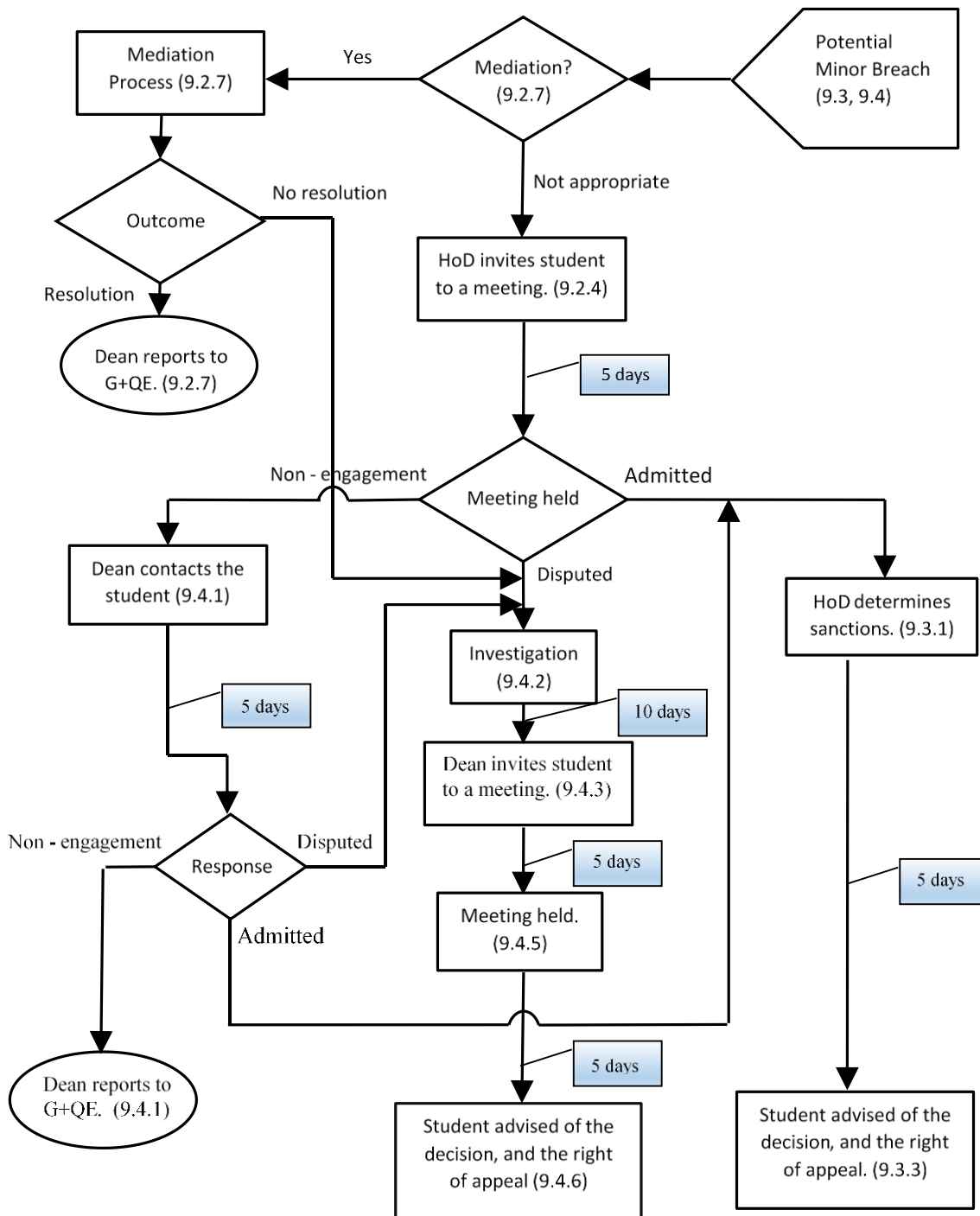
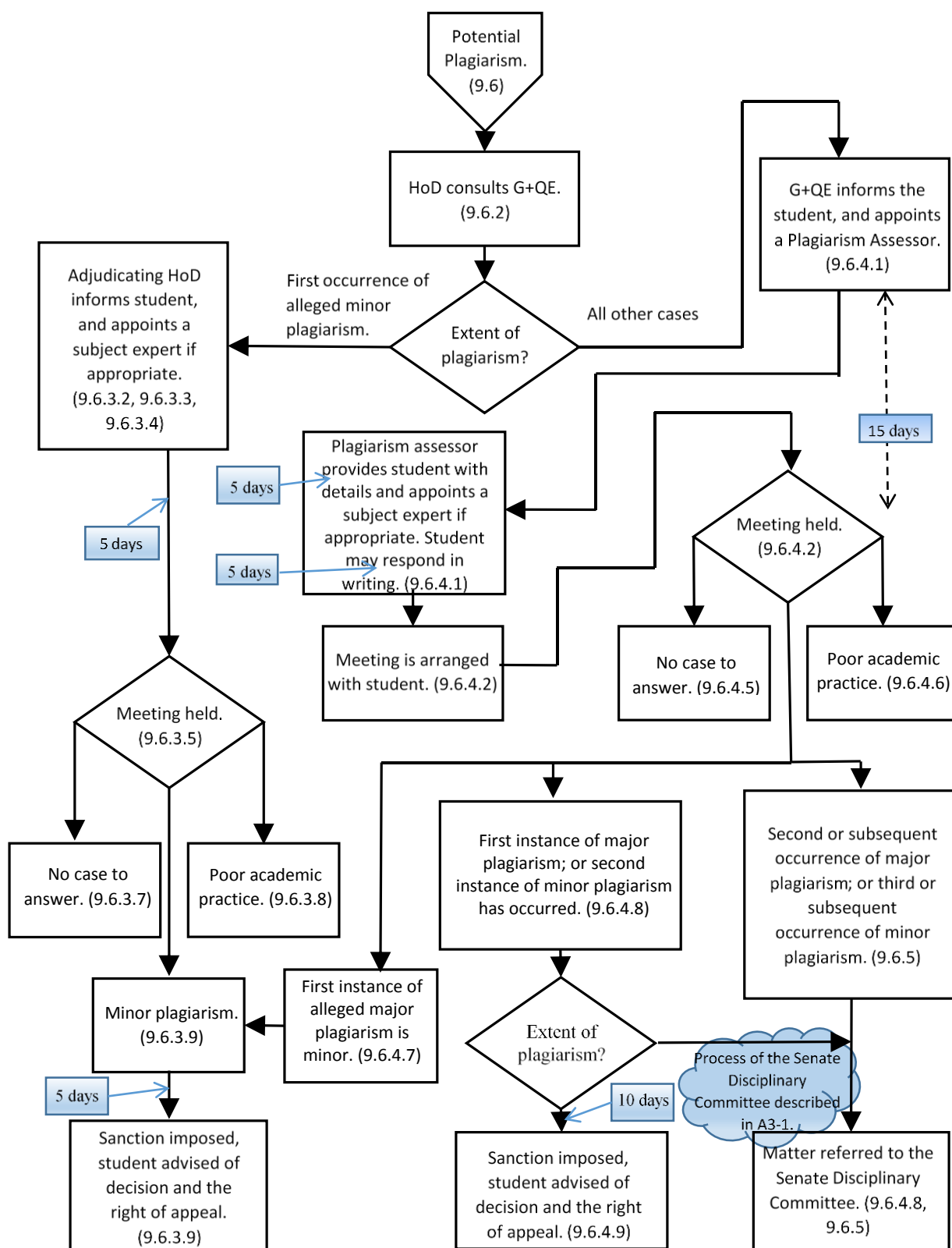


