

# **UCEM Code of Practice**

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## **Student Academic and Behavioural Conduct**

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**Student Academic and Behavioural Conduct**

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# 1. Introduction

This chapter sets out the broad principles that guide UCEM's approach to managing academic and behavioural conduct.

UCEM aims to promote and develop consistently high standards of academic conduct and behaviour for its students, to prepare them for their professional and personal life, both during and after the completion of their programme.

UCEM anticipates that most of its students will understand and appreciate the importance of adopting and demonstrating good academic practice and professional standards at all times during their studies. However, UCEM also accepts that at times some students may intentionally or unintentionally not adopt and demonstrate the required academic and professional standards of conduct.

This Code of Practice is separate from the [UCEM Fitness to Study Procedure \(opens new window\)](#) which outlines the procedure that will be followed if there are concerns regarding a student's fitness to study i.e. their ability to engage effectively and safely with their studies, without unreasonably affecting their wellbeing.

## 1.1 Scope

This Code of Practice and the accompanying procedures apply to all UCEM students including undergraduate and postgraduate taught students and Postgraduate Research (PGR) students. The term student is used throughout the procedure to refer to all the above learners.

UCEM makes the distinction between academic matters (for example, allegations of plagiarism and research misconduct) and non-academic or behavioural matters (for example, misconduct involving disruptive behaviour) and there are separate processes which are followed. This Code of Practice covers both student academic conduct and behavioural conduct. More extensive guidance on these two areas are available in the accompanying procedures, which should be read alongside this document:

- [UCEM Academic Misconduct Procedure for students on taught programmes \(opens new window\)](#) or Plagiarism and Research Misconduct Policy – Postgraduate Research Students (opens new window).
- [UCEM Student Disciplinary Procedure \(opens new window\)](#).

This document does not cover conduct by staff towards students. Students must make any complaint about staff conduct through the [Student Complaints Procedure \(opens new window\)](#). Similarly, students wishing to complain about the conduct of other students must use the Student Complaints Procedure in the first instance.

## 2. Student academic misconduct

Good academic practice and academic integrity are central to the values promoted by UCEM. It is important that all UCEM students are assessed on their own ability and that no student is allowed to gain an unfair advantage over others, or to diminish the quality or academic standing of a UCEM award.

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## 2.1 Definition of academic misconduct

UCEM defines academic misconduct as cheating, attempts to cheat, plagiarism, collusion, and any other attempts to gain an unfair advantage in assessments.

## 2.2 Types of academic misconduct

The types of academic misconduct including plagiarism and research misconduct are set out in the following UCEM documents:

- [UCEM Academic Misconduct Procedure for students on taught programmes \(opens new window\)](#).
- Plagiarism and Research Misconduct Policy – Postgraduate Research Students (opens new window).
- [Academic Misconduct Guidance for Students \(opens new window\)](#).

## 2.3 Procedure for students on taught programmes

### 2.3.1 Summary of the procedure

Cases of suspected academic misconduct will be investigated in line with the [UCEM Academic Misconduct Procedure for students on taught programmes \(opens new window\)](#).

A brief summary is provided below:

- Identification of suspected academic misconduct in an assessment;
- Initial investigation - referral to Academic Reviewer if there is sufficient evidence of academic misconduct;
- Review by Academic Reviewer - referral to Panel if it is determined that there may be academic misconduct;
- Student notified and given a right to reply;
- Academic Misconduct Panel held;
- Outcome communicated to the student in writing.

If the initial investigator or Academic Reviewer determines that there is no case to answer, the student may be referred for support, otherwise no further action is taken.

The standard of proof is that of the 'balance of probabilities' rather than 'beyond all reasonable doubt'. Evidence indicating that, on balance of probabilities, academic misconduct has occurred will be deemed sufficient evidence for action to be taken.

Students who are accused of committing academic misconduct will be given a right to reply which is an opportunity to prepare a statement setting out any mitigating factors. Mitigating factors may include (but are not limited to) a disability or mental health issues. Before a penalty is applied for academic misconduct the case will be reviewed by the Academic Misconduct Panel. Students are entitled to attend this meeting to present their case and can also be accompanied. A student's response to the right to reply will be fully considered, whether the student is in attendance or not.

The panel will review the evidence and will consider the severity, intent, level of study, whether there are repeated instances and any mitigating factors provided by the student.

