HERIOT WATT UNIVERSITY

UK | DUBAI | MALAYSIA

STUDENT ACADEMIC MISCONDUCT POLICY

Approving authority:	The Senate
Approval date:	June 2024
Review period:	Annual
Responsible Executive:	Deputy Principal (Education and Student Life)
Responsible Office:	University Student Conduct Office, under the Policy and Governance Division, Governance and Legal Services
Effective date:	September 2024
Scope:	All Campuses

Contents

Purpose

PURPOSE

The primary purposes of the University are the advancement and application of knowledge and the education of its students; its central activities are teaching, learning and research. These purposes can be achieved only if the members of the University community can live and work together in conditions which permit freedom of thought and expression within a framework of respect. To achieve and maintain such conditions, and to ensure academic standards, there are structures and procedures in place ensuring that the necessary steps can be taken where behaviour falls short of that expected from students.

The academic integrity of the vast majority of the University's students is exemplary. Nevertheless, unacceptable behaviour can happen, so the University has *Student Academic Misconduct Policies* that apply to all undergraduate and postgraduate taught students at the University irrespective of their mode or place of study.

Research Misconduct is covered under the Research Integrity: Procedures for Investigating Research Misconduct.

The following Student Academic Misconduct Policy covers academic misconduct and a range of penalties which can be imposed.

The Student Academic Misconduct Policy protects the University and its community, deterring those who interfere with its work and activities, and ensures that where necessary, appropriate sanctions can be imposed. Students explicitly agree to abide by the University's Ordinances, Regulations, Policies, Procedures, Rules, and Values when they enrol. The policies and procedures of the University apply to *all* students who enrol at Heriot-Watt University, regardless of their campus location, or mode of study (for example at an Approved Learning Partner (ALP), Graduate Apprenticeship (GA), by HW Online or Distance learning). Students are expected to make themselves familiar with the policies that apply to them. The Policies are available at the HWU Policy Bank.

The Senate is responsible for regulating the discipline of students at the University. This is achieved through policies which provide rigorous, fair, transparent, and consistent processes for investigating and considering reported incidents involving alleged academic misconduct and for imposing penalties where appropriate. The Student Academic Misconduct Policy (hereinafter referred to as the Policy) outlines specific responsibilities and actions for appropriate members of staff of the University and appropriate bodies investigating alleged academic misconduct offences and applying disciplinary penalties.

The University has a duty to investigate all concerns raised regarding potential misconduct, but it also recognises that these remain allegations until investigations have concluded and outcomes have been determined. Where the allegations are found not proven, there will be no record of the investigation on a student's academic transcript.

Purpose

The purpose of the Policy is to regulate student behaviour to secure the proper working of the University in the broadest sense. In support of this goal, students are expected always conduct themselves at all times in a manner which:

i) Demonstrates respect for staff and fellow students;
ii) Enhances the reputation of the University;
iii) Is sensitive to culturally diverse environments;
iv) Demonstrates active engagement in the learning process, a commitment to University-level study, and determination to succeed.

The Policy means that:

i) Students can be assured that any instances involving alleged academic misconduct will be investigated and considered under robust, consistent, fair, and transparent procedures and decision-making processes;
ii) Academic and professional services staff of the University can be assured that procedures are in place to deal with instances when students do not abide by the University's Ordinances, Regulations, Policies, Procedures, Rules, Values and expectations, and that appropriate action will be taken where required.

Objective

The objective of the Policy is to:

i) Deal with academic misconduct offences in a way which is proportionate to their severity;
ii) Make provision for informality and flexibility in proceedings so that matters can be considered at the Primary Academic Unit at an early stage where appropriate;
iii) Ensure, as far as possible, that all parties involved are on an equal footing procedurally and able to participate fully in proceedings;
iv) Avoid delay as far as is compatible with fairness and the proper consideration of the matters involved.

This Policy recognises that the seriousness of academic misconduct varies and sets out a two-layer approach (refer to Section 4 for details) to dealing with academic misconduct depending on the seriousness of the conduct. The Policy provides a framework to ensure that academic standards and expectations are met and defines a framework of penalties which may be imposed for substantiated academic misconduct that are appropriate, proportionate, and consistent.

In all disciplinary cases, the rules of natural justice (the right to a fair hearing) shall be observed.

The University embraces a positive attitude towards the promotion of equality and diversity. The Student Academic Misconduct Policy applies equally to all students irrespective of colour, age, disability, ethnic origin, gender, marital status, civil partnership, nationality, race, religion, or sexual orientation.

