

The University of Manchester

Academic Malpractice: Procedure for the Handling of Cases

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Introduction

1. The power for taking disciplinary action against students derives from the University's General Regulation XVII Conduct and Discipline of Students. This document sets out the procedures under Regulation XVII for handling cases of academic malpractice by students and should therefore be read in conjunction with that Regulation.
2. The purpose of this document is to set out the procedures staff should follow if they discover a case of suspected academic malpractice by students. Students who are facing allegations of academic malpractice will also find it useful in helping them to understand the process and how they should expect their case to be handled. [Note: In the event that an allegation of academic malpractice is made against a postgraduate research student, this would normally be dealt with in accordance with the procedures outlined in this document. However, in some exceptional circumstances involving allegations of research misconduct, it may be appropriate for the matter to be investigated under the University *Code of Practice for Investigating Concerns about the Conduct of Research* <http://documents.manchester.ac.uk/display.aspx?DocID=611> See also paragraphs 49-52 below]
3. All cases should be dealt with in accordance with the principles of natural justice which imposes a duty on the University to act fairly. In practice this means that the student should have full information of the case against them, adequate warning of a hearing should be given so that the student has time to prepare, both sides should hear each other's case in its entirety and clear reasons for decisions taken should be given. Those making the decision must be unbiased and decisions taken must be demonstrably reasonable and not irrational.
4. The following documents are also relevant in this context, and staff should bear these in mind when confronted with a case of alleged academic malpractice:
 - (a) [Guidance to students on plagiarism and other forms of academic malpractice](http://documents.manchester.ac.uk/display.aspx?DocID=2870)
<http://documents.manchester.ac.uk/display.aspx?DocID=2870>
 - (b) [Plagiarism and other forms of academic malpractice: Guidance for Teaching Staff](http://documents.manchester.ac.uk/display.aspx?DocID=2869)
<http://documents.manchester.ac.uk/display.aspx?DocID=2869>
5. Additional copies of this document are available on the internet at <http://documents.manchester.ac.uk/display.aspx?DocID=639>

Definitions

6. *Academic malpractice* is any activity – intentional or otherwise - that is likely to undermine the integrity essential to scholarship and research. It includes plagiarism, collusion, fabrication or falsification of results, and anything else that could result in unearned or undeserved credit for those committing it. Academic malpractice can result from a deliberate act of cheating or may be committed unintentionally. Whether intended or not, all incidents of academic malpractice will be treated seriously by the University.

Note: *This Procedure does not cover cheating in formal examinations; however some of the principles outlined under Institutional Responsibilities and Assessing the Severity of Academic Malpractice may likewise apply in that instance.*

- *Plagiarism* is the presentation, intentionally or unwittingly, of the ideas, work or words of other people without proper, clear and unambiguous acknowledgement. It includes the copying of the work of any other person, including another student, and the submission, in whole or in part, of a student's own work - self-plagiarism - where, for example, such work may have been previously submitted for a different assessment.
- *Collusion* is when a student or students collaborate with another student or students, as an individual or group to gain a mark or grade to which they are not entitled. Students who

allow another student to copy their work are also committing collusion and both the copier and the provider of the work are liable to be penalised.

- *Fabrication* or *falsification* of data or results by individual students or groups of students is the presentation or inclusion in a piece of work of figures or data which have been made up or altered and which have no basis in verifiable sources; this may or may not involve other instances of academic malpractice.

See also the *Code of Practice for Investigating Concerns about the Conduct of Research* <http://documents.manchester.ac.uk/display.aspx?DocID=611> for further information about academic malpractice in research.

