SECTION 4

Assessment Regulation 9: Research misconduct for candidates registered on an approved course of supervised research

Candidates are advised to seek impartial help, advice, guidance and support from sabbatical officers in the Students’ Union and Students’ Union Advice Centre.

9 PROCEDURE

9.1 Definition of a Research Misconduct Offence

9.1.1 Research misconduct, which may involve plagiarism, piracy or falsifying results, is a form of dishonesty which is viewed by the University as a serious offence. The University’s Regulations for Awards contain provisions, in section F1.4.3, under which the University’s Research Committee may penalise candidates who are found to have acted dishonestly, unethically or otherwise conducted research in an inappropriate manner. The purpose of this section is to explain what research misconduct is, to describe the procedures which will be followed when it is suspected, and to indicate the penalties which are likely to be imposed when it is detected.

9.1.2 The University defines a research misconduct offence as a failure to act in accordance with generally recognised standards of academic behaviour and honesty.

Some examples of research misconduct offences are set out in Section 4. Assessment Regulation 3.8 – 3.13 of the Students’ Handbook of Regulations.

9.2 Framework

9.2.1 The Director of Graduate Education (DoGE) will be responsible for cases of research misconduct in the School. In the absence of the DoGE, the Dean shall appoint a nominee from the School Research Committee.

The DoGE (or nominee) will:

- advise on the collection of information and evidence;
- convene the School Research Misconduct Panel;
- attend the University Research Misconduct Committee.

9.2.2 The School Research Misconduct Panel will comprise:

- The Director of Graduate Education (or nominee) with no direct involvement in the case in question;
- The Academic Integrity Officer or a member of the School’s Research Committee drawn from a different subject area;
- A member of the Students’ Union Executive, normally the President.

A member of School staff will attend to act as note taker but will not be a panel member.
9.2.3 The School Panel will confirm the penalty to be applied where:

1. the student admits an offence  
   and  
2. the penalty is Penalty 1 or Penalty 2 on the Tariff of Penalties  
   and  
3. it is the student’s first offence

In all other instances, once the School investigation has been concluded, the allegation should be referred to the University Research Misconduct Committee for consideration.

9.2.4 If a student submits evidence of extenuating circumstances that is accepted by the School Panel, a lesser penalty may be applied without reference to the University Research Misconduct Panel, provided agreement from the Head of Registry (or nominee) has been received by the DoGE.

9.2.5 The University Research Misconduct Committee will be convened as cases arise so that Progression Monitoring or the examination of end submissions are not unduly delayed.

The Committee will be comprised of:

- Two members of the University Research Committee with no direct involvement in the assessment in question
- One member of the relevant School’s Research Committee with no direct involvement in the assessment in question
- The President of the Students’ Union or a deputy.

The Committee will be convened by the Head of Registry or nominee. In the event of a tied decision, the Chair has the casting vote. A member of Registry staff will act as secretary but will not be a member.

9.2.6 The University Research Misconduct Committee will consider all cases referred to it and apply a penalty in accordance with the University Tariff of Penalties. If a student submits evidence of extenuating circumstances that is accepted by the URMC, a lesser penalty may be applied.

9.3 Procedure following an Allegation of Research Misconduct in a Progression Monitoring Report

9.3.1 Where an examiner (internal or external) suspects that research misconduct has occurred, s/he will report it to the DoGE (or nominee) and will provide evidence in support of any allegation. The DoGE (or nominee) will advise the individual bringing the allegation whether there is a case to answer.

9.3.2 Where a case of research misconduct is reported, the DoGE (or nominee) will advise the body overseeing the assessment in the School who will defer consideration of the candidate’s performance until a decision has been reached.

9.4 Procedure following an Allegation of Research Misconduct in a Thesis submitted for Examination
9.4.1 Where an examiner (internal or external) suspects that research misconduct has occurred, s/he will report it to the Head of Registry (or nominee) and will provide evidence in support of any allegation.

9.4.2 The Head of Registry will refer the case to the DoGE (or nominee) in the relevant School in the first instance, who will advise the individual bringing the allegation whether there is a case to answer.