The Policy applies to all students at the University. However, with regard to students at the University studying at Heriot-Watt University Malaysia, the Registrar General Malaysia may issue directions from time to time under Section 46 of the Private Higher Educational Institution Act 1996 [Act 555].

All disciplinary cases, investigations, communications, and meetings will normally be conducted in English. Any exceptions will require the written approval of the Chair of the University Discipline Committee prior to any investigation being undertaken.

1. INTRODUCTION

1.1 The Senate is responsible for regulating the discipline of students at the University. *Regulation A13: Student Discipline* (hereinafter referred to as *Regulation A13*) sets out the provisions for regulating student discipline. Any actions under the disciplinary procedures are undertaken on behalf of the Senate under a structure and system of delegated authority.

Students are expected to make themselves familiar with the Policy that applies to them. The Policies are available at the HWU Policy Bank.

1.2 *Regulation A13* makes provision for the Policies for regulating student discipline.

1.3 A member of staff who reports the incident, or was involved in marking of the assessment, or is the Course Leader, or where there are any other conflicts of interest, will have no input in the decision-making of the alleged academic misconduct offence.

1.4 If a staff member ruling in accordance with the *Policies* is unable to act for any reason a member of staff shall be nominated to deputise. The member of staff nominated to deputise shall be nominated by the person for whom they are deputising or by that person's line manager. A member of staff nominated to deputise shall not be permitted to nominate a member of staff to deputise on their behalf. If a member of staff required to make a decision in accordance with the *Policies* is unable to act for the reason set out in Paragraph 2.3, the University Discipline Committee shall approve a member of the staff to deputise.

1.5 These Policies apply to all undergraduate and taught postgraduate students at the University. However, with regard to students at the University studying at Heriot-Watt University Malaysia, the Registrar General Malaysia may issue directions from time to time under Section 46 of the Private Higher Educational Institution Act 1996 [Act 555].

1.6 The Senate reserves the right to add to or amend the Regulations and Policies as it deems appropriate and with immediate effect. Such amendments will be publicised on the University website.

1.7 The University Discipline Committee will oversee the processes outlined in this Policy and, acting with the delegated authority of the Senate and in consultation with relevant staff, shall be responsible for approving the nominated members of staff, who, in addition to those specified in the Policy, shall investigate, and consider alleged cases of academic misconduct.

1.8 All communications with a student will be sent to the student's University email address and/or the most recent correspondence address held on the student record system.

1.9 Standard of Proof:
In considering alleged academic misconduct disciplinary offences, the standard of proof required is that it is more likely than not that something is or is not the case (the *'balance of probability'*, or civil justice) rather than 'beyond all reasonable doubt' (as in criminal justice).

1.10 The definitions and categories of academic misconduct are set out in Sections 2 and 3.

1.11 The composition of the committees established to consider disciplinary matters is set out in *Regulation A13*.

1.12 In all disciplinary cases, the rules of natural justice (the right to a fair hearing) shall be observed.

1.13 A student against whom an allegation has been made under the *Policy* may seek the assistance of a third-party. The University will only deal with a third-party providing assistance to a student where there is written and signed authorisation by the student to allow this to happen, except with respect to student is under 18 and a responsible person (guardians or parents in case of minor students). The student remains the responsible person with respect to any allegation under consideration. The student is not permitted to appoint someone to act on his or her behalf.

1.14 In accordance with existing University and sector-wide practice, students do not have the right to legal representation under the *Policy*.

1.15 A student against whom an allegation has been made may wish to access support from the Student Union Advice Hub or the Student Representative Bodies for students at the Dubai and Malaysia campuses. If such assistance is sought it remains the responsibility of the student to prepare and submit any evidence or statement for consideration and to liaise directly with the relevant member of staff or body.

1.16 The University monitors and evaluates the effectiveness of its Student Academic Misconduct Policy regularly to ensure that penalties are fair and functioning as intended and to consider the types of cases being identified. An anonymous summary of cases and their outcomes is reported to the Senate on an annual basis.

1.17 For breaches of Research Integrity by postgraduate research students, these will initially be considered under the Research Integrity Procedures. Those procedures do not currently form part of the Student Academic Misconduct Policy and are concerned with the handling and investigation of allegations of research misconduct. Where an allegation of research misconduct is upheld, action(s) may be taken under those Policies and Procedures to safeguard research integrity. However, where disciplinary action(s) are appropriate, procedures will be initiated under the Student Academic Misconduct Policy.

1.18 Breaches of Research Ethics by undergraduate and postgraduate taught students will be considered under the Student Academic Misconduct Policy.

