

Regulation XVIII

Academic Misconduct

(Version effective from 1 August 2022)

Scope of Regulation

1. This regulation shall apply to all taught students on introductory, undergraduate and modular postgraduate programmes. The Academic Registrar may waive any of the requirements of this regulation in the case of individual students. Any such waiver shall be reported to the next meeting of Senate.

Definition of Academic Misconduct and General Issues

2. The University defines academic misconduct as any action by a student which gives or has the potential to give them or any other student an unfair advantage in any examination or assessment, or any activity likely to undermine the integrity and academic standards essential to scholarship and research. Examples of academic misconduct include (but are not restricted to):

- i. Plagiarism – presenting for assessment someone else’s work or ideas as the student’s own. This includes failure to acknowledge clearly and explicitly the ideas, words, or work of another person whether these are published or unpublished.
- ii. Self-plagiarism – submitting for assessment the same work that the student has previously submitted at Loughborough, or which has contributed to an award at any other institution, unless specific provision for this is made in the assessment brief.
- iii. Contract cheating – engaging a third party to complete assessed work for a student who then submits it as their own. This can be where a student uses an online “essay mill” or writing service to purchase work, but it is not necessary for money to be exchanged for contract cheating to occur – e.g. it may involve a student swapping papers with another student, or a student asking a friend, colleague, or family member to write an assignment for them as a favour. Contract cheating may also occur where a student arranges to have their work copy-edited or proof-read, either commercially or by a friend, colleague, or family member, and the amendments made are so substantial that the work can no longer be considered to be the student’s own.
- iv. Assisting another student to gain an advantage by unfair means or receiving such assistance, for example by impersonation (where arrangements are made for someone else to impersonate a student by sitting their assessment in person or remotely – this may be on the basis of a commercial contract, or may be a non-financial arrangement), or undeclared failure to contribute to group coursework.
- v. Obtaining and/or distributing a copy of another student’s work without their permission.
- vi. Falsifying or fabricating data, evidence, or experimental results in assessed work.

- vii. Collusion – working with another student on an assessment which is intended to be the student's own work. This includes submitting assessed work as the student's own of which the student is not the sole author (because of the collusion with another student), or providing material which is submitted by another student as their own.
- viii. Failing to comply with the rules for Written Examination Candidates (in Regulation VII), including possession of prohibited materials or technology during an examination, class-test, or equivalent.
- ix. Breaches of research and ethics policies – e.g. carrying out research without appropriate permission.

3. A student shall certify, when submitting work for assessment, the extent to which the work is their own.

4. Any penalty imposed under this regulation shall not normally be overturned subsequently. In particular, any reduction of marks imposed on a student found guilty of academic misconduct shall not be subsequently reversed by a Mitigating Circumstances Panel by increasing the student's marks or substituting alternative marks under paragraphs 12.3 and 12.4 of Regulation XVII. However, in exceptional circumstances, in accordance with paragraphs 30-33 below, the reduction of marks obtained by a student found guilty of academic misconduct may be reversed where the student is permitted by a Mitigating Circumstances Panel to undertake a repeat attempt of the assessment in relation to which they are found guilty of academic misconduct under paragraphs 12.1 or 12.2 of Regulation XVII.

Minor Offences

Definition and Jurisdiction

5. An incident shall be deemed to be a Minor Offence of academic misconduct if it relates to work for assessment not undertaken in an Examination Hall or class-test venue or equivalent, and if the nature of the incident together with the circumstances of the student make appropriate a relatively limited penalty. Examples include first offences of failure to acknowledge sources in a limited amount of coursework, and limited copying of another student's work. These examples are not intended to be exhaustive. Four specific scenarios in which cases should normally be referred for action under the Major Offence procedure are described in paragraph 17 below.

6. Minor Offences shall be considered by a Minor Academic Misconduct Committee (MAMC) with the following constitution:

- i. A current/past Associate Dean (Education and Student Experience) or a current/past Director of Studies*, or a nominee of the Associate Dean (Education and Student Experience) with appropriate knowledge and experience of academic misconduct processes, who shall act as Chair
- ii. One other member of Academic Staff taken from a pool of appropriately trained academic staff approved by the School Learning and Teaching Committee

A member of the Administrative staff appointed by the Operations Manager shall act as Secretary. All of the above must be present in order for the MAMC to be quorate. Where there is a split decision, the Chair shall have the casting vote.

