



UNIVERSITY COLLEGE
OF ESTATE MANAGEMENT

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Terms of Reference and Protocol for Academic Misconduct Panel Hearings

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1. Key purpose

The Academic Misconduct Panel (AMP) reviews cases of suspected academic misconduct with relation to summative assessment to determine if academic misconduct has occurred. The AMP will determine the penalty to be applied for confirmed cases of academic misconduct in UCEM programmes.

This document must be used in conjunction with the [Code of Practice chapter on Student Academic and Behavioural Conduct \(opens new window\)](#) and the [Academic Misconduct Procedure \(opens new window\)](#).

2. Key principles

The AMP should follow these key principles:

- There must be no unnecessary delay and the student must be allowed reasonable time to respond to the allegations;
- Provide clear information to allow students to understand the allegations brought against them;
- Allow reasonable adjustments to accommodate the needs of students with declared disabilities;
- Enable all students to receive a fair hearing where decisions are made by a fully trained panel free from bias or perceived bias;
- Ensure that cases are treated confidentially and adhering to the UK General Data Protection Regulation (GDPR) 2018;
- Provide students with the opportunity to respond to allegations of academic misconduct either in writing or by attending the AMP normally virtually;
- Provide students with the opportunity to be accompanied to the AMP;
- The decision of the AMP will be clear, explicit, and notified to the student in writing within five working days.

3. Prior to the academic misconduct hearing

3.1 Allegations of academic misconduct in assessment

In line with UCEM's Academic Misconduct Procedure, if following initial investigation, the Academic Delivery Manager determines that further investigation is required the case should be referred to the Academic Reviewer who will decide whether the case requires escalation to the AMP.

Following the decision to refer the case to the AMP the student must receive the following in writing:

- The nature of the allegation and the assessment affected;
- A copy of the Turnitin similarity report and a guidance document providing information on how to interpret a Turnitin similarity report;
- Any other evidence that will be brought to support the allegation such as marked up copies of the assessment indicating plagiarised passages or marked up copies of sources that have been copied;
- A link to the UCEM [Academic Misconduct Procedure \(opens new window\)](#) and [Academic Misconduct Panel: Guidance for Students \(opens new window\)](#);
- The date, time, and a link to join the AMP. The roles of those attending will be notified to students in advance and names will be clear on the agenda;
- Information on how to present their response either in writing or through attendance at the panel hearing normally virtually. That the response should provide any evidence that they wish to be consider by the AMP. The deadline for submitting the written response and providing notification of attendance (either in person or virtually) normally within fourteen calendar days of the date on the letter. If a response is not provided this will not be considered by the panel as an admission of guilt;
- That witness statements can be included as part of the response;
- That if they choose to attend that they have the right to be accompanied;
- That if they fail to provide a response in writing or at the meeting the hearing will proceed in their absence;
- That if they require any special requirements to allow them to attend / or participate fully in the hearing that they notify UCEM at least five working days prior to the meeting;
- Details of how they can access advice and support.

4. The academic misconduct panel hearing

4.1 Timing of the hearing

It is important that allegations of academic misconduct are investigated in a timely manner. In line with guidance published by the Office of the Independent Adjudicator (OIA), the whole process from the start of the investigation to the issuing of the outcome will not normally exceed 60 calendar days.

The AMP must therefore be convened in a timely manner and should not be unreasonably delayed. There is a balance between allowing students a reasonable amount of time to prepare and participate in the hearing and the stress that students may experience while they are waiting for their case to be heard.

4.2 Purpose of the hearing

The purpose of the AMP hearing is to investigate the allegations of academic misconduct.

It is essential that the hearing process is fair and transparent. Failure to ensure this may lead to decisions being challenged at appeal stage.

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

The burden of proof is on the individual making the allegation in the UCEM context this is the Academic Reviewer.

4.3 Composition of the panel

The membership of the panel comprises of a pool of appointed chairs and members drawn from the Learning and Teaching team and the Academic Quality Unit (AQU). Please see Appendix A which sets out the panel membership.

Each panel will be convened to include one chair, two members from the Learning and Teaching team and a representative from the AQU. When convening the panel to consider the individual cases steps will be taken to ensure that those selected onto the panel will have had no involvement in the previous stages of the investigation. Any other conflicts must be declared and resolved prior to the panel hearing.

The Academic Registrar shall nominate a notetaker who will be in attendance at the meeting to record the outcome.

4.4 At the hearing

The student will be invited to the hearing related to their case. In cases of collusion all students involved will have their cases heard at the same meeting and will be provided with all written documentation and entitled to hear the other student's responses.

The AMP has the power to call any witnesses and the student may submit written witness statements as part of their response for the AMP to consider as part of the hearing.

The Academic Reviewer who conducted the review will be invited to the meeting to present the case on behalf of UCEM.

The Chair should open the meeting by:

- Inviting the panel to introduce themselves and by explaining everyone's role in the proceedings;
- Describing how the meeting will be conducted and emphasising that any conflicts of interest should have been resolved prior to the meeting;
- Advising that the meeting will be recorded, and a notetaker is present to record the minutes of the meeting;
- Confirming for the minutes that the student is accompanied or if they are not advising that they had the right to be accompanied;
- Ensuring that everyone has the relevant papers.