Diagram A2 – 3: Potential Plagiarism



Diagrams illustrating the Processes for the Senate Disciplinary Committee and Appeals

The flow charts in this Appendix must be read along with the procedures set out in the document. In all cases, the times (both maximum and minimum) indicate the expected timescale in working days and exclude weekends and holidays when the University is closed. These normal target timescales may not be met in some circumstances – as explained in 3.7.

Diagram A3 – 1: Senate Disciplinary Committee Process

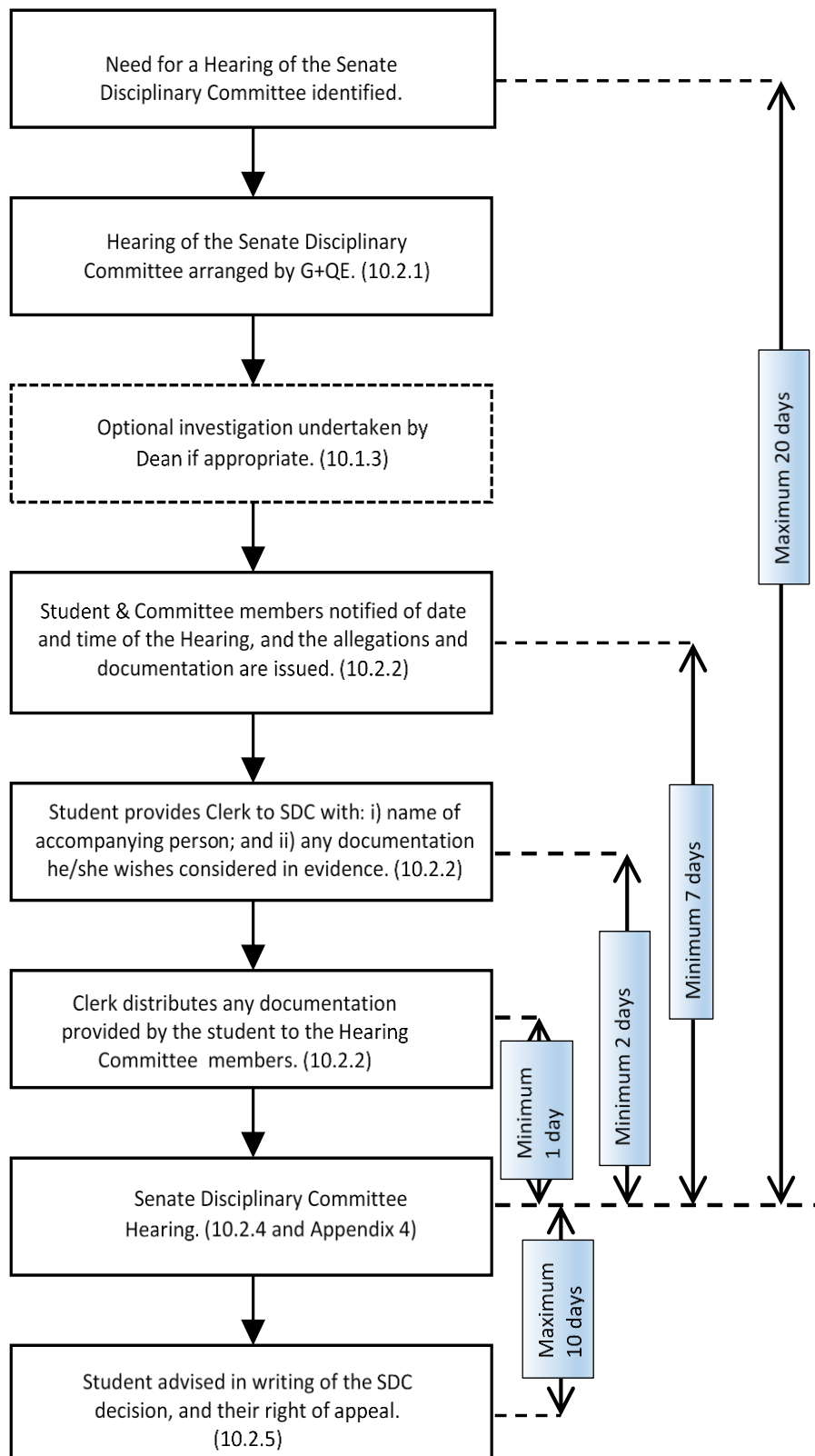


Diagram A3 – 2: Process for Appeals against decisions taken by a Head of Department.

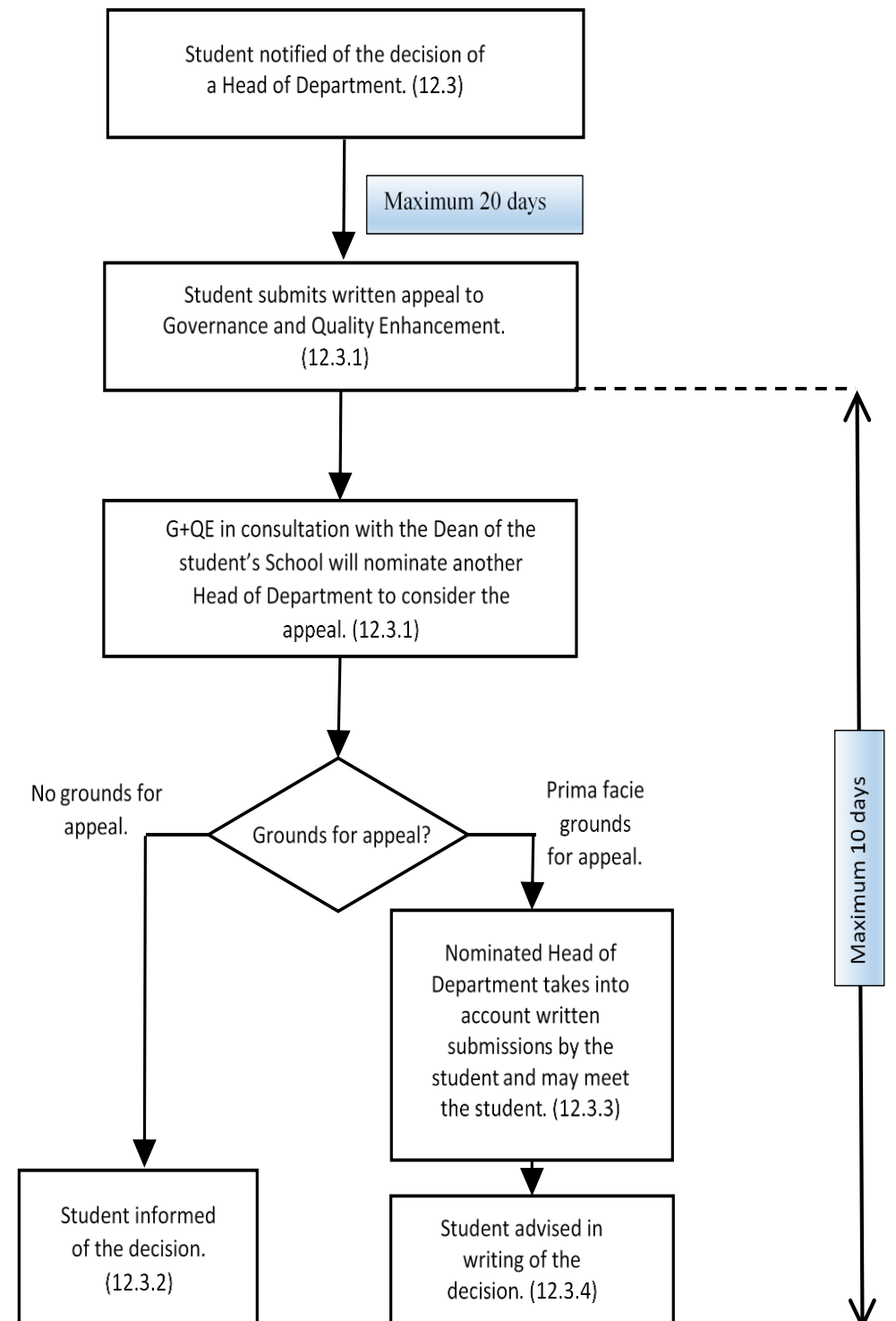


Diagram A3 – 3: Process for Appeals against decisions taken by a Dean or Plagiarism Assessor