2. DEFINITIONS OF ACADEMIC MISCONDUCT

2.1 This section outlines the definitions and terminologies used in this policy. These definitions will be used as the agreed Heriot-Watt University (HWU) approach to academic misconduct.

2.2 The University defines academic misconduct as any action or attempted action that may result in a student or group of students obtaining an unfair academic advantage in formal University assessment, or any activity likely to undermine the integral essential to scholarship and research. Academic misconduct includes ethical misconduct and includes any attempt to gain an unfair advantage in an academic assessment (all assessments are included, for example, examinations, class tests, essays, coursework, dissertations, research projects, reports, etc.). All reported allegations of academic misconduct are taken seriously and, where proven, may lead to disciplinary action.

2.3 Academic misconduct is regarded as a breach of University Regulations and where proven will result in penalties being imposed (as described below). Where allegations are not proven, the assessment will be returned to the marking process.

2.4 Any attempt by a student to gain an unfair advantage in any type of assessment, including examinations, will be regarded as a breach of Academic Integrity. The University will not accept academic misconduct in any form and the seriousness with which cheating is viewed will be reflected in the penalties which are imposed.

2.5 Any student who knowingly permits another student to plagiarise their work will be regarded as having breached the University's disciplinary procedures.

2.6 The University recognises the benefits of discussion of assignments requiring a group response; such activities are normal in any academic community. The offence of plagiarism takes place when, having had the opportunity of advice and guidance, a student submits work which they know contains matter taken from other sources and for which no attribution is given according to the conventions normally adopted in academic writing. Assessment guidelines will provide students with instructions as to what is acceptable and authorised and what is not in group assessments. Unless stated otherwise in the assessment guidelines, the University considers that all members of the group are equally responsible for the submitted assessment.

2.7 Guidance on how to avoid plagiarism will be provided for students as part of their induction to all programmes and throughout their studies. All students will be required to undertake a mandatory online self-pace short course on academic integrity before they can submit their first assessment.

2.8 The University reserves the right to utilise electronic plagiarism and similarity detection and checker systems and, where such systems are available, requires students to make their submissions through them The use of these systems allows the student and the University to check systematically for plagiarism, thus ensuring that all students' work is original. These systems search

the World Wide Web and extensive databases of reference material and content submitted by others to identify any duplication of submitted work. Only University approved detection tools should be used by students.

2.9 Any student who during any part of the assessment process copies, steals, or appropriates the work of another, or who introduces into an examination room any materials or other aids not explicitly permitted under the rubric of the examination, or who uses other unfair methods to gain an advantage in an assessment, will be deemed to have breached the University's policy on academic misconduct. This applies to all work submitted as part of the assessment process, in whatever year, and whether produced under formal examination conditions or as part of a programme of continuous assessment. Any student who knowingly assists others in this process will also be regarded as being guilty of academic misconduct.

2.10 With respect to students following a programme offered by the University at a partner institution, in the case of alleged academic misconduct relating to a University award, the case must be dealt with by the University.

2.11 The following lists a summary of terminologies that HWU is considering in relation to any academic misconduct cases:

Terminology	Definition
Allegation	A concern raised by a member of staff as to whether a piece of work submitted for assessment is the student's own. There is no presumption that misconduct has occurred; the University has an obligation to investigate allegations and determine whether or not they are proven.
Component	Any part of the assessment that has been referred to discipline committees. Academic misconduct proven in a component (part or whole of an assessed piece of work), in some instances, regardless of the percentage, may result in the overall course for that semester being reported as Invalid Grade, and the reassessment of that component will be added to the other elements of the course assessment(s) at the reassessment diet only.
Invalid Grade (IG)	Course result of 'IG' will be added to a student's record by the relevant Registry and Academic Support team only when it has been determined by the relevant Discipline Committee that an entire course is void. The result of 'IG' remains permanently on a student's transcript.
Investigation Pending (IP)	Course result of 'IP' will be added to a student's record by the relevant Registry and Academic Support team to any course being investigated for suspected academic misconduct. The result of 'IP' will be updated by the relevant Registry and Academic Support team following the completion of the relevant Discipline Committee's investigation, i.e., on receipt of the formal outcome letter issued by the University Student Conduct Office.
Offence	A case of proven academic misconduct will be referred to as an offence.
Stage	The various levels/progression points within a programme and the year in which a student is enrolled.
Void	The penalty is providing no credit for the submitted work, e.g., a component of a coursework or an examination that is under disciplinary investigation. This means the student will get zero for that component. Depending on the severity of a case, the committee may impose the voiding of one or more than one course as penalty. As such, the student who receives this penalty will not receive any marks for those courses, i.e., will receive an invalid grade (IG) for those courses. As a result, the student will not be able to get credit for the course since they did not pass it. If the student has exhausted their opportunities, voiding a course means they may not be able to graduate from the programme in which they enrolled.