Institutional Responsibilities

7. It is the responsibility of the University to ensure that all students - undergraduate, diploma, taught postgraduate, research postgraduate, full-time, part-time, distance, exchange (including Erasmus), visiting, UK and international - are given ample opportunity fully to understand the academic standards and requirements they must follow through, for example, communication by their school, programme handbooks and through the website e.g. Crucial Guide (<http://www.studentnet.manchester.ac.uk/crucial-guide/academic-life/formal-procedures/conduct-and-discipline/>). It should always be made clear that:-
 - a) acts of academic malpractice are not acceptable in any circumstances; and
 - b) where such acts are shown to have occurred, an appropriate penalty will always be enforced.
8. No circumstances justify academic malpractice, and a penalty must always be applied. Although students may present evidence of mitigating circumstances (which may be taken into account when determining the penalty to be applied), it must always be borne in mind that students are encouraged to bring such circumstances to the attention of their School at the earliest possible opportunity so that the School can consider offering appropriate help; this is in accordance with the Policy and Procedures on Mitigating Circumstances. Lack of time, or too much work, do not constitute mitigating circumstances.
9. Paragraph 10 of Regulation XVII, Conduct & Discipline of Students, places on the University the obligation, when determining a penalty to be imposed as a consequence of academic malpractice, to take account "of the consequences which the penalty will have for the academic progression of the student concerned".

Assessing the Severity of Academic Malpractice

10. Each case is different, and disciplinary panels are expected to use their judgment in deciding the seriousness of an offence and deciding whether there are aggravating circumstances that might affect the severity of the penalty. Panels must attempt to ensure consistency of treatment between cases, making a judgement about what is a proportionate penalty and ensuring that the penalty chosen does not have consequences for academic progression which are disproportionate in impact. **Note:** in order to assess the impact of a penalty for students on Erasmus/Visiting/Exchange programmes panels may need to consult the home institutions of those students.
11. Factors to take into account when determining the penalty and its proportionality include the following:
 - The student's level of study (already taken partly into account in the procedure – see paragraphs 30-34 below): the more advanced and experienced the student, the more serious the offence
 - The proportion of the piece of work that was subject to malpractice: the higher the proportion, the more serious the offence
 - The credit rating of the piece of work: the higher the rating, the more serious the offence

- The student's previous history: a subsequent offence, occurring after a student has already received a warning or a penalty for academic malpractice, is more serious than a first offence [See paragraph 31 below for definition of subsequent offence].
 - The degree of intention to deceive in the piece of work in question (which might be assessed by, for example, efforts to change wording, poor referencing or lack of referencing of plagiarised material, evidence from earlier drafts) and also in the hearing itself by failure to tell the truth.
12. The judgement on any case shall give details of the relevant factors taken into account, stating the degree to which they contributed to the decision and will state the Panel's intentions in terms of the impact of the penalty on progression/degree awarded. It will also refer to any other matters taken into account, e.g. any mitigating circumstances, so that precedence and best practice may be established. The written record will also be important in the event that the student appeals the disciplinary process/outcome. See paragraph 39 for details of communicating the outcome to the student.

Dissertations/Long Essays/Project Reports/Theses

13. If academic malpractice is suspected in a thesis, dissertation or similar piece of work, the work should continue to be marked or assessed to gather evidence of the extent of the alleged malpractice. The formal examination process should then be suspended and the result withheld pending an investigation.
14. The examiner(s) should submit a brief report, identifying the possible malpractice, to the School officer who will undertake the investigation as described below (paragraph 23 onwards).

Oral Examination (Viva) for Higher Degrees

15. On the rare occasions that academic malpractice is first suspected during a *viva* for a higher degree the examination should continue - part of the purpose of the *viva* is to explore the extent to which the research is the student's own work, particularly in disciplines where collaborative work in large groups is the norm.
16. The examiners should include in their report the extent of the suspected academic malpractice. The result of the examination should then be withheld and the case referred for consideration of the alleged academic malpractice.

Students Who are Unable to Attend an Interview

17. University of Manchester students who are normally resident in the UK, and who are not following distance learning programmes are expected to attend for an interview.
18. Distance learning students are likely to be unable to attend an interview in Manchester. Similar problems may arise with Erasmus (or other visiting/exchange) students who have returned to their home institution, or with international students who are not resident in the UK and have returned home.
19. In circumstances such as these, students must be offered the opportunity to have their interview conducted *via* video or teleconferencing facilities (or equivalent). If this is not possible, or the opportunity is declined, or no response is received within a reasonable time frame (bearing in mind the student's location), it is reasonable to hear the case 'in absentia'. The normal procedure should be followed, but instead of requiring students to attend for interview, they should be asked (via an appropriate means of communication) to respond to the allegation. They should be supplied with full details of the case against them and informed of the possible consequences if they are deemed to be guilty of academic malpractice. They should be given a suitable time limit for a response (this may vary according to where they live), and be informed that if they do not respond a decision will be made on the basis of the evidence available to the panel. Once a decision has been made it should be communicated

to the student as described below (paragraph 39). In the case of Erasmus/Visiting/Exchange students the decision of the panel will also be communicated to the home institution.

