

# **SENATE REGULATION 6: Student Conduct (Academic and Non-Academic) (October 2024 onwards)**

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## Introduction

1. All students of the University are required to conduct themselves in a manner that is responsible and respectful to other people, including students, members of staff, visitors to the University, and members of the public. The University is committed to the fair and equal treatment of all individuals regardless of gender, age, disability, colour, race, ethnic or national origin, socio-economic group, sexual orientation, family responsibilities, religious or political beliefs. The [Student Code of Conduct](#) sets out the expectations of the University in relation to standards of behaviour and provides clarity as to what may be considered good conduct and unacceptable conduct.
2. At the point the University confirms their acceptance of an offer of a place on a programme at the University, students agree to abide by all relevant Statutes, Council Ordinances, Senate Regulations and other rules, codes, policies and procedures of the University. Breach of these may lead to action being taken under the Procedures referred to in this Regulation in the case of alleged misconduct (academic or non-academic), or may be considered under another Senate Regulation, such as *Senate Regulation 14 – Fitness to Practise* or *Senate Regulation 15 – Immigration Compliance*.
3. All members of the University have a responsibility to support the maintenance of good order and a safe environment which is conducive to study, research, living and working. Members of staff are encouraged to address minor cases which may constitute non-academic misconduct, such as general or low level anti-social behaviour, through early intervention, positively supporting students to develop their understanding of what constitutes acceptable behaviour before circumstances escalate towards disciplinary action.
4. Any improper activity or behaviour by a student which may give that student, or another student, an academic advantage in an assessment is considered to be an act of academic misconduct and unacceptable in a scholarly community. Students are required to take responsibility for the integrity of their work, including asking for clarification where necessary.
5. Any allegations of student misconduct (academic or non-academic) will normally be dealt with in accordance with the *Non-Academic Misconduct Procedure* and/or the *Academic Misconduct Procedure*.
6. In the event that a concern may constitute both academic and non-academic misconduct by a student, the Clerk to the Misconduct and Fitness to Practise Board will determine the appropriate procedure for its investigation, consideration and determination.
7. This Regulation applies to all students from the point that the University confirms their acceptance of an offer of a place on a programme at the University. It applies at all times and is not restricted to conduct during term time, on University premises, or in respect of University or University-related activities

## Precautionary action

8. Where allegations of potential student misconduct are made, the University may in appropriate cases use its powers to temporarily suspend and/or exclude a student for a defined period of time (which may be extended) or until a matter is considered under the relevant University procedures. The imposition of a temporary suspension and/or exclusion is precautionary. It is not a penalty and does not indicate that the University has concluded that the student has breached its rules regarding student conduct. The procedures that will be followed are set out in Senate Regulation 16: Precautionary Action.

## **Overlap with criminal proceedings/police or other departmental government investigations and other University regulations**

9. The University may suspend its consideration of a matter under this Regulation in order to allow another University process to take place, including an assessment of a student's ability to engage effectively with their studies under *Senate Regulation 11 – Extraordinary Support for Study*.

10. Where, on the basis of an allegation received, there may be good cause to deprive a current or former student of an award which has already been conferred, the Regulation on the revocation of degrees, other awards and distinctions (*Senate Regulation 13*) shall be used to determine whether that award should be revoked, and not this Regulation.

11. Where a case gives rise to both fitness to practise and conduct concerns, the University will normally follow its procedures relating to fitness to practise as provided for in *Senate Regulation 14 – Fitness to Practise* to investigate, consider and determine the outcome of all the concerns arising in the case rather than following separate fitness to practise and misconduct procedures. However, the University reserves the right to vary the process followed where appropriate.

12. The Union of Brunel Students has its own internal procedures for resolving breaches of its rules and regulations and the details of these procedures are available from its website. Where appropriate, the University may also consider an allegation of misconduct under this or another Senate Regulation.

