

University of Birmingham

**Proposed Appendices for Codes of Practice on Plagiarism and on Misconduct
and Fitness to Practise Committees to Provide Procedures for Programmes
Delivered by Units within Corporate Services**

Purpose of Paper

1. APRC is asked to **approve** appendices for the Codes of Practice on Plagiarism and on Misconduct and Fitness to Practise Committees which will detail how the processes set out in these codes of practice shall be implemented should a case of plagiarism or misconduct arise on a programme delivered by a department within Corporate Services rather than within a College.

Proposal

2. That the following appendix be added to the Code of Practice on Plagiarism with immediate effect:

Appendix A: Interpreting the Code of Practice for programmes outside Colleges.

- A.1. *For the purposes of the Code of Practice on Plagiarism, any department within Corporate Services delivering a programme of the University may act as the School in respect of that programme.*
 - A.2. *Where a programme is delivered within Corporate Services, and the staff teaching upon that programme are Academic Related rather than Academic members of Staff, any Academic Related member of Staff teaching upon that programme may act as an Academic member of Staff for sections 4-8 of this Code of Practice, including being designated as Investigating Officer.*
3. That the following appendix be added to the Code of Practice on Misconduct and Fitness to Practise Committees with immediate effect:

Appendix A: Misconduct Committees for programmes outside Colleges.

- A.1 *Where a student has been alleged to have committed a misconduct offence on a programme delivered outside of any College, the investigating officer as defined by Regulation 8.3.1 may be an Academic or Academic Related member of Staff who teaches on that programme.*
- A.2. *If a student who is referred to a Misconduct Committee is a Registered Student in a College, the Misconduct Committee shall be that of the College within which the student is registered.*
- A.3. *If a student who is referred to a Misconduct Committee is not a Registered Student in a College, but is an Academic member of Staff within a College, the Misconduct Committee shall be that of another College with which the student has no prior connection, as determined by the Director of Academic Services or his or her nominee.*

- A.4. *If a student who is referred to a Misconduct Committee is not a Registered Student in a College or an Academic member of Staff within a College, the Misconduct Committee shall be that of the College deemed most appropriate by the Director of Academic Services or his or her nominee.*

Background

4. There are a number of departments within Corporate Services that deliver programmes, and therefore use the Academic Regulations and related Codes of Practice. Currently these are:
 - Academic Practice and Organisational Development (APOD), within Human Resources. Provide the PGCert in Learning and Teaching in Higher Education, which is the University's higher education teaching qualification. Staff enrolled on this programme are registered as students for the purpose, and in case of plagiarism or misconduct specific to the programme, this would normally be dealt with as a student matter.
 - English for International Students Unit (EISU), within the Learning Development Unit, Academic Services. Provides a number of programmes aimed at teaching potential students for whom English is not their first language to become proficient in academic English. Students registered on EISU programmes are not part of a College.
 - Personal Skills Award (PSA), within Careers and Employability, Academic Services. Provides the Personal Skills Award, a student personal development programme which whilst not leading to an award of the University is considered a programme of the University. Students on the PSA are still part of their home College.
5. Therefore there are a number of different types of students within the University who are being registered on programmes hosted within Corporate Services. There are Staff who are attached to a College, but whose registration as Students is with APOD, and therefore as students are outside College structures; there are students who have no College, but are registered on a programme belonging to EISU; and there are students registered on Corporate Services programmes (e.g. PSA) who are actually members of a College. Any of these students could be required to undergo the plagiarism or misconduct process.
6. Many of the Staff teaching on programmes within APOD, EISU and PSA are on the Academic-Related scale rather than the Academic scale. However, they are exercising equivalent academic judgement to Academic members of Staff in the delivery of programmes, and in investigating plagiarism and misconduct; it is purely their terms of employment outside of Colleges that make these Staff Academic Related.

Arguments to Support Proposal

7. There are a number of programmes within the University which, being delivered outside the structure of Schools and Colleges around which the academic legislation was constructed, have no clear way of following the Codes of Practice on Plagiarism and on Misconduct and Fitness to Practise Committees. It is clearly necessary that students on these programmes can

be held to account for plagiarism and misconduct, and in the interests of fairness that these students can see and understand how the process will work in their particular case. The proposed appendices to the Codes of Practice on Plagiarism and on Misconduct and Fitness to Practise Committees will provide this information.

8. It is important that Academic Related Staff teaching on the programmes function in the same fashion as Academic Staff in Colleges when plagiarism or misconduct is suspected, as any case of plagiarism, and some misconduct offences such as fraud, are likely to occur in the Academic Related Staff's areas of expertise, and furthermore that such cases are likely to be uncovered and examined by those same Academic Related Staff. The proposed appendices to the Codes of Practice on Plagiarism and on Misconduct and Fitness to Practise Committees establish that Academic Related Staff teaching on programmes outside of Colleges enshrine this principle.
9. Currently it is unclear by which Misconduct Committee a student on a programme delivered within Corporate Services would have his or her case heard. The proposed appendix to the Code of Practice on Misconduct and Fitness to Practice Committees rectifies this by determining which Misconduct Committee will hear a student's case. This allows for allocation of students to the most appropriate Misconduct Committee, and also for Academic Staff who are registered as students to have their cases heard by a Misconduct Committee outside of their own College, in order to minimise potential conflicts of interest and to ensure minimum publicity within the Academic member of Staff's own College in regard to a misconduct offence which has not been accurately determined to have been committed by the student.
10. The Code of Practice on Plagiarism mentions the School several times. For the sake of clarity, the proposed appendix to the Code of Practice on Plagiarism defines the School as the department delivering the programme when the programme is delivered outside the college structure.
11. The number of departments delivering programmes within Corporate Services varies over time, for example EISU being transferred from the School of English to the Learning Development Unit in 2008/09. The proposed amendments have therefore been left general rather than referring to particular departments within Corporate Services to negate the requirement for organisational changes to necessitate organisational change.

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