9.4.3 Where a case of research misconduct is reported, the DoGE (or nominee) will advise Registry and further consideration of the candidate’s performance will be deferred until a decision has been reached.

9.5 Action following a report of Research Misconduct

9.5.1 In all cases, the School must first investigate allegations of research misconduct to determine whether an offence has taken place.

9.5.2 The School Research Misconduct Panel will invite the candidate/s, and the individual/s bringing the allegation (where required), to a hearing to discuss the allegation. The letter and hearing documentation should be sent by first class post using the relevant address on ASIS, or to an address provided by the candidate to the School. A copy of the letter should also be sent to the candidate’s University email address.

In the letter, the candidate/s will:

1. be advised of the date of the meeting, (at least 10 working days’ notice to be given) and asked to confirm attendance by no later than two working days in advance of the hearing;

2. be provided with details of the allegation/s, including the report from the individual/s bringing the allegation/s;

3. be provided with a copy of the Turnitin report, or other evidence as appropriate, (the candidate will retain the evidence after the meeting);

4. be provided with a copy of the assessment submitted by the candidate and a copy of the original source text with relevant sections highlighted;

5. be asked to bring all notes used in producing the work;

6. be provided with a copy of the regulations concerning research misconduct;

7. be advised s/he is entitled to have a supporter from the University community to attend the interview with them, normally a representative from the University’s Students’ Union Advice Centre, another student, a member of academic staff or a member of staff from Student Services;

8. be advised that a supporter will not normally act as an advocate;

9. be provided with confirmation of who will be on the Panel;
be advised that failure to respond will result in the meeting going ahead in absentia and in a decision being made on the basis of the information contained within the hearing documentation.

9.5.3 If a candidate/s does not respond to the letter by the deadline, the School should make appropriate checks that correspondence is going to the correct address and send an email to the candidate’s University email account. The email will advise them of the hearing and remind them that failure to respond will result in the meeting going ahead in absentia and that a decision will be made on the basis of the information contained within the hearing documentation.

9.5.4 In the interview, the Panel should:

1. Commence by inviting all those present to introduce themselves and explain their role or function at the hearing.
2. Confirm that the supporter (if present) cannot act as an advocate.
3. Confirm that the purpose of the interview is to establish whether the allegation of a breach of the research misconduct regulations has taken place.
4. Ask the candidate if they accept or refute the allegation.
5. If the allegation is being refuted, ask the candidate to present his/her case, explaining how this has happened and/or provide any supporting evidence including, where applicable, any witness statements.

9.5.5 Following the interview:

1. If the Panel finds that there is no case to answer, the candidate will be advised in writing within five working days of the School hearing and no record will be retained.
2. The Panel will check that the candidate has completed the appropriate candidate declaration form and whether they have any previous misconduct offences recorded on their student file.
3. If a candidate accepts the allegation for a first offence, the Panel will consult the Tariff of Penalties and confirm which will be applied. The candidate will be advised in writing of the outcome and the penalty that will be applied, normally within ten working days of the hearing.
4. The Panel will advise the Supervisor, Registry and the School Research Office, who will arrange for the outcome and penalty to be recorded against the candidate’s record on ASIS and in Wisdom. The body overseeing the assessment will be notified accordingly.
5. If a candidate with a previous offence accepts an allegation, the School Panel will refer the case to the University Research Misconduct Committee.
who will consider the offence and apply an appropriate penalty using the tariff.

6 In all cases where a candidate refutes the allegation, the Panel should forward electronic copies of the hearing notes and supporting evidence within five working days of the School hearing to the Registry for consideration by a University level Research Misconduct Committee.

Supporting evidence includes:
- the notes of the School Research Misconduct Panel hearing;
- the report from individual/s bringing the allegation;
- a signed statement from the candidate confirming the notes of the School-based meeting;
- a copy of the Turnitin report or other evidence as appropriate;
- a copy of the assessment submitted by the candidate and a copy of the original source text with relevant sections highlighted; and
- any mitigating evidence provided by the candidate.

