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Chapter 1 Entry, Registration and student status

1 Regulations

1.1 All students (including all further education, undergraduate, postgraduate and research students, those attending for approved short courses and those attending De Montfort University programmes in partner institutions) will be subject to the Regulations of the University in force at any time during the period of their studies. These Regulations are available via the Internet on www.dmu.ac.uk/dmu-students/student-and-academic-services/academic-support-office/student-regulations.aspx and in hard copy on request during office hours from Faculty Offices and Student & Academic Services.

In addition, students attending De Montfort University programmes in partner instit10.6 (r)-6 (ov)8.9 (ed s)10.6 (s)-2 (2 ( )]TJ -undet)4.2 (&)2 (A)2 (ccak)-2 (/)-6123 0 Td [(ar

3.6 Family members who are University staff

The University prohibits direct teaching, examining or supervising of one family

In such cases, the former applicant or student may present any explanation or observations to the Vice-Chancellor in writing within 14 days of the date on which the Director posted the letter notifying the student of withdrawal of registration. On receipt of such written representation, the Vice- Chancellor will review the action taken by the Director. The decision of the Vice-Chancellor shall be final and not subject to review by any other University body.

Where, in accordance with this regulation, the offer of a place has been withdrawn or a student's registration has been declared void, that person will not normally be eligible to gain readmission to the University at any time in the future.

3.8 Registration on more than one programme

No student may be registered simultaneously on a full-time programme and any other programme of studies, whether solely with the University or involving any other institution, without the explicit written permission of the member of staff designated as responsible for the full-time programme. The discovery of any such dual registration may result in the withdrawal of registration on either or both programmes.

3.9 Students in paid employment

Students should note that they will be personally responsible for ensuring that their academic work is not disadvantaged by any paid employment. Students are advised that full-time employment is not consistent with the requirements of full-time study. Employment in excess of 15 hours per week is likely to be detrimental to academic achievement and the health and wellbeing of the student.

No student registered on a full-time programme should present commitment to paid employment as extenuat

5.6 Student participation in British University Sports Association (BUSA) competitions

The University fully supports the participation of University teams in the Quarter Final, Semi-Final and Final stages of BUSA competitions. Staff may grant leave of absence to students in these exceptional circumstances on condition that the

6.3 Varying payment date

The requirement with regard to date of payment (6.1 above) may be varied where evidence is produced that the particular fees are to be paid by the Student Loans Company, a local authority, or other sponsoring organisation according to any arrangements as may be acceptable to the appropriate University authority.

6.4 Sanction for failure to pay fees and dues

The assessment results of students who owe tuition, residence or other academic fees or dues will be given on the standard notification form, endorsed with a statement that the student is in debt to the University.

Students will not be permitted to re-enrol at the start of an academic session if they have debts outstanding from a previous session, unless they have agreed an approved payment plan with Finance to clear all past and current debts.

Academic awards shall not be conferred upon students who owe tuition and/or residence fees or who have outstanding library or other debts incurred as part of their studies.

Students with such debts will not be permitted to graduate or to receive a transcript or award parchment.

The University will not provide references, confirmation of award and/or achievement, replacement transcripts or certificates or verification of true copy documents for students with such debts or for those who have been expelled from the University for non-payment of tuition, residence or other fees or dues.

6.6 Textbooks

Annex 1 Student Attendance Monitoring Policy

1. Students are required to attend and engage with their studies in the manner dictated by the specifics of their programme of study.

2. For students whose programme of study requires physical attendance at a specified site of either the University or a designated partner institution, unauthorised absence amounting to two consecutive teaching weeks will result in the following action.

3. The Faculty will send a letter (copied by email) inviting the student to discuss their attendance, and the student will be required to respond to this correspondence within five working days. If the student does not respond to this correspondence within five working days, their attendance does not improve, and/or the student is

Chapter 2 Student discipline[3]

Students subject to this procedure may ask the Office of the Independent Adjudicator for Higher Education (OIA) to review their case but **only after the University's procedure has been exhausted**. Information on the OIA scheme can be found at http://www.oiahe.org.uk

1.4 A student shall be considered to have been notified of any actions arising from the operation of these disciplinary procedures and to have received any supporting information by dispatch of letter sent by recorded delivery to his/her last known address. Each student is responsible for ensuring that the University is notified promptly of any change of address[4].

1.5 Plea-bargaining is not permitted. Penalties should be appropriate to the offence committed and decided only in accordance with these Disciplinary Procedures.

All decisions with regard to these Disciplinary Procedures and outcomes shall be made only by those persons with authority to do so. No negotiations or discussions between the University and the student shall take place outside these Procedures.

1.6

3.6 Deans of Faculties will be fully informed of all disciplinary matters affecting students within their respective areas of responsibility and will keep a record of students who are proved to have committed disciplinary offences for the duration of that student's registration with the University.

Part B: Criminal offences

4 Criminal offences

4.1 Where it comes to the University's attention that a registered student has been convicted of[5] or is being investigated by other authorities for a criminal offence or has been formally charged with a criminal offence which took place prior to any period of registration with the University, such a student may be subject to disciplinary action under these regulations where the offence is of such a nature that the University reasonably believes that the presence of the student in the University is likely to put the safety or wellbeing of other members of the University at risk or that the offence, if proven, renders the student unfit to be admitted to and practise any particular profession or calling to which that student's programme directly leads.

Such students may also be subject to the provisions of Chapter 1, paragraph 3.5.2 of these Regulations.

[5] See definition at Chapter 2, paragraph 2.3 of these Regulations

4.7 Notwithstanding the University's right to deal with any offence against the Disciplinary Code, the University may defer action under these Disciplinary Procedures if to proceed might in any way hinder a criminal investigation or prejudice the fair trial of the student concerned. The decision to defer an investigation shall be made by the Head of Security after consultation with the relevant external authorities. The University recognises that any offence which may attract a community penalty or custodial sentence should normally be dealt with initially by the courts.