No member who has any connection with the case may serve on the MAMC or act as its Secretary.

**The Manager of the Language Centre and the Foundation Programme Leader may act in the role of Director of Studies for modules specifically related to their area of governance. Where a formal deputy AD(T) has been appointed, they may also act as Chair.*

Procedure

7. In the case of assessed work, any circumstances which appear to an examiner to suggest that a student has committed an act of academic misconduct shall be reported immediately to the module leader, and to the Academic Integrity Lead (AIL) and Secretary of the MAMC for the School responsible for delivering the module.

8. In response to the information provided, the Secretary of the MAMC will identify the programme on which the student is registered. If a student is registered on a programme outside the School responsible for delivering the module, the Secretary of the MAMC responsible for the module will contact the Secretary of the MAMC for the School owning the programme to check whether the student has previously been found guilty of any offence of academic misconduct at any time during their current programme of study, or is suspected of an offence in another assessed element of their programme, and therefore whether the case should be referred for action under the Major Offence procedure in accordance with paragraph 17(iii) below.

9. In response to the information provided, the AIL will:

- i. Arrange for the module leader to carry out an initial investigation. This investigation may involve consulting with the academic staff concerned and requesting further evidence or action e.g. passing the assessment through text-matching, linguistic analysis, or other appropriate software. (Where academic misconduct is suspected in more than one module, the AIL will normally be required to undertake a more proactive role in co-ordinating and taking forward the multiple strands of the case). The purpose of the initial investigation is to allow the module leader and/or AIL to collect information to inform a decision on whether a formal allegation should be made, or whether the matter can be dealt with outside of the formal AM processes in the Regulation. The student will not normally be contacted during the initial investigation (prior to the written notification in paragraph 10 below)
- ii. Classify the case as a Minor or Major Offence. The AIL may consult with the Academic Registrar (or nominee) in relation to the classification of offences, and final interpretation of the nature of an offence shall be the responsibility of the Academic Registrar (or nominee).
- iii. Where a case is classified as Major, the module leader, supported by the AIL will refer the case and accompanying evidence to the secretary to the Academic Misconduct Committee (AMC), using the standard pro-forma.

10. Where a case is classified as Minor, the student shall be notified in writing to their University email address of the alleged offence by the Secretary of the MAMC at least ten working days before the date of the MAMC meeting convened to consider the case. The notification shall include the nature of the allegation, the evidence in support of the allegation, and the date and time of the meeting, together with details of the members of the MAMC. The student shall be invited to admit or deny the allegation and informed that they have the following rights:

- i. To submit a written defence and any other written evidence.
- ii. To attend the MAMC meeting in person.
- iii. To be accompanied by an individual of their own choosing.
- iv. To call witnesses for examination at the meeting.

11. Any written defence or written evidence from the student, together with the name and status of any accompanying individual, and of any persons to be called as witnesses must be received by the Secretary to the MAMC at least 4 working days before the meeting. The secretary to the MAMC will circulate this documentation to all participants three working days prior to the meeting. At the discretion of the Chair of the MAMC, the student may be permitted to submit their written defence or written evidence outside of the above timescales.

12. The MAMC may require the module leader, or relevant examiner, to attend the meeting of the MAMC in person. In some cases the AIL may also be required to attend.

13. The proceedings of the MAMC meeting shall normally take the following form:

- i. The evidence against the student shall be presented. Where the allegation relates to an assessment undertaken in an Examination Hall or class-test venue or equivalent, the invigilator who detected the incident may be required to present the evidence. In the case of other assessed work, the evidence will normally be presented by the relevant module leader, or relevant examiner. In some cases, the evidence may be presented by the AIL.
- ii. The student shall be allowed to respond to the allegations, including the questioning of any witnesses.
- iii. The MAMC shall ask questions of the student, any witnesses and the person presenting the case.
- iv. The student shall make their final statement.
- v. Within this framework the Committee has discretion over the conduct of the proceedings.
- vi. With the agreement of the student, the procedure may be simplified in cases where the student has admitted the allegation.
- vii. In cases of collusion, the allegations against all of the students involved will normally be heard together in order to ensure full disclosure to all parties of all the written and verbal evidence considered. However, students will also be given the opportunity to make private written or verbal submissions to the Panel regarding any confidential or sensitive matters raised in mitigation.

