

ROBERT GORDON UNIVERSITY

ACADEMIC REGULATIONS SUB-COMMITTEE

Minute of the meeting held on Thursday, 22 April 2021.

Present: V Strachan (Convener), I Bogdan, H Castle (Convener from item 4.), J Creasey, Dr N Gibson, J Guest, T Knight, Professor A Lamb, Dr D Lonie, F McLean Whyte, Dr S Officer, Dr E Pirie, Dr S Sivers, Dr B Sutherland, D Sutherland, D Wilson, D Wynne and Dr Y Zhao.

Apologies: Dr N Johnson.

In Attendance: A Davidson, Professor S Dawkes (attending in lieu of Dr N Johnson) and L Jack (Secretary).

| | Action |
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| 1. MINUTE | |
| The Minute of the Meeting held on 3 February 2021 (reference ARSC/21/2) was approved and the extracts from the Minutes of the Meetings of the Quality Assurance and Enhancement Committee held on 4 March 2021 and Academic Council held on 15 March 2021 noted. It was noted that one item submitted to QAEC for approval relating to the composition of the <i>Misconduct Hearing</i> (reference QAEC/21/2/4.1.4) had not been approved and was returned to the Sub-Committee for re-consideration, refer item 3 of the minute. | |
| To maximise on consideration of the main business, members would in the future be asked to comment on the accuracy of the minute at the time it was circulated. | Ms L Jack |
| 1.1 Regulation A4: Assessment and Recommendations of Assessment Boards (ARSC/21/2/1.1.2) | |
| L Jack had met with C Paterson and J Strachan on 13 April 2021 to explore whether there was a technical solution within <i>CampusMoodle</i> to prevent the submission of work to drop-boxes by those students ineligible for assessment at that point in time – this primarily related to those students recorded at Assessment Boards as 'repeat with attendance'. Investigations revealed that any technical solution would remove students' access to their historic assessment information on <i>CampusMoodle</i> for the particular module(s) which could prove detrimental to the students' learning. The alternative was to manually disaggregate cohorts between individual assessments but this would be both time consuming and had risks associated with omitting students. Going forward, there was the potential for an automated process to be explored further as part of a future Digital Learning Project within DELTA. | |
| In lieu of any automated process, the Sub-Committee agreed that Schools would be advised to provide guidance to those students with a 'repeat with attendance' Assessment Board decision thereby ensuring the students fully understood when they would undertake the assessment. Furthermore, it was noted that the 'repeat with attendance' Assessment Board decision with an associated definition had been added to the key/legend on the transcript thereby providing further clarity to students. | Sub-Committee Members |

As part of the discussions with DELTA, the use of open drop boxes for coursework extensions was discussed. It was noted that some Schools generated an 'extension' drop box which all students undertaking the assessment were able to access with the result that students with unauthorised late submissions were submitting to the extension drop box. DELTA was reviewing their administration guidance around the use of *CampusMoodle* and would include reference to the establishment of extension drop boxes and only making them available to those who had approved extensions. It was noted at the Sub-Committee that extensions could actually be granted from within any submission drop box on an individual basis thereby negating the need for a separate drop box. Professor S Dawkes agreed to feed this into the 3D working group.

Prof S
Dawkes

1.2 Fit to Sit Video (ARSC/21/2/2)

All actions had been taken in relation to the *Fit to Sit Video*, including distribution of the link to staff and students and embedding of the video on the *Academic Regulations Student Forms* webpage.

1.3 Equality and Diversity (ARSC/21/2/3)

Unfortunately the *Advance HE* toolkit and guidance was not available for consideration at the meeting. Interest in joining the working group to progress equality and diversity related revisions to the Academic Regulations had been minimal and members were encouraged to consider joining the group. Interested parties should contact L Jack.

Sub-
Committee
Members to L
Jack

1.4 Academic Integrity Charter for UK Higher Education (ARSC/21/2/4)

The Convener reported than an academic integrity video was being produced by DELTA for release in the near future. The video was the second in a suite of videos being produced by DELTA and was designed to explain what was meant by academic integrity and honesty, what constituted good academic practice and the support available to students. The academic integrity video would be shared in the same way as the *Fit to Sit* video.