4.8 Following a criminal conviction[7], if it has not already done so, the University may then continue with its own hearing. The Court's verdict or the circumstances in which the caution was issued shall be accepted in so far as they are relevant. The disciplinary hearing shall not become a re-run of a trial. There is no impediment to the imposition of a penalty by the University following a criminal conviction; however, the penalty imposed by the court or police shall be taken into consideration by the University in deciding its own penalty.

4.9 Where the University becomes aware that a registered student has been convicted of a criminal offence which is not already subject to a disciplinary investigation, for example an offence which took place off campus which has been reported in the press, the University will take action as follows.

4.9.1 Where the Courts have imposed a custodial sentence the student is immediately suspended by the designated senior member of staff pending a review by the Chair of the Disciplinary Committee of written submissions. The Chair will decide what penalty, if any, is to be imposed, taking into account any written statements in mitigation. Exclusion would be the normal penalty in cases where the Chair believes the offence has rendered the student unfit to be a member of the University community. Exclusion would be automatically imposed if the student failed to make written representations within a set timescale unless there were good reasons, accepted by the Chair, why the student could not do so.

4.9.2 Where a non-custodial sentence has been imposed following a criminal conviction[8] , the Head of Security will provide a case report to the designated senior member of staff. S/he will decide whether the case should be referred to the relevant Provost (who would normally give the student a written warning as to future conduct), or to the Disciplinary Committee, in which case s/he will consider whether a suspension should also be imposed.

Such students would retain the usual right of appeal to the Disciplinary Appeals Committee.

[7] See definition at Chapter 2, paragraph 2.3 of these Regulations.
[8] See definition at Chapter 2, paragraph 2.3 of these Regulations

Part C: The Disciplinary Code

5 The Disciplinary Code

5.10 Misuse or unauthorised use of the University's intellectual property (including the sale of essays or unauthorised sale of other work produced by a student as part of their programme with the University[9]);

5.11 Conduct which constitutes a criminal offence (including conviction for, or being formally charged with, an offence[10]) where that conduct or the offence is such, in the reasonable opinion of the University, as to render the student unfit to continue as a member of the University community.

The following are examples of factors which might be taken into account when considering whether such an offence has rendered a student unfit to continue in the University.

The University might consider whether the offence

- took place on University premises
- affected or concerned other members of the University community
- damaged the good name of the University
- itself constitutes misconduct within the terms of this Code
- is an offence of dishonesty, where the student holds an office of responsibility in the University
- is such as to render the student unfit to practise any particular profession or calling to which that student's programme directly leads.

5.12 Behaviour which could bring the University into disrepute;

5.13 Failure to disclose name or other relevant details, or to surrender a student registration card, to an officer, or employee of the University in circumstances when it is reasonable to require that such information be given[11];

5.14 Failure tp8Tm [-17.5 (o)10.5 (r)5 (m116.52 346.56 Tm [(5.)-6.7 (14)]TJ ET Q

Part E: Minor offences and Provosts' procedures

7 Minor offences

7.1 Minor offences against the regulations relating to the operation of the Students' Union are dealt with by a standing committee of the Union.

7.2 Minor offences covered by other regulations (such as the Halls of Residence, Libraries, etc) are dealt with under their local rules, which may allow designated members of staff to initiate immediate disciplinary action for minor, straightforward cases. Appeals against disciplinary findings and/or penalties under these regulations are dealt with in the same way as appeals against Provosts' decisions.

Disputed cases and more serious offences may be referred to the Head of Security or Provost who will then follow the steps set out in paragraph 6 above.

7.3 All other minor offences are dealt with under the Provosts' Procedures as set out in Section 9 of these Disciplinary Procedures.

7.4 Minor offences are divided into two categories:

- minor anti-social behaviour, (including drunken behaviour), minor damage, minor offensiveness to staff;
- any repetition of behaviour already identified to the student as a minor offence not covered by the Disciplinary Code.

7.5 Where the investigation of an apparent minor offence under any University regulations leads to a determination that the offence was a major offence, the matter shall be dealt with under the procedure for major offences under the jurisdiction of the Disciplinary Committee.

7.6 Any attempt by a student to interfere with, harass or otherwise influence in any way any complainant or witness in a minor disciplinary case shall be considered a major disciplinary offence and grounds for immediate transfer of the case to the Disciplinary Committee. Under these circumstances the Provost shall write formally to the Clerk to the Disciplinary Committee requesting that a hearing of the Disciplinary Committee be convened.

8 Provosts and the Committee of Provosts

8.1 A Provost is a member of staff having responsibility for dealing with minor disciplinary cases. Each Faculty shall have at least one Provost appointed by the Dean. The Director of Library & Learning Services (or an appointed nominee) shall act as Provost for minor cases within the University's libraries. At least one further Provost shall be appointed by the designated senior member of staff to deal with minor cases within the University's managed or nominated student housing.

10.3

13.2 All major offences are dealt with by the Disciplinary Committee other than those offences committed in connection with University assessments which are dealt with by the Academic Offences Panel or the appropriate Assessment Board. Appeals against a decision of the Disciplinary Committee are dealt with by the Disciplinary Appeals Committee.

13.3 The student's disciplinary record of cases found proven by a Disciplinary Committee may be referred to in any confidential reference which is provided by a member of University staff.

14 Suspension

14.1 The University reserves the right to suspend a student who is the subject of a disciplinary investigation arising from an allegation that s/he has committed a major offence or who is the subject of an investigation carried out under Faculty fitness to practice procedures.

14.2 Only the designated senior member of staff has the power to immediately suspend a student from the University or to exclude the student from particular facilities or activities or to require that the student have no contact with a named person or persons if there is good and sufficient cause. This may include students against whom criminal charges are pending or who are the subject of

14.4 The suspension/exclusion shall be reviewed every 4 weeks (or earlier if new evidence becomes available) by the designated senior member of staff who may confirm, revoke or vary the suspension/exclusion in the light of any developments or of any representations made by the student or anyone on his/her behalf.