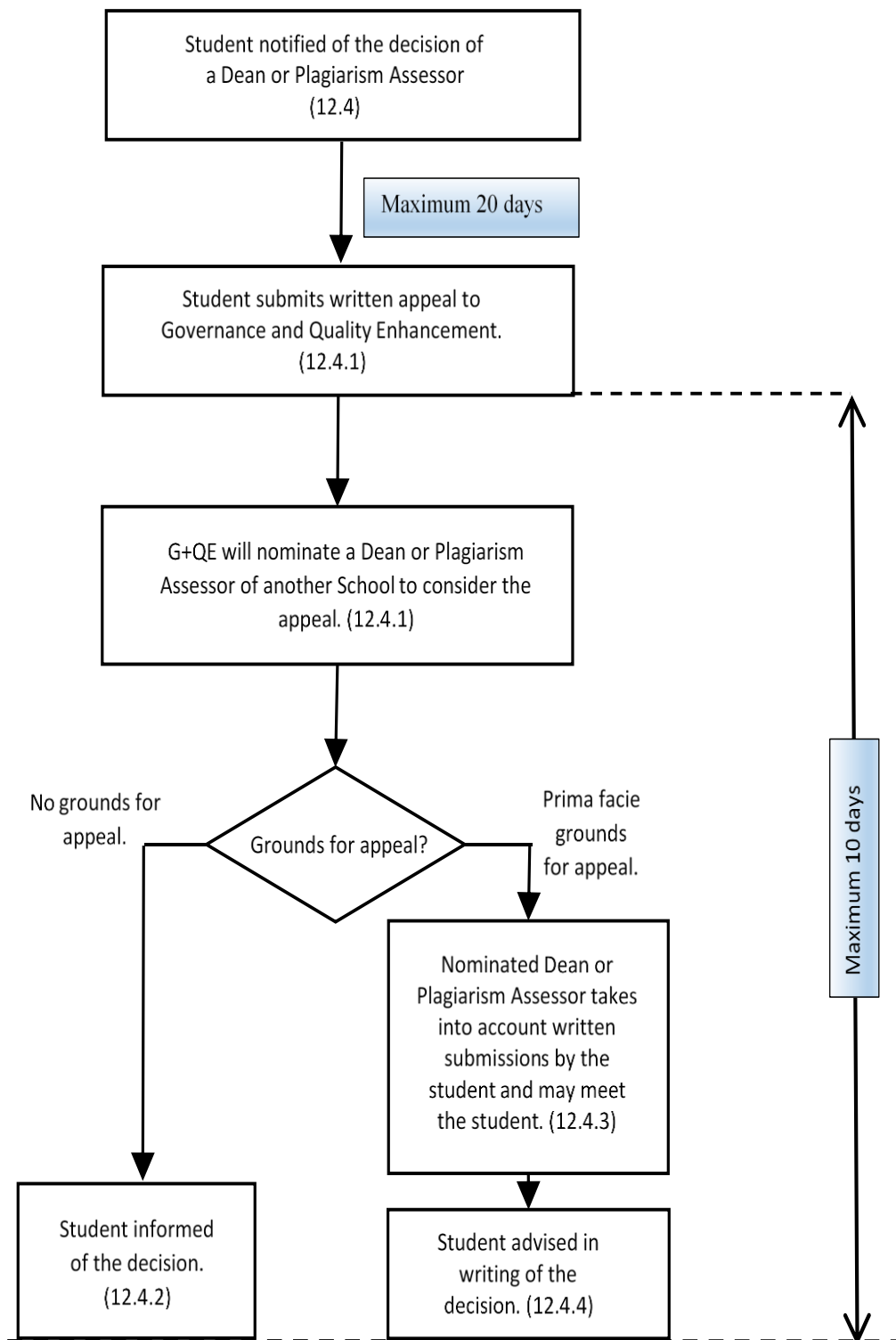
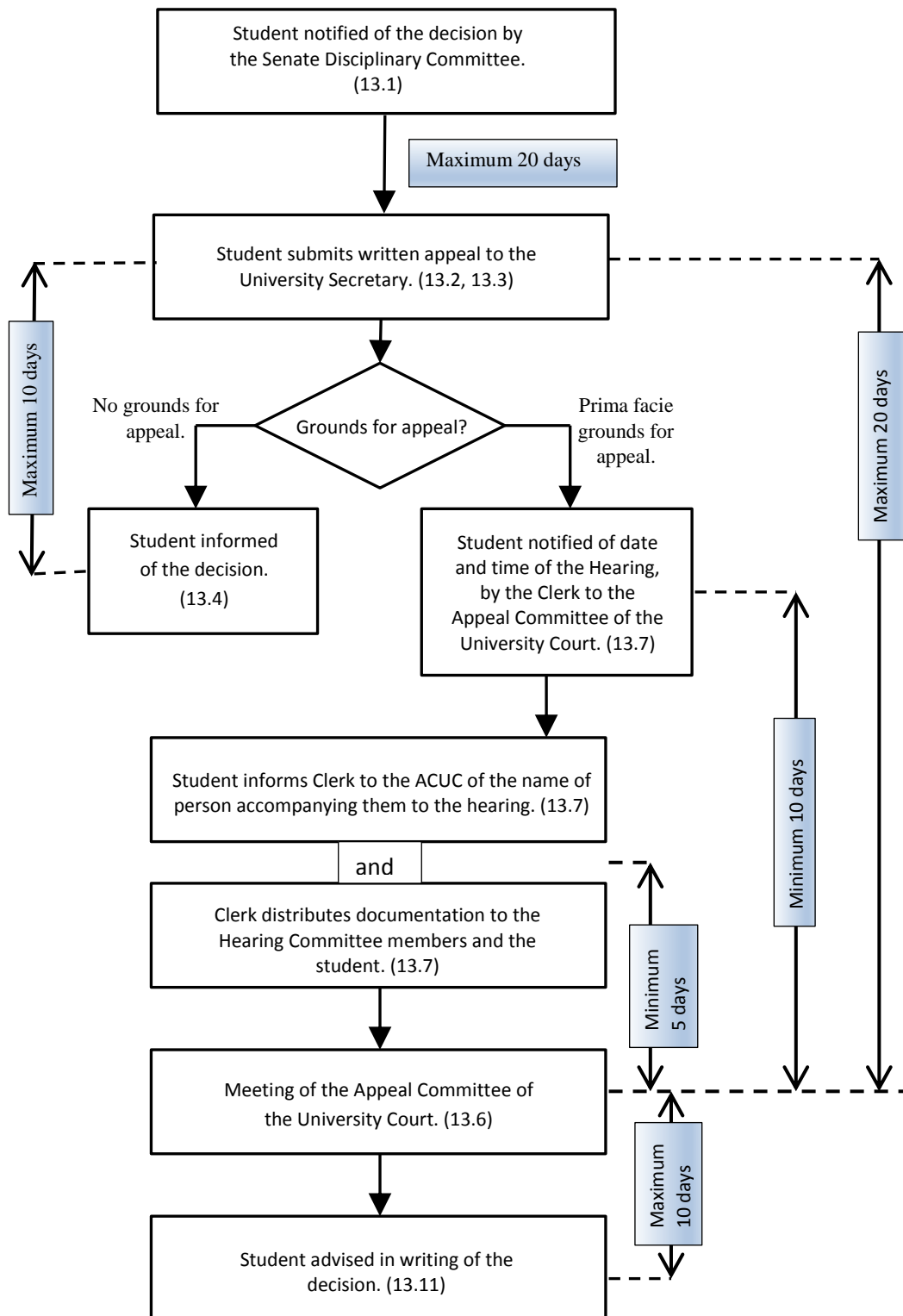