V Strachan

V Strachan reported that she was liaising with Human Resources to progress formalised staff training and development around Student Misconduct, particularly in relation to investigation skills.

1.5 Complaints Handling Procedure (ARSC/21/2/8)

The first in a series of *Complaints Handling Procedure* training sessions took place on 21 April 2021. It has been run by F McLean Whyte, had 40 attendees and had been well received. Additional training would be rolled out University-wide and training materials were in the process of being developed for frontline responders. The presentation from the training session was made available to Sub-Committee members during the meeting.

2.

FITNESS TO PRACTISE

Action

The draft *Student Fitness to Practise Procedure* was considered. It was noted that the majority of health and social care related professional, statutory and regulatory bodies (PSRBs) required courses to have fitness to practise procedures in place. Whilst the relevant Schools had such procedures in place, they fed into *Regulation A3: Student Misconduct Procedure* which accommodated fitness to practise concerns. However, it was recognised that there was a need to develop a distinct fitness to practise procedure which addressed all aspects of fitness to practise, including concerns around health and wellbeing.

The Academic Regulations Sub-Committee had established a working group and it was agreed that a fitness to practise 'strand' would be developed within *Regulation A3-Student Conduct and Appeals*. The working group had met on a number of occasions, most recently on 13 March 2021, and a draft procedure had been developed and was presented to the Sub-Committee for consideration.

It was noted that where a student was referred for investigation following alleged misconduct relating to Student Accommodation they were referred to Regulation A3- Student Misconduct Procedure and there were some concerns that incorporating an additional 'strand' might generate confusion. Also, Fitness to Practise covered only a section of the student population and so it was discussed whether an alternative approach might be to generate distinct PSRB and Student Misconduct sections within the Regulations. It was also noted that general fitness to study was not currently accommodated within the Regulations (current and proposed) but this would be reviewed in the future.

The *draft Fitness to Practise* strand currently only applied to health related courses but it was noted that non-health related PSRBs, such as *The Law Society*, required some circumstances, such as lapses in professional conduct, to be reported to them. It was noted, though, that such aspects would be encompassed within the existing *Student Misconduct Procedure*. However, for health related courses, there was a requirement to have a specific fitness to practise procedure in place and fitness to practise was devolved to the Schools by the associated regulators and Schools were required to sign off on students/graduates fitness to practise. As such there was an acknowledged distinction between health related PSRBs and non-health related ones. To date concerns regarding health and wellbeing of the student and professional conduct in relation to fitness to practise had not been accommodated within the Regulation and the new procedure addressed that gap.

There was the potential for concerns regarding a student to constitute both misconduct and fitness to practise and the merits of having a distinct procedure versus a fitness to practise appendix to the *Student Misconduct Procedure* was explored but members were agreed that a distinct fitness to practise procedure would be preferable. In agreeing this, members confirmed that cases should not be 'double handled' and students penalised twice. Instead, the School should determine the most appropriate procedure(s) to use for a particular case and liaise with the Department for Governance and Academic Quality to help inform that decision. Ideally a single procedure should be used though it was acknowledged that there could be the potential for a case to evolve from, for example, fitness to practise to misconduct and such exceptions had been accommodated within the *Student Fitness to Practise Procedure*. It was stressed that this was not about being overly punitive towards the student but about ensuring the most appropriate procedure(s) were applied for the specific case.

As part of the discussions relating to *Regulation A3 – Section 2: Student Misconduct Procedure*, it was agreed that the section should be titled ‘Student Conduct Procedure’, which had less negative connotations than ‘misconduct’.

It was noted that the Regulations currently used the titles of Professional Support Departments as opposed to individual roles thereby ensuring currency but it was suggested that individual roles might be a preferred alternative thereby ensuring that information was circulated to the correct individuals and containing sensitive information in accordance with the General Data Protection Regulation (GDPR). It was agreed that this would be explored in more detail outwith the meeting.

J Guest and L Jack

Members agreed that the *Student Fitness to Practise Procedure* be approved subject to H Castle, L Jack and V Strachan agreeing the final detail.