16.2

16.6.1 The accused student has the right to appear, be heard, to call

16.6.4

17.3 Notwithstanding any penalty imposed by the Disciplinary Committee, the Committee may also order a student found to have committed a disciplinary offence to:

- reimburse the University for any costs incurred in hearing a case, for

17.5 Where it is found proven that a student has acted in such a way as to render them unfit for admission to and/or to practise the profession or calling (see 5.20 above) to which that student's programme directly leads, the student will not normally be permitted to continue on that programme. In such cases the University reserves the right to inform the relevant professional or regulatory body of the outcome and reasons for the Disciplinary Committee's decision.

The University has a statutory duty to refer a student to the Independent Safeguarding Authority where that student has been terminated from training because their behaviour is believed to pose a risk of harm to children and/or other vulnerable people. On9 (r)-5.9 B.007 Tw 11.04 -0 6 .6 (r)-6 (ai)13.4 (ni)2.6 (ne0.6 (r)c0

17.5.2 The student meets the normal entry requirements for the new programme and/or meets any other appropriate academic requirements for entry to the new programme;

17.5.3 There is a place available on the new programme;

17.5.4 The student is accepted as a suitable candidate by the Faculty for the new programme.

17.6 Where such a case is found not proven or, for an exceptional reason the Disciplinary Committee believes the student should be allowed to continue on their programme, the University will make every reasonable effort to ensure that, where satisfactory completion of a professional placement is a requirement, a suitable practice or professional placement can be found to enable the student to complete their qualification.

However, it should be noted that the University cannot compel practice or placement providers to take students who they believe are not suitable. If the University's efforts to find a suitable placement are frustrated in this way the stud

22.5 The appellant and the complainant will be given notice in writing of the hearing and the members of the Disciplinary Appeals Committee. Due notice of the appeal will be considered to have been given on posting the notice and supporting information, by recorded delivery, to the student's last recorded address, not less than 16 days before the date of the hearing.

If the student fails, without reasonable excuse, to attend the hearing, the appeal shall be considered to have lapsed.

22.6 If the student, on good grounds, wishes to object to any member of the Disciplinary Appeals Committee, the student shall submit his/her objections in writing to be received by the Clerk to the Disciplinary Appeals Committee at least 7 days before the hearing.

If the grounds are upheld, an alternative member of the Disciplinary Appeals Committee will be identified with due care to ensure that there are no good grounds for the accused student to object to the substitute member.

22.7 The procedure adopted by the Disciplinary Appeals Committee shall be as determined by the Committee and shall provide for the following:

22.7.1 The appellant has the right to appear and be heard and to be accompanied by a representative (as defined in the Glossary to these Regulations).

22.7.2 The complainant has the right to appear and be heard and to be accompanied by a representative.

Annex 2

Student regulations for the use of information and communication technology and associated software and media

The University wants students to make best use of the information technology facilities it provides to support their learning and research. To do this the rations belo 682.08 w have been produced which cover the use of IT eq 682.08 uipment, facilities and networks by members of De Montfort University.

In addition, students should be familiar with the follo 682.08 wing rations, g 682.08 uidelines and codes of p 682.3 (r)-17 (a 682.4 (c)-13 (t)-17.6 (i)-8.4 (c)-13 (e f)-28.5 (or)-17 (l)-6.8 (T)-21.5 ( )]TJ -0.002 Tc 6.38 0 Td offe 682.3 (n 682.4 (c)-13 (e.)]TJ 0 Tc 0 Tw 3.543 0 Td ( )Tj EMC /P <</MCID 40 >>BDC -3.543 -1.141

3.2 Such devices must therefore be turned off, for example, during lectures, seminars, tutorials, laboratory classes, examinations and other assessments and during registration. They must also be turned off in all areas set aside for research or study (e.g. libraries) and in areas set aside for student administration such as enquiries and loan administration. They must be switched off in the vicinity of such areas where required. Any official notices indicating that these devices must be turned off in a particular location must be complied with.

3.3 Any breach of this regulation will be dealt with as a minor offence, and any repetition will be dealt with as a major offence, under the provisions of the Disciplinary Regulations, except that non-compliance with this regulation in an examination will be regarded as an academic offence and will be dealt with under the Academic Offences regulations.

Sample written statement

Dear

This letter is to advise you formally of the concerns which have been expressed regarding your performance as follows:

1

2

3

4

I am requiring you to withdraw from the programme/placement/hall or other named part of the University* ……. And confirm that the designated senior member of staff will be initiating further investigations.

You are entitled to make written representation to the designated senior member of staff provided that these are received by him/her within the next four days ending at 12 noon on ……..

Those representations will be considered along with any others and the designated senior member of staff (or his/her nominee) will make a decision within the next seven days as to what action might be taken next.

It may be helpful for you to consult the Chapter on Student Discipline in the General Regulations and Procedures Affecting Students.

You are strongly advised to contact your student representative.

Please do not hesitate to contact me if you need any further clarification.

Yours sincerely

Subject Leader/Placement Officer/Faculty Provost

* delete where applicable

Annex 4

Policy and guidelines on the misuse of illegal drugs

1 Policy statement

Annex 5 Weapons policy and practice

1 Weapons policy

1.1

5 Archery

5.1 Archery may be conducted for sport and recreation on University premises. Staff, students and guests of or visitors to the University may participate in organised archery events only if the requirements of the Grand National Archery Association are observed in respect of the holding, possessing, transit and use of archery equipment. Students who are resident on University premises and who wish to keep archery equipment on campus for use in organised events must sign their archery equipment into a gun room and must not hold or keep such equipment in residential accommodation or in vehicles. Such students must obtain written authority from the University's Head of Security to bring archery equipment on to University premises.