Diagram A3 – 4: Process for Appeals against decisions taken by the Senate Disciplinary Committee.



SENATE DISCIPLINARY COMMITTEE

Membership of the Committee

- The Chair and Vice Chair who are appointed by Senate;
- 11 members of academic staff approved by Senate;
- The President of the Students' Association or his or her nominee, to be drawn from a pool of suitably trained and approved student representatives;
- One other student representative, to be drawn from a pool of suitably trained and approved student representatives.

Terms of Office

All Senate Disciplinary Committee members, shall be appointed for a period of 3 years in the first instance, extendable for up to two further periods of 3 years each, up to a maximum period of 9 years. Where a Chair or Vice Chair has had their period of office extended, the extension will be reported to the Senate for information.

Composition of the Committee for the purposes of a Hearing

- The Chair and/or Vice Chair;
- Two members of academic staff drawn from the pool of 11;
- The President of the Students' Association or his or her nominee, to be drawn from a pool of suitably trained and approved student representatives;
- One other student representative, to be drawn from a pool of suitably trained and approved student representatives.

A quorum is 4 members, of whom at least two must be members of academic staff (one of whom must be the Chair, or Vice Chair or the Chair's nominee) and at least one must be the President of the Student's Association or a student representative drawn from a pool of suitably trained and approved student representatives.

A member of the Department of Governance will act as Clerk.

Remit

The Senate Disciplinary Committee is responsible for considering and disposing of any allegation made against a student which constitutes a major offence, as defined in the Code of Student Conduct.