9.6 Candidate absence from a School Research Misconduct Panel meeting

9.6.1 If a candidate has indicated that they do not wish to attend, the Panel will make a decision based on the information available. Where the candidate has a previous offence, the Panel will refer the case to the University Research Misconduct Committee who will consider the offence and apply an appropriate penalty using the tariff. The candidate, DoGe, Supervisor, Registry and School Research Office will be advised accordingly.

9.6.2 If a candidate has indicated that they are attending but is prevented from doing so for good reason which can be evidenced, and the candidate advises the School Research Office before the meeting, the meeting will be deferred to a later date.

9.6.3 If the candidate has indicated that they are attending but fails to attend and does not inform the School Research Office prior to the meeting, the meeting will go ahead and the Panel will make a decision based on the information available. Where the candidate has a previous offence, the Panel will refer the case to the University Research Misconduct Committee who will consider the offence and apply an appropriate penalty using the tariff. The candidate, DoGe, Supervisor, Registry and School Research Office will be advised accordingly.

9.6.4 If a candidate fails to confirm attendance and all attempts to contact the candidate have failed, the meeting will go ahead and the Panel will make a decision based on the information available. Where the candidate has a previous offence, the Panel will refer the case to the University Research Misconduct Committee who will consider the offence and apply an appropriate penalty using the tariff.

The candidate, DoGe, Supervisor, Registry and School Research Office will be advised accordingly. All attempts to contact the candidate will be recorded on the student file. Copies of correspondence and receipts for recorded delivery letters will also be held on file.
9.6.5 A candidate who does not attend the School Research Misconduct Panel meeting waives the right of appeal except where an unavoidable inability to engage with the process can be demonstrated.

9.7 The University Research Misconduct Committee

9.7.1 Where a case of research misconduct is reported, the Head of Registry (or nominee) will convene a hearing of the University Research Misconduct Committee.

9.7.2 The letter and hearing documentation should be sent by first class post using the relevant address as recorded on ASIS or an address provided by the candidate to the Registry.

A copy of the letter should also be sent to the candidate’s University email address.

In the letter, the candidate/s will:

1. be advised of the date of the meeting, (at least ten working days’ notice to be given) and asked to confirm attendance by no later than two working days in advance of the hearing;

2. be provided with details of the allegation/s, including the report from the individual/s bringing the allegation/s;

3. be provided with a copy of the Turnitin report, or other evidence as appropriate, (the candidate will retain the evidence after the meeting);

4. be provided with a copy of the assessment submitted by the candidate and a copy of the original source text with relevant sections highlighted;

5. be asked to bring all notes used in producing the work;

6. be provided with a copy of the regulations concerning research misconduct;

7. be advised s/he is entitled to have a supporter from the University community to attend the interview with them, normally a representative from the University’s Students’ Union Advice Centre, another student, a member of academic staff or a member of staff from Student Services;

8. be advised that a supporter will not normally act as an advocate;

9. be provided with confirmation of who will be on the Panel;

10. be advised that failure to respond will result in the meeting going ahead in absentia and in a decision being made on the basis of the information contained within the hearing documentation.

9.7.3 If the candidate has previously provided witness statements he/she should be advised to notify the witnesses of the date of the hearing to ensure that they can attend.
9.7.4 The University Research Misconduct Committee reserves the right to call any witness not already identified by the candidate or the School.

9.7.5 Any member of the Committee who knows of any possible conflict of interest or who has been personally involved in the individual’s current or prior case will not be eligible to be a member of the Committee for that case and should inform the Head of Registry (or nominee) prior to the meeting.

9.7.6 Documents for the hearing will be distributed to Committee members and are private and confidential. They should only be discussed with other Committee members or for clarification purposes with Registry.

9.8 Candidate Absence from a University Research Misconduct Committee

9.8.1 If a candidate has indicated that they do not wish to attend, the Chair will ensure that the Committee is familiar with all facts related to the case and present any supporting evidence forwarded by the candidate. The Committee will make a decision based on the information available. The candidate, DoGe, Supervisor and School Research Office will be advised accordingly.

9.8.2 If a candidate has indicated that they are attending but is prevented from doing so for good reason which can be evidenced, and the candidate advises the secretary before the meeting, the meeting will be deferred to a later date.

