

UNIVERSITY OF YORK

Procedure to support University Ordinance 7: the Senate Panel for a PGR case

1. Following an investigation under University Ordinance 7 by an Investigating Committee¹ in a case of alleged academic misconduct by a PGR student, the Committee's final report and recommendation will be submitted to a panel of Senate (the Panel) for consideration and a final decision.
2. The Panel will comprise the following members:
 - The Pro-Vice-Chancellor (Research) [**Chair**]
 - The Chair of the Standing Committee on Assessment (*ex officio*)
 - The Dean of the Faculty in which the case arose (*ex officio*)
 - Two academic members of the Senate (one Head of Department and one elected member, nominated by the Chair; neither to be from the Department in which the case arose)

In attendance:

- The Academic Registrar
- The University Secretary (as Secretary to Senate)

[Secretariat: Student & Academic Services]

3. The individual alleged to have committed academic misconduct will be provided with a copy of the Investigating Committee's final report and asked to provide comment in writing to the Panel. The individual will also be given the opportunity to appear before the Panel in person or via teleconference, accompanied by another person of their choice if they wish; the accompanying person may speak on the individual's behalf with the permission of the Chair.
4. The Panel will meet as soon as possible after it has been formally constituted to consider the Investigating Committee's report and to agree a recommendation to Senate for further action. The Panel can also invite relevant specialist University officers to the meeting to provide additional information or advice as necessary.
5. Following its consideration of the Investigating Committee's report, the possible further actions available to the Senate Panel for onwards recommendation to Senate are as follows:

¹ In accordance with Ordinance 7, the Investigating Committee shall determine its own procedure in the light of the particular circumstances of the case and taking advice as necessary. The procedure adopted shall accord with the principles of natural justice. The procedure proposed in this report constitutes the next step in the process as regards the establishment of a panel of Senate.

Academic misconduct identified?	Penalty/Outcome
<p>No</p> <p>E.g. no case to answer or limited poor practice such as missing cited items from bibliography or incorrect citation</p>	<ul style="list-style-type: none"> ● No Penalty
<p>Yes - Level 1</p> <p>Significant but limited and remediable failure of academic integrity which does not undermine the integrity of the work as a whole (e.g. the individual made a genuine but flawed attempt to properly attribute written material or misrepresented genuine results in a manner which does not affect the validity of conclusions).</p>	<p>If first Level 1 offence²:</p> <ul style="list-style-type: none"> ● Individual will be deemed not to have met the award criteria and so the award will be withdrawn. ● The individual will be permitted to submit a corrected version of the thesis³ for re-examination within twelve months (EngD/PhD/MPhil) or three months (Masters by Research) of the date communicated in the formal notification of Senate’s decision. ● At re-examination, possible outcomes will be limited as per 12.54 of the Policy on Research Degrees. ● A Formal Warning will be issued to individual and placed on file <p>If second Level 1 offence⁴:</p> <ul style="list-style-type: none"> ● Degree revoked as per Ordinance 7
<p>Yes - Level 2</p> <p>Very significant failure of academic integrity which undermines the integrity of the work as a whole (e.g. inclusion of unattributed material is characteristic of the general approach, or some significant ideas or results central to the work uses unattributed material, or work presented is the result of fabrication or commissioning).</p>	<ul style="list-style-type: none"> ● Degree revoked as per Ordinance 7

² No formal warning (as per Appendix 3 section 5.2 of the Policy on Research Degrees) has been issued to the individual in relation to the degree in question. Note that formal warnings applying to any stage of study towards the degree in question are relevant.

³ In such cases, the Senate decision communicated to the individual will include a list of required changes; the changes to the thesis must not exceed those outlined.

⁴ A formal warning (as per Appendix 3 section 5.2 of the Policy on Research Degrees) has been issued to the individual previously in relation to the degree in question. Note that formal warnings applying to any stage of study towards the degree in question are relevant.

6. The Panel's report and final recommendation will be submitted to the Senate for consideration at its next meeting, but only if this meeting falls within two weeks of the Panel's meeting. If the next scheduled Senate meeting is more than two weeks after the Panel's meeting, its recommendation will instead be submitted to the Senate via written resolution. Following the Senate's determination of the outcome the individual concerned will normally be informed within seven days.
7. In accordance with Ordinance 7, there is no right of appeal against the determination of the Senate which is based on academic judgement and will be final. However, the individual concerned may pursue a complaint about process through the University's two-stage internal formal complaints procedure and, if they remain dissatisfied with the outcome of that complaint, may be able to submit a complaint externally to the Office of the Independent Adjudicator for Higher Education.
8. Following agreement by the Senate of the action to be taken, the relevant offices of Student and Academic Services will be informed in order that they may undertake the necessary completion of procedures correspondence with the individual concerned and also any corrections or amendments that might be required to the official student record. As regards reporting the outcome of the case to external third parties (e.g. a person who submitted an allegation of academic misconduct or the current employer of the individual concerned), the University will seek formal legal advice on this matter in the context of relevant data protection and other legislation.