Proven cases of academic misconduct will be recorded on the student record and reported to the Board of Examiners.

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#### 2.3.2 Students at Level 4

UCEM makes the distinction between poor academic practice and academic misconduct and is particularly mindful that students who are new to higher education, especially at Level 4 need to learn to write in an academic style required for higher education level study. UCEM will therefore take into account the level of study when considering whether a case should be investigated under its Academic Misconduct Procedure for students on taught programmes.

#### 2.3.3 Potential Penalties for Academic Misconduct

UCEM aims to ensure fairness and consistency in the application of penalties for cases of confirmed academic misconduct. If a case has been proven, the Academic Misconduct Panel will apply penalties according to the penalty matrix outlined within the [UCEM Academic Misconduct Procedure \(opens new window\)](#). The sanctions range from an advisory letter and / or referral for support for cases of poor academic practice to removal from the programme for the most serious and persistent cases of academic misconduct.

### 2.4 Procedure for postgraduate research (PGR) students

#### 2.4.1 Summary of the procedure

Cases of suspected plagiarism and research misconduct for PGR students will be investigated in line with the Plagiarism and Research Misconduct Policy – Postgraduate Research Students.

Most cases of PGR student plagiarism or research misconduct will be detected by the supervisors, the upgrade assessors or the examiners. Where the research is in the public domain it may be brought to UCEM's attention by an external.

The Plagiarism and Research Misconduct Policy – Postgraduate Research Students sets out the procedure and likely penalties where suspected plagiarism and research misconduct has occurred at the following stages in the PGR student's programme:

- Prior to upgrade
- During upgrade
- Prior to thesis submission
- Thesis examination
- Post graduation

#### 2.4.2 Potential penalties for plagiarism and research misconduct

As the postgraduate research programme is validated by The Open University, UCEM will work with The Open University as the awarding body to investigate cases of plagiarism and research misconduct. UCEM and The Open University aim to ensure fairness and consistency in the application of penalties for confirmed cases of plagiarism and research misconduct and uses a simple graduated framework of penalties.

Penalties will take into account the severity and impact of the plagiarism or research misconduct, the extent and number of offences.

## **3. Student behavioural misconduct**

UCEM communicates its conduct expectations of all students through its:

- [Academic and Programme Regulations – Applicable to all students studying on UCEM taught programmes at Levels 4 - 7 \(opens new window\)](#) or Research Degree Regulations – Applicable to all students studying on UCEM Research Degree Programmes (opens new window);
- [Terms and Conditions of Contract \(opens new window\)](#) or Terms and Conditions of Contract Students on Apprenticeship Programmes (opens new window) or Terms and Condition of Contract Postgraduate Research Students ([opens new window](#))  
Non-compliance with these expectations will be considered on the grounds of either:
  - Minor misconduct;
  - Major misconduct.

Wherever appropriate, UCEM will attempt to resolve these issues without resorting to formal disciplinary processes. Where possible, UCEM staff will attempt to deal with unacceptable conduct issues through informal processes. Where this is not possible, UCEM staff will deal with the matter in accordance with this policy and the related [Student Disciplinary Procedure \(opens new window\)](#).

### **3.1 Minor misconduct**

Where there is failure to observe UCEM conduct expectations, but the nature of the misconduct is not of a sufficiently serious nature or is not a recurring issue, it shall be treated and dealt typically as 'minor misconduct'. Examples of behaviour which would be considered as minor misconduct would include swearing or use of offensive/derogatory language (of any kind, including on the grounds of race, sexuality, gender or gender identity) or conduct that disrupts or improperly interferes with the teaching, learning, research, administrative or other activities of UCEM.

In addition, for students studying an apprenticeship programme minor misconduct would include unauthorised absence or persistent lateness and insufficient monthly recording and submission of Off the Job Diary and insufficient monthly VLE activity..

Please see the [Student Disciplinary Procedure \(opens new window\)](#) for a more extensive list of what constitutes minor misconduct.

### **3.2 Major misconduct**

Where failure to observe UCEM conduct expectations is deemed of a sufficiently serious nature, it shall be treated as major misconduct. Examples of behaviour which would be considered as major misconduct include physical, sexual, or racial assault or violent, indecent, or abusive behaviour or bullying or harassment.