6 Monitoring and review of the policy and regulations in relation to actual and potential weapons

6.1 It is the responsibility of the Committee of Provosts to monitor and review the application of regulations and policy relating to weapons on an annual basis.

7 Exemptions

7.1 In exceptional circumstances a student may apply for exemption from the regulation concerning the possession of personal or privately-owned weapons on University premises, eg if s/he is a sportsman or woman of a high order who occasionally needs to carry firearms across University premises going to or from an external gun club. In such instances, a written application must be made to the Head of Security.

7.2 Any student who is granted an exemption from the Regulation forbidding the holding, possession or use of personal or privately-owned weapons must carry the exemption at all times when the weapon(s) is/are on University premises.

8 Replica weapons

8.1 A student may be permitted to possess and use replica firearms or other imitation weapons on University premises in connection with their course of study, for example for the purposes of a dramatic performance or piece of artwork, provided they have written permission from their Faculty Dean obtained at least seven days in advance. The Dean will, in deciding whether to grant permission or to set certain conditions or limitations on the use of such weapons, consult with the Head of Security. In any event, a copy of the Dean's written permission must be lodged with the Head of Security at least seven days before the weapon is brought onto University premises.

8.2 The granting of such permission does not remove from the stude

issues of concern in person with an appropriately qualified panel which will normally include a lay person and a representative of the relevant practice area or profession. This panel decides the outcome of the procedure in the light of evidence presented to it.

2.6 Outcomes of the procedure should include the possibility that the student may continue on the programme subject to specified conditions or an agreed improvement plan.

2.7 If the decision-making panel decides to recommend that the student should be terminated from the programme, the case file and recommendation are sent to the designated senior member of staff (as defined in the Glossary to these Regulations) for confirmation. The designated senior member of staff will consider whether the stated procedure was followed, whether a reasonable decision was made on the basis of the available evidence, and whether clear reasons have been given for the decision. The designated senior member of staff will notify the student of his/her decision in writing.

2.8 If the designated senior member of staff upholds the panel's recommendation that the student should be terminated from the programme, the student has the right to appeal to the University's Disciplinary Appeal Panel in accordance with the procedures set out in Chapter 2, Part G of these Regulations.

1.2 Unlawful discrimination - is behaviour or a policy or procedure which intentionally or unintentionally prevents individuals or groups who have a protected characteristic, from engaging or taking part in an activity. This may include selection for a course, job, promotion, award and so on. For example:

- x A student is excluded from a course related visit or placement because they are disabled.
- x A student is told to leave her course because she is pregnant.
- x Students or staff are compulsorily segregated, for meetings or events, on the basis of their religion, sex, sexual orientation or other protected characteristics.

1.3 Harassment is unwanted conduct that has the purpose or effect of creating an intimidating, hostile, degrading, humiliating or offensive environment for the complainant, or violating the complainant's dignity. Individuals or groups may be protected from harassment because they are from a protected group (Equality Act 2010), or because they are associated with the protected group. For example:

- x Unwanted conduct of a sexual nature (sexual harassment)6 (ot)-6..2 (ni)2.6 (t)-pu ( )Tj EMC

Cyber bullying occurs when the internet, social media, phones or other devices are used to send or post text or images intended to hurt or embarrass another person, known or unknown to the individual.

2. DMU's Commitment

2.1 DMU welcomes diversity and believes that every student has a right to work and study in an environment which encourages good relationships. DMU is committed to preventing unlawful discrimination, harassment, bullying or victimisation. The university's commitment to cultural diversity is expressed in its mission and vision statements.

2.2 DMU is a member of the Leicestershire 'Stamp it Out' Hate Crime Partnership led by Leicestershire Constabulary.

2.3 DMU Security take all incidents of bullying, harassment and victimisation very seriously and will record such reports and investigate as appropriate.

2.4 The Student at Risk Committee (SAR) within SAAS sits regularly to review cases of students deemed to be at risk to themselves or of posing a risk to others.

2.5 Every student is also personally l (h)-11.e-11.2 (ul)5 0 Td [(E)2 (v)8.8 (er)-6 (y)8.9 (s)-2 ( )Tj 4.9 (

discrimination, harassment, bullying or victimisation has the right to be listened to and to be given informed advice on how the matter may be resolved. There are usually a number of options.

3.3 In the event that a student considers that they are experiencing discrimination, harassment, bullying or victimisation, they have a number of options open to them. They may be able to speak directly to the individual concerned or to write to them expressing their concerns and requesting that the behaviour stop immediately. Alternatively, or subsequently if they achieve no success, they may wish to talk to someone in order to obtain another perspective on the situation and to ensure that someone else knows about it and can take action with them to ensure that it stops. It is envisaged

Conduct Officer. If the individual does not feel able to help in a particular case, they should explain the reasons to the complainant and refer them to another adviser.

4.3 Once the facts about the incident and the context of the action or behaviour that caused concern are established, there are a number of informal options available to the adviser to facilitate resolution of the matter. For example, the person who has experienced discrimination, harassment, bullying or victimisation could be encouraged to talk to the alleged perpetrator on their own or with a friend, who should be a member of DMU, accompanying them. The purpose of the conversation would be to make the perpetrator aware of the way their behaviour has been perceived and ask them not to repeat it. Alternatively, the adviser could facilitate a meeting between both parties to give the complainant the opportunity to talk to the alleged perpetrator and explain their view of the offending behaviour. Normally, the adviser should not take action following an informal approach concerning discrimination, harassment, bullying or victimisation without the agreement of the individual concerned.

4.4 As well as aiming to resolve matters informally, advisers should consider appropriate action to facilitate the restoration of working relationships after the event.

4.5 The action outlined above will be appropriate in many cases and will often be sufficient to resolve the matter. If, however, an informal approach does not achieve satisfactory results, or the nature of the incident(s) prompts the person who feels harassed to take a more formal approach, a formal complaint can be made in writing to the Student Appeals and Conduct Officer or the Head of Security.