14. Having taken into account all the evidence and the defence, if any, the MAMC shall decide whether the student is guilty of the offence, and if so, the appropriate penalty to be imposed. In determining the penalty, the MAMC shall also take into account the extent to which the circumstances suggest the student intended to obtain an unfair advantage for themselves or another. The student shall be notified in writing to their University email address of the MAMC decision and of the penalty, if one is to be applied, within three working days of the meeting. The student shall be given clear reasons for the decision, including any penalties imposed. They shall also be notified of their right of appeal under paragraphs 39 and 40 below. Where the case concerns a student registered on a programme delivered by another School, the secretary to the MAMC shall inform the secretary to the MAMC of the programme-owning School of the decision and any penalties imposed.

Penalties

15. Where a student is found guilty of a Minor Offence, the MAMC shall be empowered to impose one or more of the following penalties:

- i. The issue of a formal warning. Where such a warning is imposed, no further action will be taken against the student. A note of the imposition of the warning will be kept, and any further allegation arising against the student in the context of the same programme of study will normally be referred for consideration as a Major Offence in accordance with paragraph 17 (iii) below. However, no reference to any formal warning imposed under this Regulation will be made on the student's degree transcript or certificate.
- ii. The reduction by any amount of any or all of the marks obtained by the student in the module concerned to a minimum module mark of 1%.
- iii. In exceptional circumstances, where a student is found guilty of a first offence of academic misconduct in relation to a module undertaken on a resit basis, the MAMC may permit the student to resubmit the work in which academic misconduct was found, at the next available opportunity, with the aim of achieving the minimum level of performance required to allow progression (in which case the mark for the work will be capped at that minimum level).
- iv. Where a student is found guilty of academic misconduct in relation to a module in a previous, completed, part of their programme, e.g. where they are found to have assisted another student to obtain an advantage by unfair means, the Committee may, exceptionally, impose one or more of the non-academic penalties in Section 4(vi) of Ordinance XVII (Conduct and Discipline of Students).

Major Offences

Definition and Jurisdiction

16. An incident shall normally be deemed to be a Major Offence of academic misconduct if it relates to an assessment undertaken in an Examination Hall or class-test venue or equivalent, or to other assessed work where the nature of the incident together with the circumstances of the student make appropriate a substantial

penalty. Examples include contract cheating, failure to acknowledge sources in a substantial amount of coursework, and substantial verbatim (or near verbatim) copying of another student's work. These examples are not intended to be exhaustive.

17. Cases should normally be referred for action under the Major Offence procedure where:

- i. the content of the student's work in relation to which academic misconduct is suspected is equivalent to a modular weighting of more than 15 credits, in accordance with the Academic Misconduct Penalty Framework. (This clause is not intended to entirely preclude cases being referred for action under the Major Offence procedure where the content of the student's work in relation to which academic misconduct is suspected is equivalent to, or less than a modular weighting of 15 credits – it may still be appropriate to refer such cases, particularly where the allegation is indicative of a high level of intention to obtain an unfair advantage, for example where the allegation relates to purchasing work from an online "essay mill.")
- ii. the imposition of the normal penalty for the offence under consideration would result in the student being unable to achieve their primary qualification aim. (This clause does not apply where the student would still be able to achieve their primary qualification aim by undertaking resits).
- iii. the student has previously been found guilty of any offence of academic misconduct at any time during their current programme of study at Loughborough University. In cases of collusion, where one of those against whom an allegation has been made has previously been found guilty of any offence of academic misconduct, or is suspected of an offence in more than one assessed element of their programme, the allegations against all of the students involved in the case should be considered together under the Major Offence procedures. However, the allegations against those students with no previous offences or concurrent allegations should still be classified as Minor, and only the Minor Offence penalties referred to in paragraph 16 may be imposed on them.
- iv. The nature of the incident together with the circumstances of the student make appropriate a substantial penalty.

18. In exceptional circumstances, where a very limited technical offence is alleged in relation to an assessment undertaken in an Examination Hall or class-test venue or equivalent (for example, possession of written materials which are entirely unconnected to the student's programme of study), the Academic Registrar or nominee may, with the student's consent, allow the case to be considered by the Chair of the AMC by way of Chair's action. Any penalty imposed in such cases will not normally exceed a formal warning. If the student does not consent to this approach they may opt to have their case considered by the relevant MAMC or by the AMC in accordance with the normal procedures described in this Regulation.