Loss of Credit

20. Students gain credit when they successfully complete a course unit by attending as required and by satisfying the criteria for assessment. See Credit Framework, <http://www.tlso.manchester.ac.uk/map/teachinglearningassessment/teaching/creditframework/>
21. The assumption which underlies penalties for academic malpractice is that a mark of zero for a whole course unit(s) involves **loss** of the associated credit for the course unit(s) until the student regains the credit, usually by retaking the unit, assuming that they are eligible for re-assessment and are successful. Similarly, if a mark of zero for an assessed piece of work results in the course unit being failed, the associated credit is lost until the student regains it, usually by retaking the unit, assuming they are eligible for re-assessment and are successful.
22. Panels are empowered to determine and may direct the examination board or authority that a penalty of mark of zero can be imposed 'without loss of credit'. This power enables panels to act proportionately in circumstances where otherwise the penalty would have a disproportionate affect on the outcome for the student. Panels are responsible for determining the proportionality of the impact of any penalties imposed.

Procedure

23. See also paragraphs 10-12 'Assessing the Severity of Academic Malpractice' and 13-14 'Dissertations/Long Essays/Project Reports/Theses'.
24. Dealing with a case of suspected academic malpractice by an undergraduate or postgraduate taught student always starts at School level, and may be referred upwards to Faculty and/or University level depending on the severity of the case (see Appendix 1). Cases of suspected academic malpractice by a postgraduate research student will be dealt with at University level, either under the procedure set out in this document or under the *Code of Practice for Investigating Concerns about the Conduct of Research*.
25. In circumstances where a student from one School is alleged to have committed academic malpractice in a course unit delivered by another School, the School which owns the course unit will conduct the initial investigation and provide the evidence of the alleged academic malpractice (paragraphs 27-29). The School or Faculty which 'owns' the student will then take forward the allegation, as described from paragraph 35 onwards.

Previous assessed work confirmed by an examination board or authority

26. Unless there are very good reasons, there is no expectation that, on the finding of academic malpractice in a piece of assessed work, previous work will be routinely checked, although the option remains to review all the student's assessed work if the investigator determines, in consultation with the relevant Faculty, that it is appropriate to do so.

Assessing Whether There Is Evidence That Academic Malpractice Has Taken Place (see also Appendix 1: Flowchart)

27. All suspected cases of academic malpractice should be marked up by an academic member of staff or tutor to show the location and extent of relevant passages, and their possible original sources or other indicators of academic malpractice, and referred in the first instance to a designated person (the officer) in the School.
28. The School Officer will assess whether or not the evidence suggests that academic malpractice, as defined in paragraph 6, may have been committed.

29. If the School Officer judges that the case does **not** constitute academic malpractice but rather poor academic practice, the matter will be referred back to the tutor or supervisor responsible for the piece of work in question, with appropriate advice as to how to proceed [e.g. advice may include – poor referencing = poor piece of work, mark accordingly, etc.]. In such instances, it is essential that the student is given appropriate feedback and guidance.

Location For Handling Cases of Alleged Academic Malpractice

30. Cases will be handled as follows:

Level	Dealt with by
UG programmes Levels 1, 2 and CPD – First offence PGT programmes taught element - First offence	School
UG programmes Levels 1, 2 and CPD – Subsequent offence UG programmes Level 3 and above – First offence PGT programmes taught element – Subsequent offence PGT dissertation element – First offence	Faculty
UG programmes Level 3 and above – Subsequent offence PGT dissertation element – Subsequent offence UG/PGT programmes – any particularly serious offence	University
PGR – suspected plagiarism first or subsequent offence	University
PGR – suspected misconduct in research	Refer to the Research Governance and Integrity Manager

Note: the table refers to levels 1,2 and 3. It may be of assistance to the reader to understand that this relates to levels 4, 5 and 6 of the FHEQ or the first 3 years of an undergraduate degree.