2.12 For the purposes of the University's academic misconduct policy **plagiarism** constitutes one form of academic misconduct. Plagiarism is defined as the presentation, by a student, of work for assessment that draws from another source without acknowledgement of that source.

2.13 **Plagiarism** may take different forms, such as:

- **Copying and pasting parts or all of resources, digital or otherwise, without clear acknowledgement.**

- **Visual plagiarism:** A 'like for like' copying of the sum of a design or creative process; or adjusting or adapting another person's work, where significant original similarity, elements or attributes remain that can definitely be attributed to the original work.

- **Verbatim (word-for-word) quotation without clear acknowledgement.** This includes word-for-word translation from non-English resources to English.

- **Inappropriate paraphrasing.**

- **Inaccurate citation.**

- **Failure to reference.**

- **Self-plagiarism**, in which a student resubmits work that they originally completed and submitted for another purpose, without acknowledgment of this. This is regarded as academic misconduct (unless resubmission was permitted).

2.14 For the purposes of the University's academic misconduct policy **collusion** occurs where students work together to complete an assessment, in whole or in part, that should have been completed independently**.** Submissions should present a student's own personal skills and understanding and not seek to take credit for the contributions or knowledge of another student.

2.15 **Collusion** may be found in cases where the student works too closely with one or more individuals to help solve and/or answer an assessed task or question and produce a joint answer or solution (intentionally or not) to gain an unfair advantage for their own personal benefit. A student can be guilty of collusion by receiving inappropriate help from one or more other students, or by providing inappropriate help to one or more other students.

Work which has been submitted for assessment should not be shared.

2.16 Other examples of academic misconduct include but are not limited to the following:

- **Purchasing or Soliciting Material/Work Undertaken by others and presenting it as their own work:** the use of services to produce student work for assessment (such services may try to persuade students that this is entirely normal and acceptable practice, when in fact it is misconduct).

- **Selling Material:** Selling or offering to sell, by whatever means, material or using other inducements, to assist a student in producing work for assessment.

- **Falsifying Data:** presenting data based on work which a student claims to have carried out but which they have invented or obtained by unfair means.

- **Breach of research ethics policy**

- **Falsify References:** Purposely presenting false and inaccurate references and citations.

- **Misuse of Generative Artificial Intelligence (GenAI) Tools:** any suspected misuse of generative artificial intelligence (GenAI) will be dealt with under this policy. In most instances misuse of GenAI would fall under the definition of plagiarism (either through failing to appropriately reference sources (i.e. GenAI) or presenting work that is not student's own as if it were) but could also fall under the definition of dishonest practice where appropriate.

- **Examination Misconduct:** unauthorised materials or devices being in the vicinity of a student during an examination or the use of such materials, the use of electronic devices not permitted during an examination, or any other conduct not permitted under the University's Regulations, Policies, and Procedures on examinations.

- **Dishonest Practice:** this covers any form of practice which attempts to deceive others, or obtain any form of academic advantage, but is not specifically identified by the above.

- **Contract Cheating:** Heriot-Watt University shares the same definition as what Quality Assurance

Agency (QAA) defines as:
"*Contract cheating happens when a third party completes work for a student who then submits it to an education provider as their own, where such input is not permitted. Over the last decade, an industry has developed where companies, based in the UK or overseas, are paid to undertake this work. These companies have become known as 'essay mills', although many supply a range of services in addition to essay writing. Typically, the essay mill will outsource the commissioned work to individual writers engaged on an ad hoc basis. The term 'contract cheating' does not apply exclusively to essay mills. It can, for example, also refer to situations such as friends or family members completing assignments for students in whole or in part and does not always involve a financial relationship*". For more details, refer to this document on the University policy bank website

3. CATEGORIES OF DISCIPLINARY OFFENCES

3.1 Offences are categorised below:

- Academic Misconduct is subdivided as Category A or Category B offences based on the apparent gravity of the offence and the penalty that could be imposed if an allegation is substantiated.

  Category B offences are those where the penalty will not affect the student's progression in their degree, and the offence is for the first time or of a relatively minor nature. Alleged offences that meet the circumstances listed below may be classified as Category A offences:

  i) A repeat of a previous offence.
  ii) Where the penalty to be imposed might require a student to withdraw from the University.
  iii) In the case of any student other than a postgraduate student, where an allegation has been considered as a Category B offence, and where the penalty proposed might alter the final award.
  iv) In the case of a postgraduate student, when an allegation has been considered as a Category B offence and because of the proposed penalty to be imposed there would be no opportunity for the student to complete the programme of study
  v) Contract cheating allegations.
  vi) Inappropriate and unethical usage of Large Language Modules (LLMs) and any artificial intelligence technology.