Conduct of Hearing

1. The allegation (s) and supporting documents are prepared by the Senate Disciplinary Committee Secretariat.

2. A Chair (the Chair, or Vice Chair, or the Chair's nominee) of the Senate Disciplinary Committee and the student will both be present.
3. If the student cannot attend the hearing due to illness or other reasonable extenuating circumstances, he/she must inform the Clerk to the Senate Disciplinary Committee, in writing, as soon as possible. Supporting evidence, such as a medical certificate, will be required. If a student is unable to attend the hearing and has provided good reason for non-attendance, a further date may be arranged. All relevant parties will be notified in writing of the rescheduled date. In order to avoid indefinite adjournments, the Committee retains the discretion ultimately to proceed in the student's absence.
4. If the student fails to attend the hearing without good reason, the Senate Disciplinary Committee may proceed with the hearing in the student's absence and reach a decision.
5. The Chair will:
 - i. introduce all present;
 - ii. outline the purpose of the hearing;
 - iii. confirm who is to accompany the student, if applicable;
 - iv. where appropriate the Chair will confirm, for the record, that a student has chosen not to be represented;
 - v. read out the allegation(s) against the student and invite the student to state whether he/she understands the allegation(s) and whether or not he/she admits or denies the allegation(s);
 - vi. where appropriate, confirm the names of the witnesses (if any) who will be called.
6. If the student admits all or any of the allegation(s) the Senate Disciplinary Committee will determine the sanction to be imposed.
7. Where facts remain in dispute the Committee will consider all documentary evidence, and will hear and put questions to the student and any witnesses.
8. Through the Chair, the student or the person accompanying the student may comment on the documentary evidence and question any witnesses.
9. The Chair may invite the student or the person accompanying the student to make a closing submission.
10. The student and individual accompanying the student will be asked to withdraw to allow the Senate Disciplinary Committee to consider its decision in private.
11. The Senate Disciplinary Committee will reach its decision by majority vote, the Chair having a casting vote in the event of an equal division of votes.
12. The Senate Disciplinary Committee 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.

13. The Senate Disciplinary Committee may, on its own motion or at the request of the student, adjourn the hearing 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.
14. The Chair of the Senate Disciplinary Committee, via the Clerk, will inform the student in writing of its decision no later than 10 working days after the date of the hearing.

APPEAL COMMITTEE OF THE UNIVERSITY COURT (ACUC)**Composition**

- The Chair of Court or nominee
- At least two lay Court members drawn from a pool of six lay members.
- Two members of Senate who must not be the Principal or members of the Senate Disciplinary Committee
- The President of the Students' Association or his or her nominee, to be drawn from the sabbatical officers of the Students' Association Executive, and who did not participate in the relevant meeting of the SDC.

The Chair of Court or nominee will Chair the Committee.

A quorum is 4 members, one of whom must be the Committee Chair or nominee.

The University Secretary will act as adviser to the Committee.

A member of the Department of Governance will act as Clerk.

Remit

The ACUC is responsible for considering appeals against decisions taken by the Senate Disciplinary Committee in relation to breaches of the Code of Student Conduct.

Conduct of Hearing

1. The ACUC will receive the allegations, deliberations and decision of the Senate Disciplinary Committee as well as the appeal documentation submitted by the student. The documentation will be prepared by a member of staff of the Department of Governance who has not previously been involved in the case.
2. The Chair will introduce all present.
3. The Chair will read out the grounds of appeal lodged by the student.
4. The student is invited to amplify/clarify the documentation in support of his or her appeal.
5. The ACUC may question the student, the Chair of the Senate Disciplinary Committee and witnesses.
6. The ACUC will deliberate in private and reach a decision.
7. The Chair, via the University Secretary, will inform the student in writing of its decision no later than 10 working days after the date of the hearing.

CODE OF STUDENT CONDUCT: MINOR PLAGIARISM RECORD FORM				
STUDENT DETAILS				
Name of Student:				
Matriculation Number:				
Programme of Study:				
Level of Study:				
Module:				
Has the Student Plagiarism Register been checked for a previous offence? <i>(If no then please contact Department of Governance)</i>	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
Is this a first offence? <i>(If no then please contact Department of Governance as this may require investigation by an independent plagiarism assessor)</i>	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
SUMMARY OF MINOR BREACH/OUTCOME FOLLOWING INVESTIGATION				
<i>Please provide all relevant information including submission and meeting dates and rationale for the decision.</i>				

OUTCOME	
Confirmed Minor offence of Plagiarism <i>In cases of a confirmed minor offence of plagiarism please check which of the below sanctions under section 11.2.2 of the Code have been imposed.</i>	<input type="checkbox"/>
Poor Academic Practice	<input type="checkbox"/>
Not Proven	<input type="checkbox"/>
SANCTIONS IMPOSED UNDER SECTION 11.2.2 OF THE CODE OF STUDENT CONDUCT	
In cases of a minor first offence of plagiarism the following sanctions may be applied, either singly or, more often, in combination. Please check as appropriate.	
<input type="checkbox"/>	i. A formal written reprimand.
<input type="checkbox"/>	ii. A requirement to engage with appropriate academic support services within the University.
<input type="checkbox"/>	iii. A reduction of: either, the mark for the examination component concerned to the relevant pass mark; or the mark for the coursework element concerned to the relevant pass mark.
<input type="checkbox"/>	iv. A requirement to re-sit the coursework element concerned provided the number of attempts does not exceed the maximum permissible. Where a resubmission would exceed the number permissible, then the student would be considered as having exhausted all attempts at this assessment. In other words, the original submission and any resubmission are to be recorded as attempts. The maximum mark awardable for the resubmission will be the relevant pass mark.
OTHER	
<i>Please note any other relevant information.</i>	
SIGNATURE OF HEAD OF DEPARTMENT	
Print Name:	
Signature:	
Date:	

Note: *A copy of this form should be sent to the Department of Governance (sdg@gcu.ac.uk) and in the case of a confirmed offence of plagiarism the student's name will be recorded on the Student Plagiarism Register.*

For reporting purposes all suspected minor offences investigated under the plagiarism process should be reported to Department of Governance using this proforma. Statistics are recorded for those cases which are found to be not proven or deemed to be poor academic practice.