4.6 In order to ensure consistency of approach and accurate statistical data with relation to cases of discrimination, harassment, bullying or victimisation all cases (however minor) should be reported to the Student Appeals and Conduct Officer by any member of staff who has counselled a student. Information should be sent via email and detail the names of the students involved and basic facts about the nature of the case. All such information will be treated with the utmost confidentiality.

5. A Formal Complaint

5.1 It is envisaged that the great majority of cases of discrimination, harassment, bullying and victimisation will be resolved by the informal procedures outlined

6. Investigating a Formal Complaint

6.1 On receipt of a formal complaint where the alleged perpetrator is another student, the Student Appeals and Conduct Officer will handle the matter according to DMU's Disciplinary Code and Procedure as described in the General Regulations. Accordingly, the Student Appeals and Conduct Officer will discuss with the complainant whether further action should be taken under the Disciplinary Code and whether or not the police should be informed.

6.2 Where the alleged perpetrator is a member of staff, the Student Appeals and Conduct Officer will discuss with the complainant whether further action should be taken and, if so, will refer the complaint to the Director of People and Organisational Development. The Director will then inform the student of the procedure to be followed.

6.3 Where the situation is more complex than outlined above, for example in cases of alleged group discrimination, harassment, bullying or victimisation involving both staff and students, the Student Appeals and Conduct Officer will liaise with the Director of People and Organisational Development to decide how best to proceed.

6.4 Formal complaints about a Dean, or Pro Vice Chancellor should be referred to the Vice Chancellor. A complaint about the Vice Chancellor should be addressed to the Chair of Governors.

6.5 Formal Complaints about a Director should be made to the Director of People and Organisational Development.

6.6 Details of the arrangements for appeals are available from the Student Appeals and Conduct Officer and the

Chapter 3 Provision for students whose behaviour causes concern

Students subject to this procedure may ask the Office of the Independent Adjudicator for Higher Education (OIA) to review their case but **only after the University's procedure has been exhausted**. Information on the OIA scheme can be found at http://www.oiahe.org.uk.

Introduction

staff in writing[17]. Such a written report must demonstrate that every reasonable effort has been made to encourage the student to seek specialist support and that the student has either refused to seek appropriate support or has done so but their behaviour continues to cause concern.

When preparing such a report it must be borne in mind that written information provided to the designated senior member of staff will be shared with the student concerned.

If the report is made by the Director of Student & Academic Services, the Student Appeals & Conduct Officer or the Head of Security, then the Dean of the student's Faculty must be informed.

Where a student is enrolled on a programme leading directly to a professional qualification or the right to practise a particular profession or calling, the Faculty Fitness to Practise Lead should be informed that this procedure has been invoked.

3 Suspension

At any time, and in accordance with the General Regulations and Procedures Affecting Students, Chapter 2, Paragraph 14, the designated senior member of staff may suspend the student pending the outcome of proceedings under either this regulation or any other University regulation(s) subsequently invoked, if he/she believes it is in the best interests of either the student or others to do so. The designated senior member of staff may therefore suspend a student who does not agree to this procedure being invoked where, for example, he/she believes it would be in that student's own interests and/or in the interests of the wider University community to do so.

The designated senior member of staff may, upon the student giving a firm undertaking to fulfil a condition or conditions, lift or withhold the imposition of a suspension for so long as the student fulfils the condition or conditions.

4 Preliminary Meeting

The designated senior member of staff, or his/her duly authorised nominee, shall meet with the student to obtain his/her consent to this regulation being invoked. The student shall normally be given at least seven days notice of the meeting in writing (or alternative format as appropriate). The meeting may be arranged sooner if the designated senior member of staff deems it necessary or with the agreement of the student.

The student may be accompanied to this and all subsequent meetings by a representative (as defined in the Glossary prefixed to the General Regulations and Procedures Affecting Students).

4.1 At the meeting the designated senior member of staff, or his/her duly authorised nominee, will explain the procedures under this regulation to the student. The meeting is intended to make the process clear to the student to inform their consent, not to discuss in any detail the student's behaviour which has given cause for concern. However, in order that the student may give informed consent the designated senior member of staff will share the report with the student at this

Regulations.

If, however, the author of the report is of the opinion that the student having sight of the report prior to any further meetings would be detrimental to the health or welfare of the student or others, the designated senior member of staff may suspend the procedure whilst seeking further guidance from the author of the report or any other person or organisation they recommend. In these circumstances the student will be notified in writing that the procedure is suspended.

5.1 The following will be present at the meeting convened by the designated senior member of staff:

A Case Team consisting of:

- The designated senior member of staff (leading the meeting).
- A member of academic staff who knows the student, for example the student's mentor, Head of Studies or supervisor.
- A member of Student & Academic Services staff with relevant experience, for example the Mental Health Inclusion Manager, a disability officer or a counsellor.

Also present:

- The student.
- If the student so wishes, his/her representative (as defined in the Glossary prefixed to the General Regulations and Procedures Affecting Students), who may speak on the student's behalf. If the student wishes to exercise this right s/he shall inform the designated senior member of staff in advance of the meeting, in writing, at least three clear working days before the meeting.
- A note-taker.

5.2 In attending the meeting the student accepts that sensitive personal information may be discussed at this and any subsequent meeting(s) and consents to such discussions occurring in the presence of any individuals it is agreed, or decided

7 Appeals

The student may appeal against the decision of the Case Team by making written representation to the Vice-Chancellor, normally within 14 days of the date on which the outcome of the Case Team meeting was posted, or otherwise communicated to them. The Vice-Chancellor's decision shall be final and not subject to review by any other University body.

Chapter 4 Academic offences and bad academic practice

1 Introduction

Students subject to this procedure may ask the Office of the Independent Adjudicator for Higher Education (OIA) to review their case but only after the University's procedure has been exhausted. Information on the OIA scheme can be found at http://www.oiahe.org.uk.

