Step-by-step Student Guide to

Unfair Practice Process

This guide is intended to give students an idea of what to expect if they are notified that an allegation of Unfair Practice (also referred to as ‘academic misconduct’) has been raised in relation to one or more of their assessments.

There is lots more information, including examples of what constitutes Unfair Practice, available on the [Unfair Practice webpage](http://www.cardiffmet.ac.uk/registry/Pages/Unfair_Practice) and the [full procedures are available here](https://www.cardiffmet.ac.uk/registry/academichandbook/Pages/Ah1_08.aspx) within the Academic Handbook.

# 1. School refers an allegation of Unfair Practice to Registry Services

If, in the course of marking an assessment or invigilating an exam, there is a suspicion that Unfair Practice has occurred, an Allegation of Unfair Practice will be sent by the school to Registry Services, who will process the case and ultimately issue the outcome.

If the allegation relates to Collusion (working with somebody else but submitting work individually), you will already have been interviewed by your school or partner college as they attempt to determine the reason for any similarities between students’ work.

The student(s) will usually be notified by their programme team that an allegation has been raised.

# 2. Allegation is reviewed by Registry Services

The Unfair Practice team within Registry Services reviews the allegation report and evidence submitted by the school, and gathers more evidence and/or information if necessary. Depending on the details of the allegation, one of the below outcomes will apply within a few weeks of Registry receiving the allegation:

i. Fixed Penalty Letter issued (via email) with the choice of accepting a Fixed Penalty or requesting that your case is heard by a Committee of Enquiry

ii. Committee of Enquiry Letter issued (via email), informing you that the case will need to be considered by a formal Committee of Enquiry

iii. Case is dropped

The following details what you can expect with each option.

## i. Fixed Penalty Letter issued

This option will normally be offered if it is a first or second offence (in which case it may be a Second Level Fixed Penalty) and your allegation relates to a submission worth fewer than 30 credits.

The Fixed Penalty Letter will detail which assessment(s) the allegation relates to and what type of Unfair Practice is deemed to have occurred (e.g. plagiarism, collusion etc.). Any relevant evidence received from the school will also be attached.

The letter will explain that you can either accept the Fixed Penalty or request that your case is considered by a formal Committee of Enquiry (a panel of academic staff).

You will have 14 days to respond to the email, if you do not respond within this timeframe you will automatically be issued with a Fixed Penalty and will lose your right to challenge the allegation.

### Choosing between Fixed Penalty and Committee of Enquiry

Accepting a Fixed Penalty also means accepting that Unfair Practice has occurred, so students should understand that doing so means you cannot later submit an Unfair Practice appeal in relation to that allegation.

*Please note, even if you accept the Fixed Penalty within the stipulated two weeks, you will have failed the assessment and will be issued your reassessment (where eligible) at the same time as anyone else who has failed the module – this means you will need to wait for the next Exam Board before reassessment is confirmed. If you are a final year student, unfortunately this means you may not be awarded in time for the graduation ceremonies that year, however you will be invited to attend a future ceremony.*

If you wish to contest your case as you do not believe Unfair Practice has occurred, you should choose the Committee of Enquiry option. Please note it could take up to 8 working weeks for a committee meeting to be convened.

If you need help with this decision the [Students’ Union](https://www.cardiffmetsu.co.uk/support/academic/) are available for impartial advice (this is detailed on the Fixed Penalty letter) and there are also Frequently Asked Questions on the [Unfair Practice webpage](http://www.cardiffmet.ac.uk/registry/Pages/Unfair_Practice).

If you have a question which is not covered there, please email [aup@cardiffmet.ac.uk](mailto:aup@cardiffmet.ac.uk)

Once you have made your decision and replied to the Fixed Penalty letter via email, you will receive a response from the AUP Team confirming any next steps and further confirmation of the Fixed Penalty or the Committee of Enquiry. If you have chosen the Fixed Penalty, see below section 4. Reassessment.

## ii. Committee of Enquiry Letter issued

If you are issued with a Committee of Enquiry letter, this will be because

- this is necessary due to the nature of the allegation (serious offence and/or third offence);

- the module is over 30 credits;

*or*

- you have requested that your case is heard by a formal Committee of Enquiry.

A committee hearing may take up to 8 working weeks to convene. Once we have established a date we will email you again, giving you further information on the Committee Panel members and details of what information is required regarding your attendance and /or any statements.

## iii. Case is dropped

If, after further investigation, it is decided the Unfair Practice allegation should be dropped (does not constitute Unfair Practice or insufficient evidence of Unfair Practice), the AUP team will email you and your school/partner college to confirm this.