The Chair will then ask the Academic Reviewer to present a summary of why the matter has been brought to the panel referring to any relevant evidence. The panel then has the opportunity to seek additional clarification by asking questions of the Academic Reviewer.

The Chair will then ask the student if they are in attendance at the meeting to present their Right to Reply response referring to any relevant evidence. The panel may ask questions for clarification. The panel may want to discuss the students' understanding of the offence.

If the student is absent from the meeting the student's Right to Reply response will be read out by the Chair and a copy circulated to the panel.

If the Academic Reviewer or student has any questions these must be directed to the Chair.

When the panel is satisfied that there are no further questions the Academic Reviewer and the Student will each be given an opportunity to summarise..

The Academic Reviewer and student will then leave the meeting and the panel will make their decision.

The panel will make their decision on the evidence presented.

The panel will first determine whether, on the balance of probabilities, academic misconduct has occurred. They will determine that there is either:

- a. No / insufficient evidence of academic misconduct or poor academic practice (no further action);
- b. Evidence of poor academic practice (advisory letter and referral to Academic Support and Enhancement Team and note placed on the student record);
- c. Sufficient evidence of academic misconduct (apply penalty).

If it is agreed that academic misconduct has occurred (option c above) and the panel will determine the scale of the offence and the penalty to impose (marginal, minor, significant and major) by working through the penalty scale starting at the least severe until the appropriate penalty is reached in accordance with the UCEM Academic Misconduct Procedure. Any mitigating factors outlined by the student should apply to the sanction and not to the decision regarding whether misconduct has occurred.

If the student has a previous history of academic misconduct, it will not normally be brought to the attention of the panel once a decision has been taken whether there is academic misconduct in this instance and before a penalty is decided upon.

The panel has the power to adjourn a hearing if further evidence is required, as long as the hearing is reconvened within a reasonable period.

5. After the hearing

The notetaker will prepare the minutes from the AMP and will send to the Chair for approval. The minutes must include for each case:

- The date of the hearing;
- Who attended the meeting;
- A summary of the allegation;
- State whether the allegation of misconduct is Proven or Not Proven and the reasons why with reference to severity of the offence, intent, level of study and history of previous offences;
- Where the allegation is proven the minutes should detail the penalty to be applied in line with UCEM penalty scale;
- If the AMP is unable to reach a conclusion on all or part of the allegation of misconduct due to conflicting evidence, the report should note this;

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- Any recommendations for further action for example recognising good practice or feedback on procedures.

The notification letter to the student should be sent within five working days of the meeting and will include:

- A summary of the allegation;
- State whether the allegation of misconduct is Proven or Not Proven and the reasons why with reference to severity of the offence, intent, level of study and history of previous offences;
- Where the allegation is proven the letter should confirm the penalty applied in line with UCEM penalty scale;
- Reference to the appeals process.

6. Reporting

The notetaker must maintain a cumulative record of all cases considered by the AMP and this will be reported to the Quality Standards and Enhancement Committee (QSEC) and the Academic Board. The report will include a breakdown of cases considered by type, outcomes and penalties and by programme.

The AMP is also responsible for reviewing the procedure annually and disseminating any areas of good practice or identifying when further enhancements are required.

7. Appeals

Students have the right to appeal against a decision reached by the AMP and should be directed to [UCEM's Appeals Procedure \(opens new window\)](#).

Appendix A – Membership of the Academic Misconduct Panel (AMP)

The following are the pool of chairs which can be selected to chair the AMP (one Chair per panel meeting):

Name	Title	Ex officio/ appointed
Alan Hill	Dean – School of the Built Environment (Academic)	Ex officio
Cathy Higgs	Dean- School of the Built Environment	Ex officio
Phil Russell	Head of Academic Support and Enhancement	Ex officio

The following are the members of the Learning and Teaching team that can be selected from to convene the panel (two Learning and Teaching members per panel meeting):

Name	Title	Ex officio/ appointed
Christine Gausden	Academic Delivery Manager	Ex officio
Alison Andrews	Academic Delivery Manager	Ex officio
Amanda Milambo	Academic Delivery Manager	Ex officio
David Hourihan	Academic Delivery Manager	Ex officio
David Hunt	Academic Delivery Manager	Ex officio
Jon Hubert	Academic Delivery Manager	Ex officio
Marc Fleming	Academic Delivery Manager	Ex officio
Matthew Smith	Academic Delivery Manager	Ex officio

The panel includes a representative from the AQU:

Name	Title	Ex officio/ appointed
As appropriate	Quality Assurance Officer or nominee from the AQU	Ex officio

The following members are invited and do not take part in the decision-making process:

Name	Title	Ex officio/ appointed/ invited
As appropriate	Nominee from the Academic Registry team	Notetaker – in attendance
As appropriate	Relevant Academic Reviewer to present cases of suspected academic misconduct	Invited

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Name	Title	Ex officio/ appointed/ invited
Richard Higgins	Disability and Welfare Manager or nominee from the Disability and Wellbeing Team	Invited if a disability or additional need is referenced in the right to reply letter