- 31. In determining whether an instance constitutes a repeat (subsequent) offence, penalties applied in a previous programme of study/award shall not be included. Repeat offences are those which take place in work contributing to a single award – e.g. a penalty for academic malpractice applied during the course of a BA programme does not constitute a previous offence in the case of the same student who is currently studying for an MA.
- 32. The Faculty should be informed of all cases which are referred to University level or to the Research Governance and Integrity Manager.
- 33. Particularly serious cases involving students at any level of study may be referred directly to the University following consultation with the appropriate Faculty officer. At the University level, the University Student Disciplinary Panel, which hears such cases, has a wider range of penalties available to it which reflect the more serious nature of the offence.
- 34. In certain professional programmes (e.g. Medicine, Dentistry, Nursing, Education, Social Work) acts of academic malpractice may also be judged as a matter of Fitness to Practice, with potentially serious consequences for a student’s ability to practice their profession in future. The relevant professional body may be informed.

Handling the Case at School or Faculty Level

35. Action taken at School or Faculty level constitutes Summary Action under Regulation XVII (ref: paragraphs 15-18 of Regulation XVII). The student will be interviewed by a small panel, normally comprising a designated officer acting on behalf of the Head of School (in the case of School panels), or the Dean (in the case of Faculty panels), plus another member of academic staff who may have knowledge of the programme or subject area and the potential effect on the student's academic progress/final degree result of any proposed penalty. An Administrative Officer must also be present to advise the panel on procedure and to record the outcome. The person who made the allegation of malpractice must not be a member of the panel, but may give evidence to the panel and may provide information about the programme and likely impact of any penalty. The person(s) making the allegation must not contribute to any penalty decision and must not be present when the panel makes its decision.
36. Students must be given adequate notice of a requirement to attend the interview, together with full information about the allegation being made against them. They must be advised of their right to be accompanied by a person of their choice (who may speak on their behalf), normally a fellow student, member of staff or Students' Union representative. The case must not be discussed by the Panel before the student is present, other than to agree or clarify procedure and to decide the issues that need to be explored with the student. The student must be given the opportunity to hear all the evidence and to present an explanation, but should not be present whilst the Panel comes to a decision.
37. The Administrative Officer present will maintain a record of the case.
38. If the offence is admitted or proven, the Panel will apply the most appropriate penalty from the list set out in Regulation XVII, paragraphs 10 a-e in respect of School Panels and 10 a-g in respect of Faculty Panels (copied below). In the event that the Panel needs to make further enquiries before reaching a decision, the hearing may be suspended pending completion of those enquiries. In applying penalties the Panel should ensure that it is fully aware of the impact of the penalty on the student's ability to progress/final degree result and intended career if appropriate, and that the likely impact is proportionate to the offence committed. **Note:** Decisions of academic malpractice/disciplinary panels override all other decisions on assessment. Thus, Panels can impose a mark of zero but specifically allow a student a reassessment opportunity even if the degree regulations would not normally permit a reassessment.
- In respect of Summary action by Schools:***
- (a) a reprimand and warning about future behaviour;
 - (b) requirement to undertake a piece of work, not connected to the student's academic programme but related to the offence committed
 - (c) the Examining authority to be informed that the piece of work be marked, if not already marked, and the mark awarded for the piece of work or for the course unit be reduced by a specified amount;
 - (d) recorded mark of zero for the examination paper or other assessed work in which unfair practice occurred;*
 - (e) recorded mark of zero for the course units(s) in which the unfair practice occurred;*
- In respect of Summary action by Faculties, any of the above and (f) – (g) below:***
- (f) the student being not allowed a re-assessment of the piece of work or course unit(s) in which the unfair practice occurred;

* This penalty may be imposed 'without loss of credit' in circumstances in which it is judged that the penalty would otherwise have a disproportionate consequence.