19. Major Offences shall be considered by an Academic Misconduct Committee (AMC) with the following constitution:

- Nominee of the PVC(E&SE), who shall act as Chair
- One member of academic staff taken from a pool of appropriately trained and experienced staff nominated by the PVC(E&SE)
- One University member of the Loughborough Students' Union Executive nominated by the Executive

The Academic Registrar shall appoint a member of Academic Registry staff to act as Secretary to the Committee.

All of the above must be present in order for the committee to be quorate. No individual who has any connection with the case to be heard may serve on the AMC or act as its Secretary.

Procedure

20. In the case of an assessment taking place in an Examination Hall or class-test venue or equivalent, any incident of alleged academic misconduct shall be reported immediately, with evidence, to the Academic Registrar or nominee. In the case of other assessed work, any circumstances which appear to an examiner to suggest that a student has committed any act of academic misconduct shall be reported immediately to the module leader, and to the AIL and Secretary of the MAMC for the School responsible for the module and subsequent action shall be taken in accordance with paragraphs 8 and 9 above.

21. Students shall be notified in writing to their University email address of alleged Major Offences by the Secretary of the AMC at least ten working days before the date of the Committee meeting. The notification shall include the nature of the charge, the evidence, and the date and time of the meeting of the Committee convened to consider the case together with details of the members of the Committee. Students shall be invited to admit or deny the allegation.

22. Students have the following rights:

- i. To submit a written defence and any other written evidence.
- ii. To attend the Committee meeting in person.
- iii. To be accompanied by an individual of their own choosing.
- iv. To call witnesses for examination at the meeting.

23. The student's written defence and any other written evidence, together with the name and status of any accompanying individual, and of any persons to be called as witnesses must be received by the Secretary at least 4 working days before the date of the meeting. The full documentation shall be circulated to all participants at least 3 working days before the meeting. At the discretion of the Chair of the Committee, the student may be permitted to submit their written defence and any other written evidence outside of the above timescales.

24. The relevant AIL may make a written submission to the Committee. Any submission of this kind must be received by the Secretary with the allegation and

other supporting evidence. The Committee shall consider, but will not be bound by, any such submission.

25. Where the allegation relates to an assessment taken outside of the Examination Hall or class-test venue or equivalent, the Committee will normally require the relevant Module Leader to attend the meeting. In exceptional cases, for example where the case involves allegations in multiple modules, the AIL may be required to attend.

26. Where compliance with the timescales set out in this Regulation preclude the consideration of an allegation of academic misconduct prior to the meeting of the Programme Board responsible for deciding on the performance of a student against whom an allegation is made, the following procedure shall be followed:

- i. The Programme Board shall defer reaching a decision on the student, and delegate authority to the Academic Registrar or nominee to promulgate the decision at a later date, taking into account any penalty imposed by the Committee.
- ii. Where the Academic Registrar or nominee considers it appropriate (for example, where the student's degree mark is close to a classification boundary), the Programme Board shall be formally reconvened to promulgate the decision, taking into account any penalty imposed by the Committee.

27. The proceedings of the meeting shall normally take the following form:

- i. The evidence against the student shall be presented. Where the allegation relates to an assessment undertaken in an Examination Hall or class-test venue or equivalent, the invigilator who detected the incident may be required to present the evidence. In the case of other assessed work, the evidence will normally be presented by the relevant module leader. In some cases, for example where the case involves allegations in multiple modules, the AIL may be required to attend.
- ii. The student shall be allowed to respond to the allegations.
- iii. The Committee shall ask questions of the student, any witnesses and the person presenting the case.
- iv. The student shall ask questions of any witnesses, and make their final statement.
- v. Within this framework the Committee has discretion over the conduct of the proceedings.
- vi. With the agreement of the student, the procedure may be simplified in cases where the student has admitted the allegation.
- vii. In cases of collusion, the allegations against all of the students involved will normally be heard together in order to ensure full disclosure to all parties of all the written and verbal evidence considered. However, students will also be given the opportunity to make private written or verbal submissions to the Panel regarding any confidential or sensitive matters raised in mitigation.