H Castle, L Jack and V Strachan

Recommendation from the Sub-Committee to the Quality Assurance and Enhancement Committee

L Jack to QAEC [25/5/21]

The Sub-Committee agreed that:

- From Session 2021-22, *Regulation A3 – Section 2: Student Misconduct Procedure* be retitled ‘Student Conduct Procedure’.
- From Session 2021-22, *Regulation A3 – Section 3: Student Fitness to Practise Procedure* as detailed within the [Appendix](#) be incorporated into Regulation A3.

3. REGULATION A3: STUDENT CONDUCT AND APPEALS

3.1 Misconduct Hearings

Members considered a paper proposing revisions to *Regulation A3 - Section 2, paragraph 5: Misconduct Hearing Arrangements* relating to: inclusion of Student Accommodation; and timescales for the production of notes following a *Misconduct Hearing*.

3.1.1 Protocols for Misconduct Hearings

At the previous meeting of the Sub-Committee, members considered a paper relating to *Regulation A3 - Section 2, paragraph 7: Misconduct Hearing Arrangements* (also refer ARSC/21/1/5.4). The Regulation indicated that ‘other relevant parties’ might be included in a *Misconduct Hearing* and this provided the Head of School with discretion to include staff relevant to the case, for example representation from the IT Department, Department for the Enhancement of Learning, Teaching and Assessment (DELTa) and Estates. This was of particular benefit where the alleged misconduct might be outwith the expertise of the School staff, for example inappropriate use of IT.

Members indicated a general satisfaction with the *Regulation A3 – Section 2, paragraph 7.2(ii)* in its current form but agreed some minor rewording to make it clear that the Head of School might include representatives from other Departments or Schools relevant to the case and that such individuals might be part of the *Misconduct Hearing* decision making body or be called as witnesses depending on the circumstances. In addition, it was thought helpful to include reference to a 'nominee' as, depending on the particular circumstances, the Head of School might nominate the Convener-ship to an alternative member of staff.

The revised wording was presented to the Quality Assurance and Enhancement Committee (QAEC) on 4 March 2021 for consideration and 'The Committee agreed, however, that further consideration should be given to the wording to explicitly state that the Accommodation Manager, or nominee, must be invited to attend Misconduct Hearings related to accommodation cases, as they were the main source of evidence for such cases, and to ensure greater consistency in the consideration of such cases'. Revised wording was subsequently considered to address QAEC's concerns and approved for submission to QAEC.

Recommendation from the Sub-Committee to the Quality Assurance and Enhancement Committee

L Jack to
QAEC
[25/5/21]

From Session 2021-22, *Regulation A3, paragraphs 7.2* be amended as follows [new text underlined]:

7.2 Misconduct Hearing Arrangements

The Head of School shall:

- (i) arrange a *Misconduct Hearing* with the student at the earliest possible opportunity and normally not later than 10 working days after the allegation has been received by the Head of School;
- (ii) be accompanied to the *Misconduct Hearing* by a note-taker and staff appropriate to the circumstances of the allegation, though typically no more than three members of staff will be present (in addition to the note-taker), and may include the Course Leader, Module Coordinator, Personal Tutor, Head of Graduate School or any other parties relevant to the allegation, such as staff from other Schools or Departments. The Head of School may also call witnesses relevant to the allegation. Where the allegation relates to Student Accommodation then the Student Accommodation Manager, or nominee, must be invited to the Misconduct Hearing as a witness to advise on Student Accommodation specific aspects, including lease arrangements;
- (iii) issue such notification of the date, time and venue of the *Misconduct Hearing* and the details of the alleged misconduct to the student by email, and advising of their entitlement to be accompanied by two persons (who should not be materially involved), to call witnesses, and that the Student Union may be contacted for advice and support;
- (iv) advise the student in writing that if they fail to attend, without good reason, the *Misconduct Hearing* may proceed in their absence, without this constituting grounds for appeal.

3.1.1 Timescales for the Production of Notes Following a Misconduct Hearing

In response to the number of misconduct cases relating to Student Accommodation, a supporting process was developed to direct referrals for investigation through the Department for Governance and Academic Quality. This not only allowed a monitoring of cases but, more importantly, provided a mechanism by which a single Head of School could be assigned to investigate an allegation involving multiple students from across Schools thereby ensuring a consistent approach and streamlining the consideration of such cases.