3.2 The University shall have the right to investigate any allegation of academic misconduct against a student and may take disciplinary action where it decides, on the balance of probabilities, that a disciplinary offence (as defined above) has been committed.

3.3 The Procedures and responsibility for the initial consideration of cases in determining the classification of the offence are set out in a separate Procedures document. It is the duty of every member of staff, in whose opinion a breach of discipline *may* have occurred, to report the incident as soon as possible to the relevant staff member with responsibility for considering the allegation and the University Student Conduct Office.

3.4 Based upon the nature of the incident, responsibility for the consideration of cases in determining the categorisation of an alleged offence is summarised below:

- All reports and paperwork must be sent to the USCO. The USCO will log the referral and arrange for the case to be discussed with the Chair of the School Discipline Committee to which the course resides.

- The Executive Dean of the School in which the course resides will appoint a Chair of the School Discipline Committee, who will be a member of academic staff in the School with appropriate experience for the purpose of the procedures. The School Discipline Committee must have at least two academic members of staff to be quorate. No member of staff determining the outcome of an alleged academic misconduct will have had any involvement in the case prior to the referral to the Committee (e.g., delivery of the course, marking of the assessment, personal tutor of the student(s), etc.).

- The School for which the course resides will conduct the academic misconduct investigation and determine an appropriate penalty. The home School (determined by the student's programme) will be informed of the outcome via the outcome letter as well as the Chair of the School

Discipline Committee and the academic member of staff who reported the case. Where required, the Student Records and Awards (SRA) Team will be informed of the outcome (see Section 4.15).

3.5 Any member of staff reporting a case of alleged academic misconduct should submit an online Incident Report Form. Please refer to the Procedures document for the relevant links and details on how to report an allegation.

3.6 A written record will be maintained of meetings held with students involved in cases of alleged academic misconduct. Any documentation on a matter of alleged academic misconduct, including letters, emails, photographs, or reports, may need to be disclosed to relevant parties during the consideration of a case of alleged academic misconduct and, therefore, should be factual and balanced. All records of individual cases should be retained in accordance with the University Records Management Policy.

3.7 Examples of general evidence and documentation required to be submitted will normally include:

- a copy of the coursework guidelines and assessment criteria issued to students.
- any relevant guidance issued to students that you feel may be useful, such as screenshots of links to referencing guidance provided on the Virtual Learning Environment (VLE) pages, such as Canvas, or class activities on avoiding academic misconduct.
- Plagiarism: the student's work showing plagiarised material; the Turnitin similarity report; copies of sources of material allegedly plagiarised, where available.
- Examination Misconduct: examination script(s); confiscated material; Examination Report Form from the invigilator.
- Collusion: the Turnitin similarity report of the student's submission, a copy of the student's original submission as well as a copy of the work alleged to have been copied, these documents should be annotated to show where the similarities between them are, relevant pages of the Student Handbook.

3.8 Original evidence should be submitted. All evidence submitted should be clearly referenced with relevant extracts marked up appropriately. Additional evidence may be sought at any stage during the process of consideration of an alleged breach of discipline.

3.9 Where more than one student is alleged to have committed the same reported offence, for example, collusion, the evidence of each of the alleged offenders will be disclosed to all parties, unless deemed not appropriate by the Chair of the relevant Discipline Committee or the University Student Conduct Office.

3.10 For the reported alleged academic misconduct cases where more than one student is reported, all evidence will be redacted or edited as necessary prior to sharing with other students, in compliance with the University's Data Protection Policy. Work in which alleged academic misconduct has been identified should be withdrawn from the assessment process (including marking) until any investigation into alleged academic misconduct has been concluded.

3.11 When an examination irregularity occurs, the student must hand over to the invigilator any unauthorised material and will normally be permitted to continue with the examination. The invigilator will retain the confiscated material at the conclusion of the examination and return it to the Academic Registry with the Examination Report Form. The Invigilator's Handbook contains guidance for invigilators on the procedures to follow in the event of an examination irregularity.

3.12 Any student against whom an allegation of academic misconduct is being made will be informed if a case is being submitted for consideration.

3.13 Students who have an allegation of academic misconduct are expected to fully co-operate with the University during the investigation of an allegation of academic misconduct and should be prepared to attend meetings if required in connection with the investigation. Students who do not co-operate may be subject to further disciplinary procedures.