- (g) the student being not allowed a re-assessment and being not allowed to substitute any other assessed work;
39. Following the hearing, the decision of the Panel must be communicated to the student in writing within 5 working days of the interview being held. The communication should include reasons for the decision (see paragraph 12) and an explanation of the potential consequences for the student's academic progress/achievement. The letter should also inform the student that they have the right to appeal to the Director of Teaching and Learning Support (who acts on behalf of the Registrar and Secretary in this matter) and of the grounds on which they might make an appeal (see Regulation XVII, paragraphs 32-34).
40. The communication should also suggest sources of study skills advice (where appropriate), and a warning about the consequences of a repeat offence.
41. A copy of the letter should be placed on the student's file. The Administrative Officer shall ensure that the letter [P] is added to the student's mark on the mark grids available to the School Examinations Board for the course unit concerned. This suffix will not be seen by the School Examinations Board unless a query arises as a result of a mark apparently out of line with others. The suffix shall not be shown on the official transcript for the student concerned.
42. School Administrative Officers shall maintain a record of the number and nature of cases dealt with at School level, including the level of penalty imposed and shall report periodically on such cases as requested. Faculty Administrative Officers shall maintain a record of the number and nature of cases dealt with at Faculty level, including the level of penalty imposed, and shall report periodically on such cases to the University. This Faculty information will be included in a report for the Senate prepared annually by the Teaching and Learning Support Office.

Referring a case to University Level (University Student Disciplinary Panel)

43. When referring a case to University level, an Allegation of Academic Malpractice pro forma should be completed (<http://documents.manchester.ac.uk/display.aspx?DocID=7023>) and sent to the Secretary to the University Student Disciplinary Panel (USDP) together with all relevant documents that it specifies.
44. The procedures that the USDP will adopt are given in detail in paragraphs 19-31 of Regulation XVII.
45. The USDP has available to it the following penalties in addition to those already set out in paragraph 38 above:
- (h) Recorded mark of zero for all examination papers and other assessed work taken during the particular examination period (i.e. end of first semester (January); end of second semester (May/June); resit (August/September)) in which unfair practice occurred*;
 - (i) Recorded mark of zero for all examination papers and other assessed work taken during the academic year*;
 - (j) the Examining authority to be required to reduce the class of degree by one or more classes from that which would have been awarded on the basis of the student's academic progress, or to award a lesser qualification;
 - (k) suspension from the University for a fixed period, up to a maximum of twelve months. A student who is so suspended will be prohibited from entering University premises

* This penalty may be imposed 'without loss of credit' in circumstances in which it is judged that the penalty would otherwise have a disproportionate consequence.

and from participating in University activities although the suspension may be subject to qualification;

- (l) expulsion from the University, which means that the student shall cease to be a Member of the University and will lose all rights and privileges of Membership.
46. The Secretary to the USDP will inform the Faculty and the School of the outcome of the hearing. In the case of a finding against the student, the letter [P] shall be added to the student's mark recorded on the mark grids available to the administrative officer servicing the School Examinations Board for the course unit concerned. This suffix will not be seen by the School Examinations Board unless a query arises as a result of a mark apparently out of line with others. The suffix shall not be shown on the official transcript for the student concerned.
47. In the case of research students, the secretary to the USDP will also inform the Research Governance and Integrity Manager in the Research Office of the outcome of the hearing.
48. The Student Services Centre shall maintain a record of the number and nature of cases dealt with by USDP, including the level of penalty imposed. This information will be included in a report for the Senate prepared annually by the Teaching and Learning Support Office.

Research Students

49. Allegations of academic malpractice against research students will normally be dealt with under Regulation XVII, Conduct & Discipline of Students, and investigated as described in this guidance. In some exceptional circumstances, an investigation under the '*Code of Practice for Investigating Concerns about the Conduct of Research*' may be necessary prior to consideration by the University Student Disciplinary Panel. If in doubt, consult the appropriate Faculty Officer (see paragraph 53 below) in the first instance.
50. If the matter is dealt with under the *Code of Practice for Investigating Concerns about the Conduct of Research*, a finding of guilty by the CoP Investigation, and any subsequent review, will be reported by the Chair of the Investigatory Panel to a meeting of the USDP. The purpose of the USDP meeting will be to apply a penalty commensurate with the severity of the offence. The student will normally be present at the meeting, and will have the opportunity to put forward any mitigation before a decision on the penalty is reached.
51. The constitution of the USDP is described in paragraph 20 of Regulation XVII. Cases involving research students will normally be Chaired by the Associate Vice President for Research (or nominee) who is the member of the Student Conduct and Discipline Committee or a Faculty nominee on that Committee who has significant experience of the supervision of research students.
52. Advice which the USDP will use when applying penalties which are relevant to research students can be found at Appendix 2.