CODE OF STUDENT CONDUCT: MAJOR PLAGIARISM REFERRAL FORM				
STUDENT DETAILS				
Name of Student:				
Matriculation Number:				
Programme of Study:				
Level of Study:				
Module:				
Has the Student Plagiarism Register been checked for a previous offence? <i>(If no then please contact Department of Governance prior to submission)</i>	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
Is this a first offence?	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
<i>In the case of a repeat offence please detail what guidance was previously issued to the student:</i>				
SUMMARY OF SUSPECTED MAJOR PLAGIARISM				
<i>Please provide details of the suspected major offence providing as much information as possible including relevant dates, details of evidence being presented for investigation and the rationale for referral as a major offence of plagiarism.</i>				
OTHER				
Programme Leader:				
Module Leader:				
<i>Please note any other relevant information.</i>				

SIGNATURE OF HEAD OF DEPARTMENT	
Print Name:	
Signature:	
Date:	

Note: *A copy of this form should be sent to the Department of Governance (sdg@gcu.ac.uk) along with electronic copies of all relevant evidence for investigation by an independent Plagiarism Assessor.*

CODE OF STUDENT CONDUCT: PLAGIARISM ASSESSOR REPORT FORM	
STUDENT DETAILS	
Name of Student:	
Matriculation Number:	
Programme of Study:	
Level of Study:	
Module:	
SUMMARY OF PLAGIARISM INVESTIGATION FINDINGS	
<p><i>Please include rationale for decision.</i></p>	
OUTCOME	
<p>Confirmed Major/repeat offence of Plagiarism</p> <p><i>Students will automatically be recorded on the Student Plagiarism Register as having a confirmed offence of plagiarism. Please indicate the sanctions to be imposed from the check list below. In the case of a third or subsequent offence of plagiarism being confirmed or where the sanctions under section 11.3 are deemed to be insufficient the case should be referred to the Senate Disciplinary Committee.</i></p>	<input type="checkbox"/>
<p>Poor Academic Practice</p> <p><i>Recommendations regarding further academic support may be outlined in the rationale below however no penalty for plagiarism may be imposed.</i></p>	<input type="checkbox"/>
<p>Not Proven</p>	<input type="checkbox"/>

SANCTIONS IMPOSED UNDER SECTION 11.3 OF THE CODE OF STUDENT CONDUCT

In cases of a first offence of major plagiarism or a second offence of minor plagiarism, the following sanctions may be applied, either singly or, more often, in combination. **Please check as appropriate.**

<input type="checkbox"/>	i. A formal written reprimand.
<input type="checkbox"/>	ii. A requirement to engage with appropriate academic support services within the University.
<input type="checkbox"/>	iii. A reduction of: the mark for the examination component concerned to the relevant pass mark; the mark for the coursework element concerned to the relevant pass mark.
<input type="checkbox"/>	iv. A reduction of: the mark for the examination component concerned to the relevant pass mark; the mark for the entire coursework component to the relevant pass mark; the module mark to the relevant pass mark.
<input type="checkbox"/>	v. A requirement to resubmit the coursework element concerned, with or without the addition of an attempt in the recorded number of attempts (provided the number of attempts does not exceed the maximum permissible). <u>In all such cases (please check as appropriate):</u> <ul style="list-style-type: none"><input type="checkbox"/> the maximum mark awardable for the coursework resubmission will be the relevant pass mark; or<input type="checkbox"/> the maximum mark awardable for the entire coursework component will be the relevant pass mark; or<input type="checkbox"/> the maximum module mark awardable will be the relevant pass mark

SIGNATURE OF PLAGIARISM ASSESSOR**Print Name:****Signature:****Date:**

Note: *A copy of this form should be sent to the Department of Governance (sdg@gcu.ac.uk) on completion of the Plagiarism Assessor's investigation.*

CODE OF STUDENT CONDUCT: MINOR DISCIPLINARY BREACH RECORD FORM	
STUDENT DETAILS	
Name of Student:	
Matriculation Number:	
Programme of Study:	
Level of Study:	
Module Title/Code if applicable:	
SUMMARY OF MINOR BREACH, INCLUDING DATE(S) OF BREACH	
Academic Misconduct	<input type="checkbox"/>
Non-Academic Misconduct	<input type="checkbox"/>
Detail:	
OUTCOME	
Admitted	<input type="checkbox"/>
Upheld	<input type="checkbox"/>
Dismissed	<input type="checkbox"/>
Detail:	
SANCTIONS IMPOSED UNDER SECTION 11.2 OF THE CODE OF STUDENT CONDUCT	
11.2.1 Non-academic or behavioural breach	<input type="checkbox"/> i. A formal written reprimand.
	<input type="checkbox"/> ii. A requirement to make good any damage caused to property belonging to the University, a member of staff, a fellow student or a visitor to the University (a payment plan should be agreed with the Finance Office if necessary).
	<input type="checkbox"/> iii. A requirement to undertake training (for example Equality & Diversity training).
	<input type="checkbox"/> iv. A requirement to engage with appropriate support services within the University.
	<input type="checkbox"/> v. A requirement to issue appropriate letters of apology.