3.14 A student undertaking a programme of study at an Approved Learning Partner, collaborative partner, or other recognised partner institution or organisation, or by distance learning or HW Online learning, is expected to be available for interview, if required, by means of University's approved teleconferencing platform.

3.15 A preliminary review of an alleged academic misconduct offence shall be carried out by the relevant member of staff as outlined in the *Student Academic Misconduct Procedures*, as soon as possible.

The relevant member of staff will either:

- Dismiss the allegation; or,
- Refer the allegation to the University Student Conduct Office to be considered by the relevant Discipline Committee.

3.16 If the member of staff believes that the student(s) should be suspended whilst an investigation is carried out, they are required to discuss this with the Chair of School Discipline Committee who shall make such a recommendation through University Student Conduct Office to the Chair/Vice-Chair of the University Discipline Committee. Such a suspension should only be imposed if it is considered in the best interests of the University, its staff or students, or the student concerned, or is necessary to ensure an effective investigation.

3.17 Penalties imposed that include voiding a course or part thereof, and allowing reassessment in the course, will require a student to pay the relevant reassessment fee. When a course is voided, any further reassessment will be classed as the subsequent opportunity.

3.18 Tariffs of penalties for academic misconduct are detailed in Sections 4 and 8. They provide a point of reference for appropriate staff and bodies with responsibility for imposing penalties and show recommended penalties based upon the circumstances presented.

3.19 Where an academic misconduct allegation is identified near the time of a student's graduation, they will not be entitled to receive their award until their case is resolved. A graduation hold will be placed on their record. Even if the case is concluded in advance of the next available graduation ceremony, their graduation is likely to be postponed to a subsequent ceremony to allow time for the necessary academic and administrative processes to be carried out.

3.20 Offences of an academic nature identified following graduation and involving academic misconduct in academic work which contributed towards a University award will be considered under the University's Student Academic Misconduct Policy. In such cases even if they have graduated the term 'student' in the *Policies* shall mean the person against whom an allegation is being made.

4. OUTCOMES AND PENALTIES

4.1 A list of outcomes for Category A and B allegations are set out below:

- **Dismissed.** There is no evidence of misconduct, and the assessment is referred back to the marking process. No record of the allegation of the academic misconduct will be made on the student's academic profile in such circumstances.

- **Insufficient evidence**. There is insufficient evidence that, on the balance of probabilities, an act of academic misconduct occurred, and the assessment is referred back to the marking process. No record of the allegation of the academic misconduct will be made on the student's academic profile in such circumstances.

- **Not proven.** There evidence that, on the balance of probabilities, an act of academic misconduct occurred, was not proven. The assessment is referred back to the marking process. No record of the allegation of the academic misconduct will be made on the student's academic profile in such circumstances.

- **Proven**. There is sufficient evidence that, on the balance of probability, academic misconduct has occurred.

4.2 A list of penalties and their relevance to Category A and B offences are set out below for any proven cases and are indicative of the types of penalties which may be applied; other forms of penalty may also be considered where these are deemed to be more appropriate.

4.3 A student who is deemed to be in breach of discipline may be liable to one or more of the following penalties:

- An official written warning (for Category A or Category B offence).
- Exclusion, suspension, or disqualification from assessments or studies (for Category A offence).
- Where an offence could have resulted in an improvement in academic performance, reduction in marks/grades awarded in one or more of the assessments, with re-assessment as a further opportunity. The mark for any reassessments may be capped (for Category A or Category B offence).
- Where an offence could have resulted in an improvement in academic performance, annulment (voiding) of one or more of the assessments, with re-assessment as a further opportunity. The mark for any reassessments may be capped (for Category A or Category B offence).
- Where an offence could have resulted in an improvement in academic performance, annulment (voiding) of one or more of the assessments, with no reassessment opportunity (for Category A or Category B offence).
- Where an offence could have resulted in an improvement in academic performance, a reduction in classification of degree to be awarded (for Category A offence).
- Revocation of an award, having determined that there is good cause to do so (Category A offence). Revocation of an award also includes the deprivation of all privileges connected with the award.
- Expulsion from the University (for Category A offence).

5. RECORDS AND REPORTS

5.1 Full notes should be taken of all proceedings and the University Student Conduct Office have the responsibility for recording proceedings and retaining all records.

5.2 With regard to the nature of reports on proceedings, the following should be observed:

- Reports should be sufficiently full to reflect the reasoning by which conclusions and recommendations have been reached;
- Reports should be sufficiently comprehensive to allow the appropriate member of staff or Committee, depending upon the stage of appeal, to use them as a basis for any further review of a case;
- Reports should be compiled with all due regard for confidentiality.