28. Having taken into account all the evidence, and the defence, if any, the Committee shall decide whether the student is guilty of the offence, and if so, the appropriate penalty from those permitted under paragraph 29 below. In determining the penalty, the Committee shall also take into account the extent to which the circumstances suggest the student intended to obtain an unfair advantage for themselves or another, and whether the student has been found guilty of any previous offences of academic misconduct during their current programme of study. The student shall be informed of the decision and of any penalty imposed, in writing to their University email address within 3 working days of the meeting. The student shall be given clear reasons for the decision, including for any penalties imposed. The Committee may notify the student orally in advance of the written communication at its discretion. The student, shall be notified of their right of appeal under paragraphs 39 and 40 below.

Penalties

29. Where a student is found guilty of academic misconduct, the AMC shall be empowered to impose one or more of the following penalties:

- i. The issue of a formal warning. Where such a warning is imposed, no further action will be taken against the student. A note of the imposition of the warning will be kept, and any further allegation arising against the student in the context of the same programme of study will normally be referred for consideration as a Major Offence in accordance with paragraph 17 (iii) above. However, no reference to any formal warning imposed under this Regulation will be made on the student's degree transcript or certificate.
- ii. The reduction by any amount of any or all the marks obtained by the student in any module to a minimum module mark of 1%.
- iii. The withdrawal of resit rights in any module. This includes the withdrawal of the right to remedy an unsatisfactory performance under paragraph 5(b) of Regulation XI, should academic misconduct in relation to a DIS, DPS, or Professional Development assessment be deemed sufficiently serious to warrant this outcome.
- iv. To set a cap on any mark achieved by the student on resit in any module.
- v. The immediate termination of the student's studies.
- vi. In exceptional circumstances, where a student is found guilty of a first offence of academic misconduct in relation to a module undertaken on a resit basis, the Committee may permit the student to resubmit the work in which academic misconduct was found, at the next available opportunity, with the aim of achieving the minimum level of performance to allow progression (in which case the mark for the work will be capped at that minimum level).
- vii. Where a student is found guilty of academic misconduct in relation to a module in a previous, completed, part of their programme, e.g. where they are found to have assisted another student to obtain an advantage by unfair means, by providing them with a copy of their previously assessed work, the Committee may, exceptionally, impose one or more of the non-academic penalties in Section 4(vi) of Ordinance XVII (Conduct and Discipline of Students).
- viii. Where a student is found guilty of a serious offence of academic misconduct in relation to a previous programme of study at the University (e.g. where an

offence committed on a pre-sessional, foundation or undergraduate programme comes to the University's attention after the student has progressed to a subsequent programme at the University), the student's studies on the programme they have progressed to may be terminated with immediate effect under paragraph 29(v) above, even if the guilty finding relates to the student's previous (rather than current) programme. In such circumstances, the AMC may also recommend to Senate that any academic award made to the student in relation to the previous programme (in respect of which the student has been found guilty of a serious offence of academic misconduct) be revoked in accordance with paragraph 6(iv) of Ordinance IX (The Senate).

Mitigating Circumstances

30. Any mitigating circumstances raised by a student will normally be considered only if supporting documentary evidence is provided.

31. Where a student is found guilty of academic misconduct in an assessment in relation to which they have submitted a Mitigating Circumstances claim, the MAMC or AMC shall:

- i. Decide on the appropriate penalty to impose in accordance with paragraphs 15 (Minor Offences) or 29 (Major Offences) above.
- ii. Decide whether the Mitigating Circumstances claim should be permitted to be considered by the relevant Mitigating Circumstances Panel. Normally, in accordance with the principle in paragraph 4 above that penalties imposed under this regulation shall not be overturned subsequently, the MAMC or AMC's decision will be that the Mitigating Circumstances claim shall not be considered by the Mitigating Circumstances Panel. However, in exceptional cases, where the Mitigating Circumstances claim contains evidence of serious mitigating circumstances, the AMAC or AMC may decide that the Mitigating Circumstances claim shall be considered by the Mitigating Circumstances Panel. The Mitigating Circumstances Panel may then award a permitted repeat attempt in accordance with paragraph 12 of Regulation XVII. However, an increase of the student's marks or the substitution of alternative marks, overturning any reduction of marks imposed as a penalty by the Committee shall not be awarded by the Mitigating Circumstances Panel in these circumstances.

32. In exceptional cases, where a student is found guilty of academic misconduct in an assessment in relation to which they have provided the MAMC or AMC with evidence that they have been affected by serious mitigating circumstances, but in respect of which they have not submitted a Mitigating Circumstances claim, the MAMC or AMC shall:

- i. Decide on the appropriate penalty to impose in accordance with paragraph 15 (Minor Offences) or paragraph 29 (Major Offences) above.