Contact Details

53. Members of the University's administrative staff who have experience of dealing with cases of academic malpractice and who may be able to offer advice in particular cases or clarify any matter contained in this document, are:

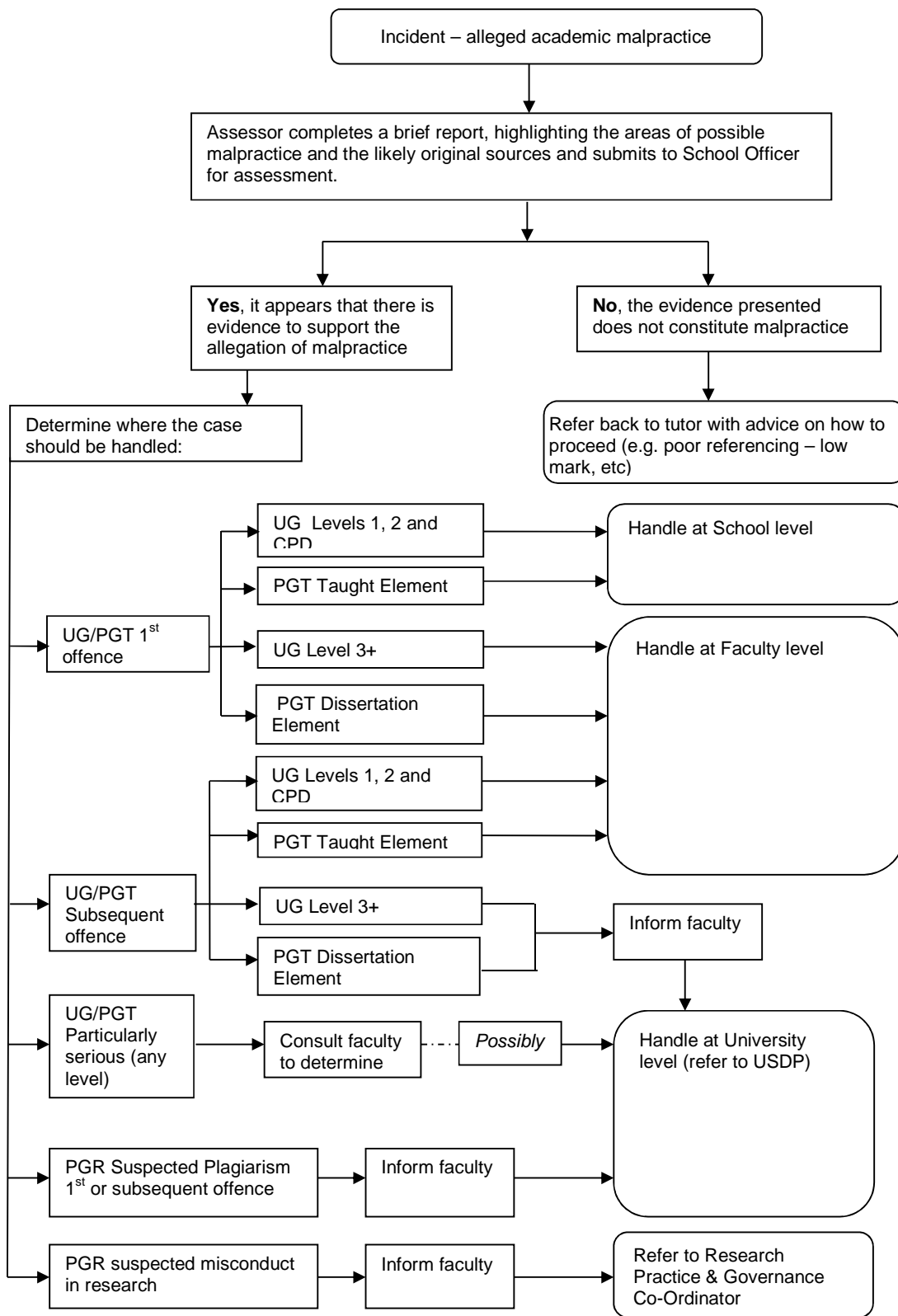
	Contact Name	Email Address	Telephone number
Faculty of Engineering and Physical Sciences	Janet Watson	janet.watson@manchester.ac.uk	64054
Faculty of Humanities	Damien Tolan	damien.tolan@manchester.ac.uk	61119