5.3 The Clerk to a committee must ensure that minutes and reports on meetings of a committee are agreed upon by the Chair of the Committee.

5.4 All records of individual cases should be retained in accordance with the University Records Management Policy.

5.5 An annual report on discipline cases considered under the Policies will be submitted by the University Discipline Committee to the Senate.

6. MODIFICATION OF POLICIES

6.1 Any modifications made to these Policies will be made in accordance with *Regulation A13*.

7. FURTHER INFORMATION, HELP and ADVICE

7.1 This document can be provided in other formats (such as large print, audio, and Braille) if required by contacting: disability@hw.ac.uk or 00 44 (0) 131 451 3386.

7.2 Professor Mehdi Nazarinia, Chair of the University Discipline Committee (m.nazarinia@hw.ac.uk)

7.3 Dr Craig Kennedy, Vice Chair of the University Discipline Committee and Chair of the Academic Integrity Group (craig.kennedy@hw.ac.uk)

7.4 Marc Quinn, Head, Policy and Governance, Governance and Legal Services (m.a.quinn@hw.ac.uk)

7.5 Dr Cindy Stubbs, Senior Student Conduct Officer, Policy and Governance, Governance and Legal Services (c.stubbs@hw.ac.uk)

7.6 The University Student Conduct Office (conduct@hw.ac.uk)

8. TARIFF OF PENALTIES: THE TARIFF OF PENALTIES PROVIDES EXAMPLES OF PENALTIES THAT MAY BE IMPOSED FOR PARTICULAR OFFENCES.

Appendix One summarises the different forms of academic misconduct and categories that Heriot-Watt University recognises, along with the suggested tariff of penalties. Other academic misconduct types not specifically mentioned in the following tables (e.g., dishonest practice) will follow comparable tariffs.

The outcome of any disciplinary investigation will be made by the relevant Discipline Committee (School level or University level), based on the evidence submitted by academics and/or students and the severity of cases, in line with the tariff of penalties tables provided in this policy.

The examples of offences and penalties given below are a guide and it is expected that Schools and the University Discipline Committee will apply the relevant penalty for an offence which has been proven. Under appropriate circumstances other penalties may be applied where they can be justified and where, in the case of Category B offences, if required, approval of the Dean is given.

APPENDIX ONE:

8.1 Table of tariff for different academic misconduct types

The relevant Discipline Committee will follow Table 8.1 when determining an outcome for forms of plagiarism (including collusion as an example) (as listed above):

Table 8.1 - Penalties relating to proven forms of plagiarism (including collusion as an example).

	Discipline Committees (Category A or B)				**University Discipline Committee Decision only (Category A):**
Penalties:	**Formal Warning**	**Void the component[1,2,3]**	**Void the entire course[4]**	**Void the entire course and one other[5]**	
Reassessment:		**May permit reassessment[6] at next available opportunity[7] for the component/course(s).** (mark **<u>may</u>** be capped)			**No further assessment Permitted[8,9]**
Stage 1 or 2 (direct entry) – first offence	**X**	**X**	**X**		
PGT Year 1, Semester 1 – first offence		**X**	**X**	**X**	
Other UG stages (including projects and dissertations) – first offence	**X**	**X**	**X**		**X**
Other PGT stages – first offence			**X**	**X**	**X**
All PGT and UG Stages - Repeat or Multiple offences • This applies to students who have previously been cited for plagiarism, regardless of when the previous offence occurred. • Applies to students where two or more offences have occurred in the same semester, regardless of whether the first offence investigation has, or has not, been completed.					**X**

8.2 Contract Cheating and inappropriate use of Generative Artificial Intelligence (GenAI) tools

The relevant Discipline Committee will follow Table 8.2 when determining an outcome for forms of Contract Cheating and inappropriate use of GenAI tools (as listed above):

Table 8.2 – Penalties relating to proven forms of Contract Cheating and inappropriate use of GenAI tools

	Discipline Committees (Category A or B)		**University Discipline Committee Decision only (Category A):**
Penalties:	**Void the entire course**	**Void the entire course and one other**	
Penalties:	**May permit reassessment[6] at next available opportunity[7] for the course(s).** (mark **will** be capped)		**No further assessment Permitted[8, 9]**
Stage 1 or 2 (direct entry) – first offence	**X**	**X**	
PGT Year 1, Semester 1 – first offence	**X**	**X**	
Other UG stages (including projects and dissertations) – first offence		**X**	**X**
Other PGT stages – first offence		**X**	**X**
All PGT and UG Stages - Repeat or Multiple offences Notes: • This applies to students who have previously been cited for Contract Cheating and inappropriate use of Generative Artificial Intelligence (GenAI) tools, regardless of when the previous offence occurred. • Applies to students where two or more offences have occurred in the same semester, regardless of whether the first offence investigation has, or has not, been completed.			**X**