- ii. Decide whether to bring these circumstances to the relevant Mitigating Circumstances Panel's attention, with a recommendation that they be considered sympathetically, and that a permitted repeat attempt be awarded in accordance with paragraph 12 of Regulation XVII. However, an increase of the student's marks or the substitution of alternative marks, overturning any reduction of marks imposed as a penalty by the Committee shall not be awarded by the Mitigating Circumstances Panel in these circumstances.

33. In relation to the processes in paragraphs 31 and 32 above:

- i. The MAMC or AMC may seek further information and evidence from the student or from the AIL before reaching its decision. The student shall be provided with the opportunity to see and comment on any further submissions from the AIL before the Committee reaches its decision.
- ii. It is anticipated that allegations of academic misconduct will normally be dealt with by MAMCs and AMCs prior to the meeting of the relevant Mitigating Circumstances Panel, such that decisions on mitigating circumstances reached by MAMCs and AMCs in accordance with paragraphs 31 and 32 above will be made in time to be communicated to the relevant Mitigating Circumstances Panel. However, if this is not the case, it may be necessary for a Mitigating Circumstances Panel to be reconvened to:
 - a. reconsider a decision on a Mitigating Circumstances claim (where the claim has already been considered prior to the allegation of academic misconduct coming to light).
 - b. consider circumstances brought to its attention by an MAMC or AMC under paragraph 32 above.

Appeals

General

34. Students found guilty of Minor or Major Offences shall have the right of appeal to the Academic Misconduct Appeals Committee (AMAC) against the decisions of, and/or penalties imposed by the MAMC or AMC. Appeals should be submitted using the appropriate pro-forma to the Secretary of the Academic Misconduct Appeals Committee within 10 working days of the student receiving notification of the decision of the MAMC or AMC and should set out the grounds for, and nature of the appeal together with supporting evidence. The grounds for appeal include:

- i. that there were mitigating circumstances affecting the student of which the MAMC or AMC was not made aware when the decision was taken;
- ii. that there were procedural irregularities in the investigation, or in the consideration of the allegation by the MAMC or AMC;
- iii. that there was prejudice or bias against the student on the part of one or more of those involved in the investigation, or on the part of the MAMC or AMC;
- iv. that the penalty imposed by the MAMC or AMC was disproportionate to the offence.

35. Appeals will normally only be considered where:

- i. the student had good cause for not bringing the circumstances to the attention of the MAMC or AMC at the time of the initial consideration of the allegation, or where the grounds for appeal arise from the operation of the MAMC or AMC. The student will normally be expected to provide evidence to establish that they had good cause in this context.
- ii. Supporting evidence is provided. However, any new information and/or evidence submitted by a student in support of an appeal will only be accepted where they are able to demonstrate good cause for not disclosing this material as part of the initial consideration of the case.

36. Where an appeal is not in accordance with the permitted grounds in paragraph 34(i)-(iv) above, or the additional requirements in paragraph 35(i)-(ii) above, the secretary to the AMAC shall, on behalf of the Academic Registrar, dismiss the appeal.

37. Where an appeal is based entirely on ground 34(i) above, i.e. mitigating circumstances which were not brought to the attention of the MAMC or AMC which considered the initial case, and the additional requirements in paragraphs 35(i) and (ii) relating to good cause and supporting evidence are satisfied, the case shall be referred back to the MAMC or AMC to reconsider in view of the new information and evidence submitted in the appeal. In such cases, the MAMC or AMC may confirm, set aside, or amend its initial decision. If a student is dissatisfied with the outcome of such an appeal, they will still have a right of appeal in relation to the new decision, providing this is on different grounds, subject to the requirements of paragraphs 34-36 above.

Composition of Academic Misconduct Appeals Committee

38. The Academic Misconduct Appeals Committee (AMAC) shall have the following constitution:

- Nominee of the PVC(E&SE), who shall act as Chair.
- One member of academic staff taken from a pool of appropriately trained and experienced academic staff nominated by the PVC(E&SE)
- One University member of the Loughborough Students' Union Executive nominated by the Executive.

The Academic Registrar shall appoint a member of Academic Registry staff to act as Secretary to the Appeals Committee. All of the above must be present in order for a meeting of the AMAC to be quorate.

