Council Regulations 1 of 2016

REGULATIONS FOR THE ACADEMIC CONDUCT PANEL

Made by Council with effect from 1 October 2016
(Gazette, Vol.146, p. 618-619, 9 June 2016)

PART 1

GENERAL

1.1. In these regulations, unless otherwise stated:

(1) references to sections are to sections of Statute XI;

(2) “the Panel” means the three members of the Academic Conduct Panel who are selected to consider a particular matter, in accordance with section 17;

(3) references to breaches or alleged breaches are to breaches or alleged breaches of the Disciplinary Code under section 2 (2) (b);

(4) “student” means the student member or members of the University alleged to be in breach of the Disciplinary Code or making an appeal against a decision concerning such a breach.

PART 2

Meetings of the Panel

2.1. The Proctors’ Office shall be responsible for making such arrangements as are necessary for each meeting.

2.2. Meetings shall normally be in private.

2.3. Evidence or material submitted to the Panel shall be regarded as strictly confidential unless the Panel considers that there are good reasons to decide otherwise.

PART 3

Consideration of alleged breaches by the Panel

Preparation

3.1. When the Proctors receive a referral from an Examination Board they shall decide whether or not that alleged breach is suitable for consideration by the Panel. If the Proctors decide that the alleged breach is one that can be referred to the Panel, the Proctors shall inform the student that they have the option of having the case considered by either (a) the Panel under the powers set out in Statute XI and these regulations, or (b) the Student Disciplinary Panel.

3.2. If the student agrees that the case shall be considered by the Panel, the case shall proceed as follows.

3.3. Before the Panel meeting, one of the Proctors shall conduct an interview with the student, which can be by any method, including in person, remote or electronic.
3.4. The Proctors’ Office shall send the student information including:

   (1) the act or acts alleged to constitute the breach;
   (2) copies of all of the evidence which the Panel will consider;
   (3) a copy of Statute XI and any regulations made under it which are relevant to the case; and
   (4) a copy of these regulations.

3.5. The Proctors’ Office shall set the date of the Panel meeting and shall give the student at least seven clear days’ notice in writing of the date, time and place appointed for the meeting.

3.6. Information under regulations 3.4 and 3.5 above shall be addressed to the student at their college, or their last notified address, if different. Information may be sent by electronic means and must be received by the student at least seven clear days before the meeting.

3.7. The student must send the Proctors’ Office any written statement or further evidence which they would like the Panel to consider at least three clear days before the Panel meeting.

**Meeting**

3.8. The student may attend the Panel meeting if they are available to do so, and may be accompanied to the meeting by another person who should usually be another student or a member of University, college or Oxford University Student Union staff.

3.9. The Panel may require the student to attend the meeting, or be available by remote means, including teleconference or videoconference.

3.10. The Panel will proceed with the meeting if the student is unable to attend and is not required to do so.

3.11. If the student is present at the meeting they shall be given the opportunity to respond to the allegation that they have committed a breach.

3.12. The Panel shall take account of any written statement or further evidence provided by the student, whether or not they attend the meeting.

3.13. If the student is present at the meeting they shall leave the room for the Panel to make its decision, and the decision on any penalty, and shall return to hear the decision.


3.15. The Panel shall normally consider cases within one month of the Examination Board’s referral to the Proctors.

3.16. If the student does not respond to reasonable attempts to contact them at their last notified address, including for the purposes of conducting the interview referred to in regulation 3.3 above, the Panel meeting may proceed without obtaining further evidence from the student.

3.17. During the interview provided for at regulation 3.3 above the student may be given an opportunity to admit to breaching the regulations and be offered the option of the penalty being
agreed by the Panel via correspondence, without a meeting taking place. The student must be (a) fully informed of the alternative courses of action available to them, (b) informed of and prepared to accept the penalty which the Proctor intends to recommend to the Panel and (c) in agreement with the Proctor’s summary of the case, including whether the breach was intentional or reckless.

3.18. If the student consents to the Panel agreeing the penalty by correspondence the Panel may not impose a penalty which is more severe than the Penalty recommended by the Proctors. The Panel will discuss the penalty by correspondence and will notify the student of the penalty within five working days. The student will have a right of appeal as set out in Part 4 of these regulations. The appeal will consider the matter afresh and may impose any penalty within the Academic Conduct Panel’s powers under section 19.

**Decision**

3.19. The decision of the Panel, including any penalty, shall be announced at the meeting (or by correspondence if the Panel has agreed the penalty by correspondence under regulation 3.18).

3.20. The penalties available to the Panel, if a breach is found, are those listed in section 19. The Panel may also decide, under section 20, that the student should be referred to the Student Disciplinary Panel. The Panel may not impose any penalty which would result in failure of the entire award. The Panel shall take into account the examination regulations and examination conventions for the examination in question.

3.21. The Panel shall supply a decision in writing, normally within five working days of the meeting.

3.22. The Proctors’ Office shall send a copy of the written decision to the student.

**Appeals**

4.1. The student may appeal a decision of the Panel under section 19. Appeals shall be made in writing, and should be received by the Proctors not later than fourteen days after the date of the Panel’s written decision.

4.2. The appeal shall be considered by two members of the Academic Conduct Panel with no previous connection to the case. The current Proctors cannot consider appeals.

4.3. The two members shall consider the written appeal, the Panel’s decision and the documents which were available to the Panel. The two members shall not normally meet with the student (i.e. by the student attending the meeting, or by remote means, including teleconference or videoconference) although this may be appropriate in some circumstances, and is likely to be appropriate in relation to decisions made under regulation 3.17 above, where no Panel meeting has taken place.

4.4. The Proctors’ Office shall communicate the outcome of the appeal and the reasons to the student in writing.