Faculty of Life Sciences	Kate Middleton	katherine.f.middleton@manchester.ac.uk	55754
Faculty of Medical and Human Sciences	Sally Bray	sally.a.bray@manchester.ac.uk	51467
Research Students	Research Governance and Integrity Manager	research-governance@manchester.ac.uk	58093/ 57583
Director of Student Support and Wellbeing	Pat Sponder	pat.sponder@manchester.ac.uk	52071
Student Services Centre / University Student Disciplinary Panel	Sarah Beer	sarah.beer@manchester.ac.uk	52082
	Mike Mercer	michael.a.mercer@manchester.ac.uk	57965
Appeals against disciplinary action	Matthew Valentine	Matthew.Valentine@manchester.ac.uk	52200

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Appendix 1:

The University of Manchester
Handling Cases of Suspected Academic Malpractice
Deciding if there is a case to be heard, and where to hear it



Note: this flowchart refers to levels 1,2 and 3. It may be of assistance to the reader to understand that this relates to levels 4, 5 and 6 of the FHEQ or the first 3 years of an undergraduate degree.

Appendix 2: Guidance on penalties appropriate to research students

Allegations of academic malpractice by research students are referred to the Research Governance and Integrity Manager in the Christie Building. Should a student be found to have committed academic malpractice, the matter will be referred to the University Student Disciplinary Panel which will have regard to the following guidance when imposing penalties. **Note: Decisions of disciplinary panels override all other decisions on assessment. Thus, Panels can impose a mark of zero but specifically allow a student a reassessment opportunity even if the degree regulations would not normally permit a reassessment.**

Doctoral degrees	
During the degree (ie academic malpractice relating to research reports/other written work and research undertaken to date)	At final exam stage (ie academic malpractice relating to the final submitted thesis)
1 A formal warning which is recorded on the student's record. The student must correct and resubmit the work. Eg: handing in a final version of a literature report or similar for which the student has already received a warning (Regulation XVII, 10(a))	Referral (PhD) - student being allowed to submit a revised thesis within one year for re-examination for a doctoral degree and where appropriate attend an oral examination. Eg - major referencing problems which were not deliberate (Regulation XVII, 10 (h))
2 Requirement to undertake a piece of work, not connected to the student's academic programme but related to the offence committed (Regulation XVII, 10 (b))	Referral (MPhil) - student being allowed to submit a revised thesis within one year for re-examination and where appropriate attend an oral examination. The maximum award that may be given is MPhil. (Regulation XVII 10 (h) and 10 (j))
3 Withdrawal from the degree - student not being allowed to progress. Eg: as 1. above but at a more serious level such as directly copying another student's transfer report. (Regulation XVII, 10 (l))	Rejection of thesis - student not being allowed consideration for any award and not permitted resubmission (Regulation XVII 10(h) and 10 (g))
MPhil	
1 A formal warning which is recorded on the student's record. The student must correct and resubmit the work (Regulation XVII, 10 (a))	Referral - student being allowed to submit a revised thesis within one year for re-examination for a MPhil degree and where appropriate attend an oral examination. Eg - major referencing problems which were not deliberate (Regulation XVII, 10 (h))
2 Requirement to undertake a piece of work, not connected to the student's academic programme but related to the offence committed (Regulation XVII, 10 (b))	
3 Withdrawal from the degree - student not being allowed to progress (Regulation XVII, 10 (l))	Rejection of thesis - student not being allowed consideration for any award and not permitted resubmission Regulation XVII, 10 (l)

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Policy owner:	Director of Student Support and Wellbeing (Pat Sponder)
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