No individual who has any previous connection with the case to be heard may serve on the Academic Misconduct Appeals Committee or act as its Secretary.

Minor Offence Appeals

39. Upon receipt of a valid appeal against a MAMC decision, the Secretary to the AMAC shall request a short report on the appeal from the MAMC which originally considered the case. The student will be permitted to see and comment on this report before the appeal is referred, together with the documentation from the original consideration of the case, to the Chair of the AMAC.

40. The Chair of the AMAC shall review the case and may request further information from the student or from the MAMC. Where the Chair has any previous connection with the case, it shall be considered by another member of the AMAC. The Chair may confirm, set aside or amend the decision of the MAMC, and may confirm or decrease any penalty imposed. In exceptional circumstances, if they deem it appropriate, the Chair may refer the case to a full meeting of the AMAC. The Chair shall convey their decision in writing to the student's University email address within 15 working days of receipt of the complete appeal documentation from the student by the Secretary of the AMAC. The decision of the Chair shall be final.

Major Offence Appeals

41. All other valid appeals against AMC decisions shall be considered by a full meeting of the AMAC. The AMAC shall decide upon a procedure for the meeting that is appropriate to the nature and grounds of the appeal being considered. However, where an appeal relates to an AMC decision on guilt (rather than just to the penalty imposed), the module leader or AIL who presented the case at the AMC will normally be required to attend to re-present the case.

42. The AMAC shall reach a decision on the appeal and may confirm, set aside or amend the decision of the AMC and may confirm or decrease any penalty imposed. The appellant shall be informed of the decision and the reasons for it in writing to their University email address within 3 working days of the meeting. The AMAC may notify the student orally in advance of the written communication at its discretion. The decision of the AMAC shall be final.

Mitigating Circumstances

43. The Chair of the AMAC (in relation to Minor Offence appeals) and the AMC (in relation to Major Offence appeals) shall have the same powers as the AMC to decide, in exceptional circumstances, that Mitigating Circumstances claims submitted in relation to an assessment where academic misconduct is found should be considered by the relevant Mitigating Circumstances Panel, and/or to bring evidence of mitigating circumstances to the attention of the Mitigating Circumstances Panel, in accordance with paragraphs 31 and 32 above. However, students who raise mitigating circumstances as part of an appeal must demonstrate that they had good cause for not bringing them to the attention of the MAMC or AMC whose decision is the subject of the appeal.

Monitoring and Review

44. The following contemporaneous records of all academic misconduct allegations, outcomes and appeals shall be kept:

- i. MAMC secretaries shall keep contemporaneous records of all Minor academic misconduct allegations and outcomes relating to students on their programmes, including those arising in modules delivered by other Schools. MAMC secretaries shall also communicate promptly with MAMC secretaries in other Schools in relation to cases where academic misconduct is alleged in modules delivered as part of Programmes owned by other Schools.
- ii. The secretary to the AMC shall keep contemporaneous records of all Major academic misconduct allegations and outcomes.
- iii. The secretary to the Academic Misconduct Appeals Committee shall keep contemporaneous records of all Minor and Major Offence appeals and outcomes.

45. An annual report to the Learning and Teaching Committee on all academic misconduct allegations and outcomes will be prepared by a member of Academic Registry staff nominated by the Academic Registrar.

46. Arrangements shall be made for the following to meet on at least an annual basis to review the operation of AM processes, including decision-making and sanctions: The Chairs and secretaries of the AMC and AMAC; at least one MAMC Chair and at least one MAMC secretary; at least one AIL; the Academic Registrar (or nominee); and representatives from LSU and LSU Advice.

47. The secretary to the AMC shall maintain a list of all MAMC Chairs and secretaries, and all AILs.

Whistleblowing

48. The University recognises that as part of their normal activities relating to their programme of study, a student may become aware of circumstances which appear to indicate that another student has committed an act of academic misconduct (e.g. they may witness another student failing to comply with the rules for Written Examination Candidates, or they may be alerted to circumstances which appear to indicate that another student has committed contract cheating, or an act of plagiarism or collusion in relation to coursework). Students are encouraged to report such circumstances, at the earliest opportunity, to the relevant AIL, and providing this reporting is done in good faith, the University will view it positively and will seek to maintain the reporting student's anonymity wherever possible and protect them from victimisation.