9.8.3 If the candidate has indicated that they are attending but fails to attend and does not inform the secretary prior to the meeting, the meeting will go ahead and a decision will be reached based on the information available. The candidate, DoGe, Supervisor and School Research Office will be advised accordingly.

9.7.4 If a candidate fails to confirm attendance and all attempts to contact the candidate have failed, the meeting will go ahead and a decision will be reached based on the information available. The candidate, DoGe, Supervisor and School Research Office will be advised accordingly. All attempts to contact the candidate will be recorded on the student file. Copies of correspondence and receipts for recorded delivery letters will also be held on file.

9.8.4 A candidate who does not attend the University Research Misconduct Committee waives the right of appeal except where an unavoidable inability to engage with the process can be demonstrated.

9.9 The University Research Misconduct Committee Hearing

9.9.1 The following should be adhered to in all circumstances and only varied where there is concern for the welfare of a candidate, witness or a member of staff:

1 The secretary will meet the candidate, supporter and School staff outside of the meeting and escort them into the meeting. Witnesses will remain in a designated waiting area until called.
2 The Chair will commence introductions of members present and invite others present to introduce themselves and their function.

3 If a supporter is present, the Chair should confirm that the supporter cannot act as an advocate.

4 The Chair will advise the candidate of the alleged offence and the specific details of the allegation.

5 The candidate will be asked whether they understand the allegation.

6 The candidate will be asked whether they accept or refute the alleged offence.

Allegation accepted:

- If the candidate accepts the allegation, the Chair will ask the candidate if they wish to plead mitigating circumstances.
- The Chair will thank the candidate, supporter and School staff for attending and advise the candidate that a decision will normally be made in writing within ten working days. The attendees will be escorted from the room.
- The Committee will discuss the case and consider whether the allegation has been proved and reach its decision.
- If the candidate has been previously found guilty of an academic offence the secretary will advise the Committee once a decision has been reached.
- If the candidate is found guilty, the University Research Misconduct Committee will consider what penalty is to be imposed using the tariff. In reaching this decision the Committee will take into account previous offences. The candidate will be advised in writing of the outcome and the penalty that will be applied, normally within ten working days of the hearing.
- The Panel will advise the DoGe, Supervisor and School Research Office, who will arrange for the outcome and penalty to be recorded on the candidate’s student file.
- Notes of the hearing will be made available to the DoGE, Supervisor and School Research Office and retained in Registry. The candidate will be sent a written copy of the notes.

Allegation refuted:

- If the candidate refutes the allegation, the Chair of the Committee will explain that the purpose of the Research Misconduct Committee is to hear evidence in support of the candidate and the School and make a decision based on the information provided.
- The Chair will invite the School staff to present the case against the candidate.
- The candidate and Panel may ask questions of the School.
- If appropriate, witnesses will be called at this stage. The Chair will give members of the Committee an opportunity to ask questions of the witnesses. The witnesses will be escorted from the room.
- The Chair will invite the candidate to make a statement to the Committee.
- The Chair will give both the candidate and staff members the opportunity to ask questions of each other, and the members of the Committee to ask questions of the staff and candidate.
The School and the candidate are asked to leave the hearing for the Panel to confer with respect to any final questions.

When the candidate and School return, the Chair will ensure that all members of the Committee have completed their questioning.

The Chair will ask the candidate and each member of staff and then the candidate if they wish to make any closing statement.

The Chair will thank the candidate, supporter and School staff for attending and advise the candidate that a decision will normally be made in writing within ten working days. The attendees will be escorted from the room.

The Committee will discuss the case and consider whether the allegation has been proved and reach its decision. Any evidenced mitigating circumstances will be taken into account. Absolute proof of the allegation is not required to determine that an allegation has been substantiated. The Committee is working on the balance of probabilities.

If the candidate has been previously found guilty of a research misconduct offence, the secretary will advise the Committee once a decision has been reached.