13. Concerns relating to a student's admission to the University will normally be considered under the procedures set out in the University's *Admissions Policy*. Students on professional programmes are also required to declare relevant criminal convictions to the University in line with the *Admissions Policy*.

14. Concerns about safeguarding should be considered under the *Safeguarding & Vulnerable Persons Policy*.

15. Concerns relating to student conduct in Residences will normally be considered under the *Disciplinary Procedure for Residents* in the *Student Living Code of Conduct – Rules and Regulations*. A concern about conduct in Residences may be considered at any time under the *Non-Academic Misconduct Procedure* and/or the *Academic Misconduct Procedure*, either in addition to or instead of consideration under the *Disciplinary Procedure for Residents* in the *Student Living Code of Conduct – Rules and Regulations*.

16. If a student's conduct may be in breach of the law, the University may, at its discretion refer the matter to the police and/or other suitable authorities. In addition, where a police or other external investigation or criminal proceedings have been or may be initiated in relation to an alleged act of misconduct, the University may suspend its consideration of the matter under this or any other Regulation (at any stage) until such investigation and/or proceedings have been concluded. The University's consideration of a matter under this Regulation may be resumed at any stage should the University deem it to be appropriate in the circumstances.

17. The University may take action in respect of a student under this Regulation and the procedures to which it refers notwithstanding the student's conviction or acquittal in criminal proceedings. The University is not bound by the outcome of any criminal prosecution although the University may, in its discretion take any penalty imposed by a criminal court into consideration in determining any outcome to be imposed under the procedures referred to in this Regulation.

## Partner institutions

18. Where learning opportunities are delivered to students under a partnership agreement with another organisation, any variations to the policies and/or procedures set out in this Regulation shall be identified in the relevant contract with and guidance to students.

## Non-academic misconduct

19. Concerns that represent a potential or actual threat to the safety, security, good order, or reputation of the University, its members or members of the public, or to the maintenance of a safe environment conducive to study, research, living and working will normally be considered non-academic misconduct offences under this Regulation. This includes but is not limited to the following:

- a. Failing to comply with the [Code of Conduct](#), or with other University regulations, policies, rules and procedures as referred to in the [Student Contract](#);
- b. Breaking the law;
- c. Threatening or engaging in violence, harassment, hate crime, bullying or abuse, either physically, verbally or by way of the Internet or social media, including, but not limited to, bullying and harassment as defined in the University's:
  - [Bullying and Harassment Policy](#)
  - [Online Harassment Policy](#)
  - [Sexual Violence and Sexual Harassment Policy](#)
  - [Policy for Transgender Students](#)
- d. Sexual misconduct, including, but not limited to the types of sexual violence set out in Appendix A to the University's [Sexual Violence and Sexual Harassment Policy](#);
- e. The possession, use or supply of drugs (including the misuse of prescription drugs or legal highs), or weapons;
- f. Anti-social behaviour, including but not limited to anti-social behaviour as a result of intoxication through alcohol or drugs;
- g. Damaging, misappropriating, or misusing property, including unauthorised entry onto or the unauthorised use of premises;
- h. Theft;
- i. Breaches of the [Brunel Acceptable Computer Use Policy](#) and [Network Account Policy](#) and inappropriate use of IT equipment, the University network, the Internet or social media, including inappropriate messaging or posting on both personal, or University-related chat or message groups, visiting inappropriate websites, uploading/downloading inappropriate content and the transmission of computer viruses;
- j. Failing to disclose relevant criminal convictions in line with the [Admissions Policy](#);
- k. Preventing or interfering with lawful freedom of speech or belief, or failing to uphold the principles of the University's [Freedom of Speech Statement](#);
- l. Bringing the University into disrepute;
- m. Obstructing, disrupting or interfering with a member of the University, including with their functions, duties or activities;

- n. Obstructing, disrupting or interfering with the good order, functioning or reputation of the University, including with academic, administrative, sporting or social activities;
- o. Failing to comply with the terms of a temporary suspension of studies and/or exclusion from the University;
- p. Failing to comply with a decision taken or penalty imposed under the Non-Academic Misconduct Procedure and/or the Academic Misconduct Procedure;
- q. Causing a Health or Safety concern.