Students who feel that they need assistance in writing appropriate English to help them avoid accidentally committing an academic offence should, in the first instance, seek guidance from their Module Leader. Further information and guidance can be accessed via the Library pages on the University's website.

2 Definitions

Bad academic practice is the presentation of work that is not the student's own as if it were. It is the passing off of ideas, data or other information that are not within the realm of common knowledge in the discipline as if such materials were originally discovered by the student, or it is the word for word duplication of short phrases in written work, in oral presentation, or equivalent duplication in non-written forms, where the source is not mentioned, and where such duplication is minor in scale. The expectation is that cases of bad academic practice are only likely to occur at the first level of an undergraduate award. However, there may be instances to be found throughout both undergraduate and postgraduate programmes.

It is an **academic offence** for a student to commit any act which is intended to modify or evade, in an unauthorised manner and/or by unfair means, the condition of assessment specified by the University in relation to a programme leading to a University award or an award offered by an external body. The following are **examples** of such an academic offence but do not represent an exhaustive definition:

2.1 Cheating in examinations

A candidate commits the offence of cheating in an examination if s/he:

2.3 Plagiarism

Plagiarism is the deliberate attempt to gain advantage by presenting work (including drafts and work in progress) that is not the student's own as if it were.

2.7 Reuse of assessed material

It is an academic offence to include in work submitted for assessment material which has already been submitted for a different assessment (whether in the

3 Actions to be taken in the event of suspected academic offences or bad academic practice

3.1 Informing the Academic Practice Officer and Chair of the Assessment Board or (in the case of a research student) Dean of Faculty/Research Centre

3.1.1 Bad academic practice

A finding that a student's work contains instances of bad academic practice may be made:

- at level 4, either by a module leader or other appropriate member of the academic staff without reference to an Academic Practice Officer
- or, where a module leader is unable to make a clear distinction between bad academic practice and plagiarism, by the appropriate Academic Practice Officer.

The appropriate Academic Practice Officer should be consulted on all suspected instances of Bad Academic Practice at levels 5, 6 and Masters level.

In addition, an Academic Practice Officer will always have the discretion to judge that a piece of work submitted to him/her on suspicion of plagiarism instead constitutes Bad Academic Practice.

3.1.2 Cheating in examinations

In accordance with the requirements of the Instructions to Supervisors/Invigilators, a supervisor or invigilator shall, where a candidate is suspected of contravening the 'Regulations for Candidates', endorse the candidate's script at the appropriate point with the time and with a brief description of the incident and shall inform the candidate that the circumstances will be reported to the appropriate Academic Practice Officer and the Chair of the relevant assessment board.

In cases where a Professional Invigilator has invigilated the examination, the report to the appropriate Academic Practice Officer and the Chair of the relevant Assessment Board shall be made via Student & Academic Services.

Where, after the conclusion of an examination, a member of staff suspects a candidate of having cheated in an examination, the member of staff shall at the earliest opportunity consult the appropriate Academic Practice Officer.

3.1.3 Plagiarism, fabrication of results, collusion, reuse of assessed material and other academic offences other than bad academic practice

In the case of a student on a taught programme, when a supervisor, tutor or examiner suspects plagiarism, collusion, the fabrication of results, reuse of assessed material, or any academic offence other than bad academic practice in any work which forms part or all of a unit of assessment, s/he shall report the matter to the appropriate Academic Practice Officer and notify the Chair of the candidate's assessment board for information.

In the case of a research student, the matter shall be reported to the Dean of Faculty.

After considering any representations from the student, including any evidence in mitigation, the Academic Practice Officer/Dean will decide whether there may be any substance to the allegations. The Academic Practice Officer/Chair/Dean can decide:

- To take no further action if s/he believes there is no case to answer
- To take action in accordance with the options given in the Bad Academic Practice tariff guide (Annex 1 to this Chapter) or the Academic Offences tariff guide (Annex 2 to this Chapter).
- To refer the case to the Academic Offences Panel as a major offence (see 3.2.3 below)

In addition to any action taken by the Academic Practice Officer in accordance with the relevant tariff, the piece of work in question will be awarded a mark, normally by the Module Leader, for consideration by the relevant assessment board. This mark will reflect the degree to which the work is impaired by bad academic practice and will normally be determined on those elements of the work which are not impaired by bad academic practice. Alternatively, and in exceptional circumstances only, the Module Leader may require the work to be resubmitted.

In all cases the Academic Practice Officer/Dean will record the decision and inform the Director of Student & Academic Services (or his/her appointed nominee) of the outcome.

3.2.3. Cheating which consists of access to or use of unauthorised material in an examination may be dealt with in accordance with the tariffs set out in Annex 1 and Annex 2 to this Chapter.

However if a student has clearly exercised considerable ingenuity and forethought in preparing and/or secreting unauthorised material or there is any evidence or suspicion of collusion, the Academic Practice Officer may wish to refer the matter to the Academic Offences Panel.

3.2.4 Standard penalties

Provided the student admits the academic offence or bad academic

If there is any doubt, the matter must be referred to the Academic Offences Panel.

All cases involving research students in which the Dean believes there may be substance to the allegations must be referred to the Academic Offences Panel.

If the Academic Practice Officer/Dean decides to refer the case to the Panel, the Panel shall consider the case and shall be responsible for determining whether, and the degree to which, the allegations have been substantiated.

If the matter is referred to the Academic Offences Panel, the Academic Practice Officer/Dean shall provide the Panel with the Academic Services, supervisor's, tutor's or examiner's original report and any other information or observations which the Academic Practice Officer/Dean wishes the Panel to consider. The APO will normally be required to attend the Panel meeting.