When a case is dropped there will be no further action taken and you are permitted to keep your original mark for that submission / examination.

# 3. If case is considered by Committee of Enquiry

A Committee of Enquiry is a panel of academics who will seek to establish if, on the balance of probabilities given the evidence available, Unfair Practice has or has not occurred. Committees of Enquiry are held virtually on Microsoft Teams and you are entitled to attend the hearing and/or provide a statement for consideration.

## Before the committee

Prior to your case being heard, the AUP team will write a briefing document for consideration by the panel members. You will be sent a copy of this document via email approximately one week before the date of the committee, along with any other evidence being considered. You will also be given a deadline to provide any additional evidence for the panel which you think is relevant to your case.

## Attending the committee

If you wish to attend you should inform the AUP team in Registry Services, who will send you a further email with full details on how this will happen. Alternatively, you can request that a member of the [Students’ Union](https://www.cardiffmetsu.co.uk/support/academic/) represents you in your absence, however in such instances students are encouraged to submit a statement to the committee in advance, as any representative could not answer questions regarding your assignment production or submission, but could only witness that procedures are being correctly followed. **Your case will be heard whether you attend or not.**

Students are entitled to be accompanied at the Committee by a friend or family member who may act as moral support, however they must inform Registry in advance. The Unfair Practice procedures also stipulate that the student must notify the University if the person accompanying them has any legal qualifications – they cannot attend in any legal capacity.

The meeting will be conducted in English (or Welsh if requested). If you are concerned about participating in English, you can arrange for someone to accompany you who can interpret for you.

## Committee of Enquiry outcome

Once the Committee of Enquiry has taken place, you will be sent an outcome letter and report via email within 5 working days (whether you attended or not).

If the Committee determines that Unfair Practice has not occurred, you will normally be permitted to keep your original assessment mark. You may be signposted to other University services for additional support.

If the Committee determines that Unfair Practice has occurred, details of any penalty will be confirmed in your outcome letter and any additional support signposted if appropriate.

# 4. Reassessment

Whether Unfair Practice is confirmed or not, it is likely your assessment mark has not yet been confirmed by an Examination Board, therefore you will need to wait for any official Exam Board outcome for confirmation of your result.

If you are eligible to complete reassessment for the module(s) affected, this will be confirmed to you in writing by your school or partner college once your profile has been considered by an Exam Board.

You will not be issued reassessment sooner than other students who have failed the module. This means that your progression or award will be delayed until after you have completed your reassessment. If you are a final year student, unfortunately this means you may not be awarded in time for the graduation ceremonies that year, however you will be invited to attend a future ceremony.

# 5. Committee of Enquiry Appeal

Students can appeal the outcome of a Committee of Enquiry if they satisfy at least one of the two specific grounds for appeal:

*1. Irregularities in the conduct of the Unfair Practice procedure which may have affected the Committee’s decision-making*

*2. Exceptional personal circumstances relevant to the Unfair Practice which could not have been reported to the Committee before its meeting*

The Students’ Union can advise students about whether they may have genuine grounds for appeal. Supporting evidence will be required and any appeal must be submitted [via the relevant online form](https://www.cardiffmet.ac.uk/registry/Pages/appeals.aspx) **within 14 days of your Committee of Enquiry outcome letter**.

Please note, you must continue to follow the previous outcome issued while your appeal is considered. This means you should stick to any reassessment deadlines issued, as there is no guarantee your appeal will be upheld.

# 6. Student Support

## Unfair Practice Procedure Support

If you need help understanding or negotiating the Unfair Practice procedure or process, the Students' Union provide impartial advice about academic regulations and procedures, including Unfair Practice: [www.cardiffmetsu.co.uk/support/academic/](https://www.cardiffmetsu.co.uk/support/academic/)

Email: [suadvice@cardiffmet.ac.uk](mailto:suadvice@cardiffmet.ac.uk)

## Academic Skills Support

If you feel you need more support with your academic writing or have questions about how to make sure your assessments are properly referenced (especially if you have already been issued with a penalty for Unfair Practice and want to avoid it happening again), Library Services provide information about [Academic Skills](https://study.cardiffmet.ac.uk/AcSkills/Pages/default.aspx) and [training in Academic Practice](https://study.cardiffmet.ac.uk/Library/Pages/Library%20Training.aspx).

## Student Wellbeing Support

If you are struggling with your academic workload and/or personal circumstances and feel you need to speak somebody, you can contact the [Student Wellbeing Team](https://www.cardiffmet.ac.uk/study/studentservices/wellbeing-service/Pages/Home.aspx) in Student Services.

Please note, students at our partner institutions will need to use local Student Services.