8.3 Examination Irregularities

The relevant Discipline Committee will follow Table 8.3 when determining an outcome for forms of exam irregularities (as listed above):

Table 8.3 – Penalties relating to proven forms of Exam Irregularities

	Discipline Committees (Category A or B)				**University Discipline Committee Decision only (Category A):**
Penalties:	**Formal Warning**	**Void the component[1,2,3]**	**Void the entire course[4]**	**Void the entire course and one other[5]**	
Reassessment:		**May permit reassessment at next available opportunity[7] for the component/course(s).** (mark **<u>may</u>** be capped)			**No further assessment Permitted[7,8]**
Reason: Minor Breach of Regulations relating to examinations (e.g., in possession of mobile telephone during an examination with no evidence of use of unauthorised devices such as phone or smart devices)	**X**	**X**	**X**		
Reason: Major Breach of Regulations relating to examinations (e.g., communicating with another individual during an examination; unauthorised material found in an examination whether evidence or not of use)			**X**	**X**	**X**
For minor breaches like unauthorised material brought to the examination, but there is evidence that the unauthorised material was not used, a combination of above penalties, such as returning for marking (i.e., formal warning), but capping the course or exam mark at pass mark can be imposed.					

8.4 Appendix one notes

Void the component

[1] Where the voided component relates to a piece of coursework, i.e., not an examination component, the common practice will be to apply a void of the component with no resubmission permitted. However, the relevant Committee can, under exceptional circumstances, allow a resubmission of the voided component (usually for Stage 1 students). The resubmitted piece of work will be subject to a cap at an appropriate pass mark, i.e., 40% (e.g., undergraduate) or 50% (e.g., postgraduate taught).

[2] When a component is void the common practice will be to apply a cap of marks to the overall course mark. However, the relevant Committee can, under exceptional circumstances, choose not to apply a cap of the overall course mark.

[3] If by voiding a component, the student is required to take the standard reassessment for the course, the reassessment course mark will be subject to cap at an appropriate pass mark, e.g., 40% (usually undergraduate) or 50% (usually postgraduate taught), decided jointly by the Discipline Committee and the Primary Academic Unit. The reassessment will usually be at the next available opportunity, and the Primary Academic Units (i.e., Schools) will advise students of the details.

Void the entire course

[4] Where a course is void the relevant Committee, may or may not allow reassessment of the course(s). If the reassessment of the voided course(s) is permitted, the overall course(s) mark will be capped at an appropriate pass mark, e.g., 40% (usually undergraduate) or 50% (usually postgraduate taught), decided jointly by the Discipline Committee and the Primary Academic Unit. This penalty could still affect progression which can be part of the imposed penalty. The reassessment will usually be at the next available opportunity, and the Primary Academic Units (i.e., Schools) will advise students of the details.

Void the entire course and one other

[5] In the case of voiding of more than one course, the additional course to be voided will *normally* be the highest mark of the student in the same semester. There are, however, situations that this is not applicable, e.g., programme structure changes, timing of the disciplinary investigation, or the highest mark is from the other semester.

- Any resubmitted work because of a disciplinary penalty, is always subject to cap of the mark for the component or the course at an appropriate pass mark, i.e., 40% or 50% (for mainly postgraduate taught students).
- If the voided course is synoptic, all linked synoptic courses will be voided.
- All imposed penalties are at the discretion of the relevant Committee.
- University Discipline Committee for very serious academic misconduct allegation cases, can void more than two courses from any prior semester courses or academic years of studies.
- University Discipline Committee for very serious academic misconduct allegation cases, can impose a “No further assessment permitted” penalty.

Reassessment

Reassessment opportunities

6 The University may allow reassessment for less severe offences but will not permit for major offences of contract cheating or and inappropriate use of Generative Artificial Intelligence (GenAI) tools. If one of the courses is a dissertation, the other course to void can be any taught course(s) from any prior semester courses (usually the course with the highest mark).

Next available opportunity

7 Students should note this could be in a subsequent academic year, and therefore could result in a break in study, and a significant delay in progressing and graduating. Students should be aware that 'capped' mark could affect a year average, which may indirectly affect their progression and degree classification.

No further assessment Permitted

8 University Discipline Committee, may impose further penalties to those listed under Category B.

9 This may result in student being required to withdraw from the University with a different award to the one for which they were studying or with no award.