Please see the [Student Disciplinary Procedure \(opens new window\)](#) for a more extensive list of what constitutes major misconduct.

Where offences are criminal, UCEM will report these to the relevant authorities. Action taken under the Student Disciplinary Procedure may be deferred until the police action, criminal proceedings and/or civil proceedings against the student have been concluded. The student will be notified.

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## 3.3 Liaison with employers and parents

Where there is alleged misconduct by an apprenticeship student the student's employer shall be informed. In addition, where the apprenticeship student is aged under 19, or where the student is a 19-24-year-old care leaver, the student's parent/guardian shall be informed.

## 3.4 Procedure

Please see the accompanying [Student Disciplinary Procedure \(opens new window\)](#) for full details of how suspected disciplinary offences will be investigated. A brief summary is provided below:

### Minor Behavioural Misconduct

- Identification of suspected minor behavioural misconduct and verbal warning;
- Investigation if behavioural misconduct continues;
- Notice to student of the investigation;
- Minor behavioural misconduct meeting between the student and investigator;
- Outcome of investigation communicated to the student in writing.

### Major Behavioural Misconduct

- Identification of suspected major behavioural misconduct or persistent minor behavioural misconduct;
- Evidence gathering;
- Student notified and given a right to reply;
- Student Disciplinary Panel held;
- Outcome communicated to the student in writing.

## 3.5 Potential penalties for behavioural misconduct

One or more of the following penalties may be issued as a result of proven behavioural misconduct:

- a written caution;
- a requirement to provide written confirmation agreeing to amend future behaviour;
- a requirement to write a letter of apology to a named party or parties;
- a fine not exceeding £250 to compensate a party or parties who have suffered a financially quantifiable loss as a result of the misconduct;
- a requirement to attend a particular course or training session (which may be at the students' own cost, but will not exceed £150);
- changing of tutor groups;
- prevention from using a particular service to which the misconduct relates for a specified period of time (including permanently);
- a final written warning stating that failure to comply with conditions set and/or any further breaches of UCEM student conduct expectations could result in temporary exclusion or the end of the student's studies with UCEM (end of contract);

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- recommend temporary exclusion from UCEM in line with the [UCEM Academic and Programme Regulations \(opens a new window\)](#);
- recommend that the end of student's studies on their programme in line with the [UCEM Academic and Programme Regulations \(opens a new window\)](#) section on end of contract, including recommendation regarding whether the student should or should not be prevented from being considered for an intermediate exit award (provided they have achieved the required number of credits).

The student may be temporarily excluded from UCEM or have their contract ended with UCEM, on the authority of the Vice Chancellor, or on the authority delegated to the Deputy Vice-Chancellor.

The following factors will be taken into account when determining the penalty:

- severity;
- intent;
- persistence;
- any mitigating factors presented;
- admission of wrongdoing and/or remorse.

## 4. Right of appeal

Any decision to impose a penalty as a result of an academic or disciplinary offence is subject to the student's right of appeal under the [UCEM Code of Practice chapter on Complaints and Appeals \(opens a new window\)](#). Students wishing to appeal may submit an appeal in line with the following procedures:

- For undergraduate and postgraduate taught students and apprentices via the Student Appeals Procedure (opens new window).
- For PGR students via the Postgraduate Research Appeals Procedure (opens new window).

# Appendix A: Related documents

- [Terms and Conditions of Contract \(opens new window\)](#),
- [Academic and Programme Regulations \(opens new window\)](#),
- [UCEM Code of Practice: Safeguarding and Prevent \(opens new window\)](#);
- [UCEM Safeguarding Procedure \(opens new window\)](#),
- [UCEM Prevent Procedure \(opens new window\)](#),
- [UCEM Privacy Policy \(opens new window\)](#),
- [UCEM Code of Practice: Neurodiversity Disability and Wellbeing \(opens new window\)](#);
- [UCEM Code of Practice: Appeals and Complaints \(opens new window\)](#),
- [UCEM Student Complaints Procedure \(opens new window\)](#),
- [UCEM Student Appeals Procedure \(opens new window\)](#),
- [UCEM Postgraduate Research Student Appeals Procedure \(opens new window\)](#)
- [UCEM Plagiarism and Research Misconduct Policy – Postgraduate Research Students \(opens new window\)](#)