If the candidate is found guilty, the University Research Misconduct Committee will consider what penalty is to be imposed using the tariff. In reaching this decision the Committee will take into account any previous offences. The candidate will be advised in writing of the outcome and the penalty that will be applied, normally within ten working days of the hearing.

The Committee will advise the DoGe, Supervisor and School Research Office, who will arrange for the outcome and penalty to be recorded on the candidate’s student file.

Notes of the hearing will be made available to the DoGe, Supervisor and School Research Office and retained in Registry. The candidate will be sent a written copy of the notes within twenty working days.

9.10 Tariff of Penalties

9.10.1 Where it has been found that research misconduct has been committed and it is a candidate’s first offence, the following penalties are available to the School Research Misconduct Panel:

Penalty #1 The candidate is permitted to proceed and is referred to the relevant source/s of support or training.

Penalty #2 The candidate is required to amend the work and resubmit as a referral. In such cases the candidate will be advised of the time allowed for the resubmission and any requirement for an oral examination.

Penalty #3 Referral to the Research Misconduct Committee where the case is considered to be sufficiently serious.

9.10.2 Where it has been found that research misconduct has been committed and the candidate has a previous offence, or the case has been referred for consideration by the School Research Misconduct Panel, the following penalties are available to the University Research Misconduct Committee:
Penalty #1  The candidate is permitted to proceed and is referred to the relevant source/s of support or training.

Penalty #2  The candidate is required to amend the work and resubmit as a referral. In such cases the candidate will be advised of the time allowed for the resubmission and any requirement for an oral examination.

Penalty #3  Require the work to be reassessed with the material in question discounted. No account can be taken of the consequence of this action, which might include failure or the award of a lesser degree.

Penalty #4  The candidate is required to rework the submission for a lesser degree. In such cases the candidate will be advised of the time allowed for resubmission and any requirement for an oral examination. No account can be taken of the consequence of this action, which might include failure.

Penalty #5  The work is deemed a fail and the candidate’s registration is withdrawn.

9.11 Appeal against a Decision related to a Research Misconduct Offence

9.11.1  A candidate may apply for leave to appeal to the Head of Registry (or nominee) regarding a penalty imposed following a School or University Research Misconduct hearing. Such appeals must be made in writing not later than 10 working days after the decision has been issued to the candidate.

9.11.2  A candidate who does not attend a Research Misconduct meeting waives the right of appeal except where an unavoidable inability to engage with the process can be demonstrated.

9.11.3  Leave to appeal will only be granted if:

1. the candidate can demonstrate a material irregularity has occurred

2. the candidate presents extenuating circumstances which for very good reason could not be presented at the original hearing.

9.11.4  On receipt of an application for leave to appeal, the Head of Registry (or nominee) will review the documentation submitted to identify if a material irregularity has occurred and/or is demonstrated within the documentation or ascertain why the extenuating circumstances could not have been presented to an earlier meeting. If leave to appeal is not granted, the Head of Registry (or nominee) will write to the candidate with a full explanation. The decision of the Head of Registry will be final and a Completion of Procedures letter will be issued.

9.11.5 If leave to appeal is granted, the appeal will be heard at the next available University Research Misconduct Committee normally within one month of the appeal being lodged. There will be no further opportunity to submit additional evidence. Its meetings shall be private and its proceedings confidential. The candidate and School representative may be required to attend the hearing and the Committee’s decision will be final.
9.11.6 The Appeals Committee will comprise of the following persons:

- One member of the University Research Committee with no direct involvement in the case in question;
- One member of the relevant School's Research Committee with no direct involvement in the case in question; and,
- The President of the Students' Union, or deputy.

No member will have been directly involved in the decision under dispute. A member of Registry staff will act as secretary but will not be a member.

9.11.7 Candidates should be aware that the Appeals Committee may recommend a greater or lesser penalty. The Committee may:

- confirm the findings and the penalty in all respects;
- change, revise or vary the penalty in accordance with the decision of the appeal;
- uphold the appeal, remove the penalty and any record of the offence from the student file.

**Note:** This regulation will apply to the research element only of an integrated course. For those candidates following a taught element of an integrated course of work, Assessment Regulations 3 and 4 will apply.