**20.** The University will normally respond to concerns about student non-academic misconduct in accordance with the *Non-Academic Misconduct Procedure*.

### **Academic misconduct**

**21.** The following is a non-exhaustive list of conduct which where proven will normally constitute academic misconduct:

- a. **Plagiarism**, which is defined as the knowing or reckless presentation of another person's work or ideas as one's own, and includes the use of published or unpublished work without acknowledging the source.
- b. **Unpermitted recycling / re-using work**, which means submitting work for assessment which has previously been submitted, in whole or in part, for assessment at this or another institution, without explicitly acknowledging and referencing the assessment and qualification for which the material was previously submitted, and unless expressly permitted by the assessment brief.
- c. **Cheating**, which is defined as acting dishonestly or unfairly in order to gain an academic advantage. This includes:
  - i. the falsification of information, data, evidence or experimental results; and/or
  - ii. cheating in examinations or other formal assessment, including possession of unauthorised material or technology during an examination and/or attempting to access unseen assessment materials in advance of an examination; and/or
  - iii. arranging for someone else to impersonate a student by sitting their examinations.
- d. **Collusion**, which is defined as aiding or attempting to aid another member of the University in order to gain an unfair academic advantage by
  - i. The unauthorised and/or unacknowledged collaboration of persons in a piece of assessed work, and/or;
  - ii. Allowing a piece of assessed work to be copied by another person or persons.

In both these instances, all persons involved are liable to be penalised.
- e. **Contract cheating**, which is defined as obtaining or purchasing work from another person or organisation and submitting it as one's own for assessment, where such third-party input / assistance is not permitted (such as the use of essay mills, buying work online [including code and/or games], or paying someone else to conduct research for them or sit their examinations;

- f. **Research misconduct**, as defined in the [Research Integrity Code of Practice](#) (concerns about research misconduct should first be reported to the Office of Student Complaints, Conduct and Appeals (OSCCA) in accordance with Council Ordinance 18: Procedures for Investigation of Research Misconduct, who will consider the concern under the Brunel Research Misconduct Procedure and may refer a matter for consideration under this Regulation).
- g. **Submitting fraudulent extenuating circumstances claims** or falsifying evidence in support of extenuating circumstances claims, including claims in support of academic appeals.
- h. **Breaches** of any University rules, regulations, policies or procedures relating to academic activity or assessment, such as the *Examinations Policy*.
- i. **Failing, without good reason, to cooperate in the University's process of assessment**, e.g. by refusing to take part in a viva for a taught assessment as set out in Senate Regulation 4.
- j. **Providing work** to websites/repositories where the purpose is for the work to be shared, and/or selling work for any sort of gain (financial, work in kind, credit or similar) in order to facilitate an unfair academic advantage, unless expressly permitted by the assessment brief.

**22.** The University will normally respond to concerns relating to the academic misconduct of a student in accordance with the *Academic Misconduct Procedure*.

### Penalties

**23.** The range of penalties for misconduct offences (non-academic and academic) is set out in the Non-Academic Misconduct Procedure and the Academic Misconduct Procedure respectively. The range of penalties includes temporary or permanent suspension and/or exclusion from the University or from specific University facilities or activities, and permanent expulsion from the University, including Residences.

**24.** Failure to comply with the terms of a penalty may lead to further action under the procedures referred to in this Regulation.

### Appeals

**25.** A student will have the right to appeal against any decision made by an Academic Misconduct Panel, Non-Academic Misconduct Panel or a Vice-Chancellor's Representative. The grounds for appeal and the procedure to be followed are set out in the *Academic Misconduct Procedure* and *Non-Academic Misconduct Procedure*.

*(Updated September 2024, effective October 2024)*