

**LTC09D080**

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### **PROGRESS ON THE REVIEW OF DISCIPLINARY PROCEDURES**

1. The Review Group has met and resolved a number of issues. It wished to recommend the following:
  - (i) that the disciplinary procedures set out an hierarchy in terms of which procedure would take precedence, in the event that an offence could be handled under different procedures. It was important for an offence not to be considered twice;
  - (ii) for students registered in professional Schools, the alleged offence should be handled under rules for professional misconduct and/or unsuitability (PMU) in the first instance. For a research student registered in professional Schools, it was possible that offences could be considered simultaneously under PMU or misconduct in research procedures. However, this would seem contrary to the Review Group's espousal of the principle set out above that an offence should not be considered twice. It might therefore be appropriate to seek legal counsel on this point;
  - (iii) in relation to nominations of Chairs and members for the Senate Discipline Committee (SDC), these are significant posts so a process of approval as well as nomination is needed. It would like to invite the views of the Learning and Teaching Committee, on a proposed process to nominate and approve Chairs and members; this will also need to be presented to Senate as soon as possible to ensure that time to recruit a "pool" of colleagues to serve on SDC.
2. The Review Group did not reach a conclusion on how to deal with cases where a student decides to withdraw from the University prior to a meeting of the SDC, and reapply to another School of Study within the University. The Group has not yet resolved the question of what should be retained on the student's record, and how to ensure that the relevant information is accessible to colleagues involved with admissions.
3. In addition to the above, the Review Group has set up two sub-groups to consider:
  - (i) non academic disciplinary matters;
  - (ii) penalties that should be available to the Senate Discipline Committee (SDC).

The first sub-group (for non academic disciplinary procedures) will meet in due course. The second sub-group has recommended the following in respect of penalties:

- (a) Breaches to General Regulation 7 (cheating in exams and course tests):

A member of staff to interview the student and make a recommendation as to the level of severity of the offence:

Level 1 = student breaks the exam regulations but there is no intention to cheat.

Level 2 = student shows intention to cheat but the cheating did not lead to significant advantage.

Level 3 and automatic referral to SDC = student shows intention to cheat, made considerable effort to do so (e.g. impersonation) and/or the cheating resulted in significant advantage. (In cases of impersonation, both parties would be referred to the SDC. If one of the parties involved is not a student at UEA, the Academic Registrar shall decide whether the matter should be reported to the police.)

With regards to penalties, SDC has discretion but there should be an indicative penalty that cheating will normally result in permanent exclusion from the University. Further consideration need to be given to indicative penalties for level 1 and level 2 offences in cheating.

(b) Breaches to General Regulation 1(4) (incorrect information being provided at Admissions)

The sub-group recommended that all potential breaches must be investigated by the School and referred to the SDC – ie all cases should be regarded as a “level 3” offence. The Head of the School should write a report to the SDC.

In relation to possible penalties, SDC has discretion but there should be an indicative penalty that breaches to General Reg 1(4) will normally result in permanent exclusion from the University. SDC may consult the Head of the School and/or other stake holders before it reaches a final decision on the penalty.

(c) Breaches to General Regulation 6 (Attendance and Progress)

The sub-group recommended that Heads of Schools must deal with cases of poor attendance promptly, and that the current practice of Head of School warnings should be retained but with some modifications:

First Head of School warning = level 1  
Second Head of School warning = level 2

Thereafter, if the student continues to demonstrate the behaviour(s) that resulted in the warning(s) and/or shows lack of sufficient improvements and/or other behaviour that would have resulted in a warning, this would be regarded as a level 3 offence, with referral to the SDC.

It was important to ensure that all Heads of Schools apply the warnings consistently. Appropriate training must be provided to all Heads of Schools, to guide them as to when a warning should be issued, and direct them to invite the student to a meeting where a written warning might be the outcome. (And in the event that the student does not attend the meeting with the Head of School, the absence could itself constitute a disciplinary matter.) Template letters could be produced centrally, to assist the equitable application of Head of School warnings.

In terms of penalties, SDC has discretion but there should be an indicative penalty that lack of attendance will normally result in permanent exclusion from the University. The SDC may recommend re-admission or repeat of study to a Head of School.

For cases of Professional Misconduct and/or Unsuitability, and Misconduct in Research, the sub-group recommended that penalties should be determined on a case-by-case basis. SDC shall give consideration to whether or not a student should remain at the University.

Professor Geoff Moore  
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## NOMINATION AND APPROVAL OF CHAIRS AND MEMBERS OF THE SENATE DISCIPLINE COMMITTEE

### 1. Requirement:

A pool of 12-15 senior colleagues, to serve as Chairs and staff members of the Senate Discipline Committee with effect from 1<sup>st</sup> September 2010, for a period of three academic years. Extensions of the period of service by an additional year may be granted by the Vice Chancellor acting on behalf of Senate.

Sufficient chairs are required from the following Schools: AHP, EDU, MED, NAM, PHA and SWK because of their access to disciplinary procedures in respect of professional misconduct and/or unsuitability. Of the pool of colleagues put forward, therefore, at least half should be able to act as Chairs. In the event that a sitting of the Senate Discipline Committee has more than one Chair present, the other Chair(s) would on such occasion serve as members for procedural purposes.

Chairs must be senior faculty with current or previous experience of chairing one or more of the following:

- (i) Disciplinary Committee (Senate Discipline Committee or Professional Misconduct and/or Unsuitability Committee);
- (ii) Academic Appeals or Academic Complaints Panel;
- (iii) Board of Examiners;
- (iv) Faculty Learning, Teaching and Quality Committee;
- (v) School Board.
- (vi) School Teaching Committee (or hold the role of School Director of Learning, Teaching and Quality)

Members must have experience of considering/dealing with one or more of the following:

- (i) student disciplinary matters (e.g. as Plagiarism Officer);
- (ii) investigation of academic appeals, academic complaints and/or allegations of professional unsuitability/misconduct;
- (iii) student welfare role (e.g. Senior Academic Advisor, Disability Liaison Officer etc).

### 2. Proposed nomination process:

(a) The Deans of Faculties to put forward names of potential candidates. Each Dean will be asked to submit three or four names – a minimum of three names – to serve as Chairs and/or members, as follows:

Faculty	Minimum nominations
FOH	Two Chairs and one member.
HUM	One Chair and two members.
SCI	One Chair from PHA and two members.
SSF	Two Chairs from EDU and SWK and one member.

Deans should consult the current Chair(s) of the Senate Discipline Committee, and seek advice on the suitability of possible candidates, prior to submitting their nominations.

All nominations should reach the secretary of the Senate Discipline Committee (Assistant Registrars for Undergraduates in the Learning, Teaching and Quality Office) by the 1<sup>st</sup> April 2010 (or the beginning of April for subsequent years). The secretary shall make enquiries to check that all nominations fulfil the criteria set out above, and may consult the current Chair(s) of the Senate Discipline Committee for comments, prior to submission to Senate for approval in June 2010.

Appropriate training will be offered to all nominees approved by the Senate, from July 2010 onwards. In order to ensure a smooth transition and continuity of expertise, existing members of the Senate Discipline Committee whose term of office does not expire in 2010 will be asked to continue until their period of service expires.