11.2.2 Minor academic misconduct	<input type="checkbox"/>	i. A formal written reprimand.
	<input type="checkbox"/>	ii. A requirement to engage with appropriate academic support services within the University.
	<input type="checkbox"/>	iii. A reduction of: either, the mark for the examination component concerned to the relevant pass mark; or the mark for the coursework element concerned to the relevant pass mark.
	<input type="checkbox"/>	iv. A requirement to re-sit the examination component concerned or to resubmit the coursework element concerned provided the number of attempts does not exceed the maximum permissible. Where a re-sit or resubmission would exceed the number permissible, then the student would be considered as having exhausted all attempts at this assessment. In other words, both the original examination component or submission and any resit or resubmission are to be recorded as attempts. In either case the maximum mark awardable will be the relevant pass mark.
OTHER		
Please note any other relevant information:		
SIGNATURE OF HEAD OF DEPARTMENT OR DEAN OF SCHOOL		
Print Name:		
Signature:		
Date:		

Note: A copy of this form should be submitted to the Department of Governance (sdg@gcu.ac.uk) and a minor disciplinary offence will be recorded on the Student Discipline Register.

CODE OF STUDENT CONDUCT: MAJOR DISCIPLINARY BREACH REFERRAL FORM	
STUDENT DETAILS	
Name of Student:	
Matriculation Number:	
Programme of Study:	
Level of Study:	
Module Title/Code if applicable:	
SUMMARY OF MAJOR BREACH, INCLUDING DATE(S) OF BREACH	
Academic Misconduct	<input type="checkbox"/>
Non-Academic Misconduct	<input type="checkbox"/>
Provide an outline of: <ul style="list-style-type: none"> ▪ Extent and nature of misconduct ▪ Include date, venue, examination/assessment information as appropriate ▪ Supporting material / evidence ▪ Any other information which may be relevant 	
Checklist <ul style="list-style-type: none"> ▪ Include details of any previous advice or warnings given; ▪ In the case of academic misconduct, include a copy of the relevant work highlighting the sections where plagiarism may have occurred; ▪ Include clear notes to explain the evidence currently available; 	
OTHER	
Programme Leader:	
Module Leader if applicable:	

SIGNATURE OF DEAN OF SCHOOL (OR NOMINEE)	
Print Name:	
Signature:	
Date:	

Note: *A copy of this form should be submitted to the Department of Governance (sdc@gcu.ac.uk) along with copies of all relevant evidence for investigation.*

LINKS TO OTHER UNIVERSITY POLICIES

General Policies of the University

<http://www.gcu.ac.uk/gag/regulationsandpolicies/assessmentregulationsandassociatedpolicies/>

Admissions Policy

<http://www.gcu.ac.uk/aes/documentsandpolicies/>

Assessment Regulations

<http://www.gcu.ac.uk/gag/regulationsandpolicies/assessmentregulationsandassociatedpolicies/>

Regulations for the Conduct of Examinations

<http://www.gcu.ac.uk/gag/regulationsandpolicies/assessmentregulationsandassociatedpolicies/>

Attendance Monitoring and Reporting: Research Students

<http://www.gcu.ac.uk/student/regulations/>

Attendance Monitoring and Reporting: Taught Students

<http://www.gcu.ac.uk/student/regulations/>

University's Financial Regulations

<http://www.gcu.ac.uk/financeoffice/policiesguidelines/#d.en.43376>

Credit Control and Debt Management Policy

<http://www.gcu.ac.uk/financeoffice/policiesguidelines/#d.en.43376>

Data Protection Guidelines

<http://www.gcu.ac.uk/dataprotection/index.html>

Electronic Equipment Loan

<http://www.gcu.ac.uk/library/usingthelibrary/aboutthelibrary/librarypoliciesandreports/libraryregulations/>

Fees and Refund Policy

<http://www.gcu.ac.uk/financeoffice/policiesguidelines/#d.en.43376>

Code of Professional Conduct and Fitness to Practise Code

<http://www.gcu.ac.uk/hls/study/learningathls/fitnesstopractice/>

IS Policy

<http://www.gcu.ac.uk/staff/it/itregulationspolicies/>

Library Regulations

<http://www.gcu.ac.uk/library/usingthelibrary/aboutthelibrary/librarypoliciesandreports/libraryregulations/>

Research Ethics Principles and Policy

http://www.gcu.ac.uk/hr/policies/general/code_of_good_practice_in_research.doc

Online Similarity Checking Policy

<http://www.gcu.ac.uk/gaq/regulationsandpolicies/>

Gender Based Violence Policy

<https://www.gcu.ac.uk/student/studentlife/healthandwellbeing/studentwellbeing/genderbasedviolence/>

External Policies Relevant to the University

Janet Acceptable Use Policy

<https://community.ja.net/library/acceptable-use-policy>

Constitution of the GCU Students' Association

<http://www.gcustudents.co.uk/keyinformation>