4 Academic Offences Panel

An Academic Offences Panel shall consist of:

- Chair: the Vice-Chancellor, a Pro Vice-Chancellor/Dean or a Deputy Dean
- The President of the Students' Union or his/her nominee who shall be a member of the Students' Union Executive Committee.
- In the case of students on taught courses, a member of academic staff who has either been trained or is already experienced in such matters. A list of eligible staff in this category to be approved for the purpose by the Academic Board.
- In the case of a research student, a member of the Higher Degrees Committee.
- The Director of Student & Academic Services or nominee.
- Additionally, in cases where the student is enrolled on a programme leading directly to a professional qualification or the right to practise a particular profession or calling, a member of the relevant practice area or profession will act as a member of the Panel and provide an opinion on the accused student's suitability for admission to and/or to practise the profession or calling to which the student's programme directly leads in the light of the evidence presented to the Panel.

No member shall have been involved in the case concerned.

5 Protocols for the conduct of an Academic Offences Panel hearing

5.1 Panels must take steps to ensure that a student accused of an academic offence is given a full and fair hearing. In disciplinary proceedings such as these, the Panel need only determine whether or not an offence has occurred 'on a balance of probabilities'. Members should demonstrate that the Panel has been 'both fair and reasonable' in its handling of the case.

5.2 A Panel hearing is a formal event, which may have grave implications for the student and for the University. The fact that the matter has reached the stage of a full hearing means that the accusation against the student is serious. It is most important that the evidence, including all relevant documents and records of communications between staff and students, should be carefully prepared in advance of the hearing. Members of staff representing the University at a hearing will wish to present themselves and their case in a professional manner, commensurate with the seriousness of the occasion.

5.3 It is expected that the Academic Practice Officer who has been involved in the case will normally attend the panel hearing to present the faculty's case to the Panel.

5.4 The accused student and the person making the allegation (in the case of a taught course student, normally the Academic Practice Officer) will be given at least 10 working days notice in writing of the Panel meeting and of the procedures to be adopted at the hearing. Due notice of the hearing will be considered to have been given on sending the notice and supporting information, by recorded delivery, to the student's last recorded address. The case may then be heard whether or not the student attends for the hearing.

5.5

5.5.1 The accused student has the right to appear and be heard and to be accompanied by a representative (as defined in the glossary prefixed to the General Regulations and Procedures Affecting Students), who may speak on the student's behalf. If the student intends to exercise the right to be accompanied by a representative, s/he shall so inform the Academic Registrar in writing in advance of the hearing.

5.5.2 The Panel has the right to call witness and to examine any documentation it considers necessary.

5.5.3 The Panel will decide whether the charge is or is not proven and will decide on the penalty if the charge is proven. It will pass its conclusions to the relevant Subject Authority Board (or Assessment Board) for recording.

5.5.4 Subject to the student's right of appeal, the Director of Student & Academic Services (or his/her appointed nominee) will inform the appropriate members of Senior Staff of the Panel's decision. If a student is not to be permitted to be reassessed and is to be expelled from the University, the Director of Student & Academic Services will issue the notification of expulsion. Copies of the notification shall be sent to the appropriate Dean of Faculty, Head of Studies, Head of Department, the President of the De Montfort Students' Union and, in the case of a research student, the Chair of the Higher Degrees Committee.

7.1.3 Suspend the student from the University for one year (or part thereof) and deem the student to have failed only that academic year (or specified part thereof) and permit the student to retake its assessments with or without attendance as determined by the Panel.

7.1.4 Deem the student to have failed only that academic year (or specified part thereof) and permit the student to retake its assessments with or without attendance as determined by the Panel.

7.1.5 In certain circumstances the Panel may impose a failure in the component or module (with a mark of zero) without referring the matter back to the Academic Practice Officer for reconsideration.

7.1.6 Refer the matter back to the Academic Practice Officer for reconsideration under their powers and in accordance with the tariff in Annex 1 and Annex 2 to this Chapter.

Any reassessments successfully attempted as a consequence of a candidate being found guilty of an academic offence would normally lead to a minimum pass grade for the module overall.

The outcome shall be reported to the appropriate Assessment Board.

7.2 Research students

If a research student is found by the Panel to have committed an academic offence the Panel shall have authority to expel the student or to take such other action as it deems appropriate. However, the normal penalty for an academic offence in such cases would be expulsion.

The outcome shall be reported to the Higher Degrees Committee.

7.3 Students on courses leading to professional qualifications

7.3.1 If a student enrolled on a programme leading directly to a professional qualification or the right to practise a particular profession or calling, is found by the Panel to have committed an academic offence, the Panel, taking advice from the external professional representative (see

8 Appeal against the decisions of an Academic Offences Panel

A student has the right of appeal against the decision of a Panel normally on the following grounds only:

- That there is new and relevant evidence which the student was demonstrably and for the most exceptional reasons unable to present at the Panel hearing. This may include evidence of extenuation.

- That the Panel did not comply with its procedures set out in section 4 above in such a way that it might cause reasonable doubt as to whether the result would have been different had the Panel complied.

- That there is evidence of prejudice or bias.

In the event of an appeal, the decision of the Panel will not be carried out until the appeals process is concluded.

9 Process for conducting an appeal against a decision of the Academic Offences Panel

9.1 Any student wishing to appeal against a decision of the Academic Offences Panel shall give notice of the appeal in writing, stating clearly the specific grounds on which the appeal is based as listed in section 8 above, and providing appropriate documentary evidence. This notice of appeal must be submitted to the Director of Student & Academic Services as 'hard copy' on paper, personally signed by the student, and must reach the Director within 10 working days of the hearing.

9.2 Notwithstanding the above, the Vice-Chancellor may dismiss an appeal at this stage if in his/her absolute opinion it should appear that the grounds of appeal are so lacking in substance that further consideration would not be justified.

9.3 On receipt of such a notice the Director of Student & Academic Services (or her appointed nominee) shall convene the Academic Offences Appeals Committee and arrange for the appeal to be heard. The Academic Offences Appeals Committee shall comprise:

- Chair: the Vice-Chancellor or a Pro Vice-Chancellor/Dean or a Deputy Dean.

- The President of the Students' Union or his/her nominee who shall be a member of the Students' Union Executive Committee.

- A member of the Academic Board chosen from Class C or Class D membership.

No person who has been consulted or involved in the particular case shall act as a member of the Academic Offences Appeals Committee.

9.4 The appellant and the complainant will be given notice in writing of the hearing

and the members of the Academic Offences Appeals Committee. Due notice of appeal will be considered to have been given on posting the notice and supporting information, by recorded delivery, to the student's last recorded address, not less than 10 working days before the date of the hearing. If the student does not attend the hearing, the appeal shall be considered to have lapsed.

If the student, on good grounds, wishes to object to any member of the Appeals Committee, the student shall submit his/her objections in writing to be received by the Director of Student & Academic Services at least 5 working days before the hearing. If the grounds are upheld, an alternative member of the Committee will be identified with due care to ensure that there are no good grounds for the accused student to object to the substitute member.

9.5 The procedure adopted by the Academic Offences Appeals Committee shall be determined by the Committee and shall provide for the following:

9.5.1 The appellant has the right to appear and be heard and to be accompanied by a representative (as defined in the glossary prefixed to the General Regulations and Procedures Affecting Students).

9.5.2 The Academic Offences Appeals Committee has the righ

or b) Passing off ideas, data or other information as if originally discovered by the student			
	Second or more consecutive instances	Level 4	APO decides whether to meet student – normally within 10 working days – issues a written warning and recommends appropriate actions to avoid future instances. Recorded and reported. (1) APO may, on occasion, recommend student fails assessment task or component(s) (with a mark of zero) and the module mark capped if appropriate and not disproportionate in effect.(4)
		Levels 5, 6 or 7 (2)	APO to investigate and using precedents makes judgement. Outcomes can include: 1. Following discussion with the Head of Academic Services, APO refers case to Academic Offences Panel. (3) 2. APO recommends student fails module(s) (with a mark of zero).(4) 3. APO recommends student fails component(s) (with a mark of zero) and the module mark capped if appropriate and not disproportionate in effect.(4) 4. The APO may require student to take remedial action as appropriate and in accordance with reassessment regulations. (5)
	Multiple concurrent instances	All Levels	
Academic Offence a) Cheating in examinations b) Plagiarism c) Fabrication of results d) Collusion e) Re-use of assessed material f) Acquiring and submitting an assessment not written by the student him/herself g) Other academic offences	Any instance		

(2) Where the student is a direct entrant to Levels 5, 6 or 7, the tutor should discuss the case with the APO to decide how best to deal with the Bad Academic Practice.

(3) For Academic Offences Panel Penalties see General Regulations and Procedures Affecting Students, Chapter 4, paragraph 7.

(4) APO recommendations are made to the relevant Programme Assessment Board; the University assumes that the Board will normally accept these recommendations.

(5) Re-assessment as appropriate to the nature of the module, by re-examination, re-submission of work with or without attendance etc.

Chapter 5

2.1.2 It is the student's **responsibility** to ensure that requests for deferral on grounds of extenuating circumstances are made on the form devised for the purpose, available from Faculty Offices and from Student & Academic Services. The form must clearly list **each** assessment for which deferral is being requested and be personally signed by the student before submission.

2.1.3

2.1.5 It is the student's **responsibility** to ensure that the form is submitted to the appropriate office as follows:

Students on undergraduate programmes:

- Requests for deferral of formal examinations must be submitted to Student & Academic Services.
- Requests for deferral of coursework and faculty based tests (such as phase tests) must be submitted to the Faculty Office.

Students on taught postgraduate programmes:

- All requests must be submitted to the Faculty Office.

Forms should be submitted as close in time as possible to the circumstances which they describe and must be received by the deadlines stated in section 3.2.1 below, unless there are wholly exceptional and valid reasons (such as physical incapacity due to a serious accident), supported by third party evidence, for the request not having been submitted by the deadline.

3 Procedure for consideration

For undergraduate examinations that fall outside the main examination

3.2.4 The decision of the Panel shall be final, except that a student has the right of appeal on the following grounds **only**:

- That there is **new and relevant** evidence which the student was demonstrably and for the most exceptional reason unable to provide in the first instance.
- That the Panel did not comply with its own procedures as set out above.

Any student wishing to appeal must do so in writing, stating clearly the specific grounds on which the appeal is based, to the Student Appeals and Conduct Officer within 10 working days of the Panel decision.

3.2.5 On receipt of such an appeal the Student Appeals & Conduct Officer will:

- In relation to **coursework**; convene the Academic Board Panel who will consider the case.
- In relation to an **examination**; consult with the Director of Student & Academic Services who will consider the case.; ; c

3.2.6

4 Circumstances affecting deadlines for coursework

In respect of requests for extensions of coursework deadlines of no more than 14 days, on medical or other grounds, module leaders (or other designated members of staff) may exercise discretion to approve extensions or, where appropriate and practical, to make alternative arrangements for assessment, in accordance with published Faculty guidelines. Such requests for extensions must be agreed with the module leader **in advance of the deadline date**. If an extension has been granted, or alternative assessment arrangements approved, the module leader should place a written note on the student's file explaining the length of extension or nature of assessment approved.

In cases where an extension to a deadline for 14 days is not sufficient to meet the particular circumstances of the student, or where a student feels that, despite being granted an extension of up to 14 days, his/her performance in a piece of coursework has been seriously impaired by extenuating circumstances, the student (if on an undergraduate programme) may apply formally to the Faculty Panel or (if on a taught postgraduate programme) to the Programme Board for full deferral of assessment or coursework.

5 Attendance at examinations and other scheduled tests

Whenever a student is absent from an examination or other scheduled test it is in his/her own interests to inform the relevant tutor as soon as possible of any extenuating circumstances which prevented -1.141 Td9(t)-6.6 (p (s)8.8 9ed -1.141 Td9(t)-6.M1 Td9(ET EMC /P

Chapter 6