A meeting was held on 1 April 2021 with staff from across the academic Schools and Professional Support Departments to advise of the new supporting process. At that meeting some concerns were raised regarding the timescales, i.e. normally five working days, for generating the notes of the *Misconduct Hearing*, particularly where there could be multiple meetings relating to a single case.

In light of those discussions, Sub-Committee members were asked to review the current timescales for the production of the notes of the *Misconduct Hearings* and consider whether they continued to be appropriate or whether the timescales could benefit from being extended and, if so, by how long.

Members appreciated that, whilst any likely delays in meeting the five working day timescale would be communicated to students, this was generating an additional step in the process for Schools and it would obviously be preferable if the University was meeting its prescribed timescales. As such, extending the timescales to, for example, ten working days might be beneficial. It was also noted that students' understanding of the term 'normally' might differ to staff understanding.

Prior to making any decisions on the extension of the timescales and given that the Student Accommodation cases were unique to this moment in time, it was agreed that the capacity for Schools to share administration resources in support of the *Misconduct Hearings* would be explored.

3.2 Student Misconduct Procedure – Student Accommodation

It was noted that a new [process](#) has been introduced for the consideration of Student Accommodation misconduct cases in support of the *Student Misconduct Procedure*.

The Sub-Committee noted that the inclusion of representation from *Student Accommodation* was proving instrumental in ensuring consistency in decision making across cases.

J Guest and
V Strachan

4. SUPPORT FOR DEFERRING/APPEALING STUDENTS

A paper relating to the provision of support for those submitting *Deferral Request Forms* and/or Academic Appeals was considered.

Action

The paper and the previous discussions (refer ARSC/21/2/7) primarily related to mechanisms for ensuring students received the right support at the right time and were provided with sufficient information to facilitate access to that support. As highlighted previously, early intervention was preferable to crisis management and the ideal was to build support into the University's processes at an earlier stage. There was also a role for the *Inclusion Centre: Disability and Dyslexia and Counselling & Wellbeing* in advising on the level of information included in relevant extension, deferral and appeal forms to limit the oversharing of sensitive information on the part of the student.

The potential to have an 'opt in' box on the relevant forms for students to indicate agreement to being contacted by central support services had previously been discussed. Members agreed that there could be risks associated with such an approach as it would be reliant on Schools flagging it to the relevant department and action being taken thereafter. There was the potential for this to be missed or action not put in place at the appropriate point which could have wider implications. It was, therefore, agreed that a more appropriate response would be to include:

- specific reference within the forms to the support available to students with explicit guidance that students should contact such support in relation to both the completion of the form and in relation to any ongoing support needs. This information would be front loaded within the relevant forms; and
- links to the relevant support services on the *Academic Regulations Student Forms* webpage.

**A Davidson
and L Jack**

In recognition of the prominence of the Student School Officers (SSO) voice within the student body, it was agreed that there would be value in the SSOs highlighting the relevant information to students at the beginning of the academic session with periodic reminders throughout the year. The relevant information would be provided to the Student Union to facilitate this engagement by the SSOs.

L Jack and J Creasey

It was suggested that a short video explaining the range of support services available to students could prove helpful in conveying the message to students and it was agreed that A Davidson would explore this with DELTA.

**A Davidson
to J Strachan**

5. REGULATION A6: RESEARCH DEGREES

The Sub-Committee received an oral report from Fiona McLean Whyte, Deputy Academic Registrar, regarding PhD by public output. It was reported that the Research Degrees Committee had met on 20 April 2021 and discussed amendments to *Regulation A6: Research Degrees*, specifically relating to PhD by public output. The purpose of the amendments was twofold, one to ensure consistency with the rest of the sector and, two, to optimise opportunities for staff to pursue PhDs via this route.

PhD by public output was introduced to *Regulation A6* some years ago, at that time, it required a portfolio extending over a period of not less than 10 years from the date of publication of the earliest item to the latest. In addition, at least ten of those publications needed to be sole authored, peer reviewed and of direct relevance to the PhD. This was subsequently revised to a period of five years, with the number of outputs falling between three and seven (depending on the particular discipline). In addition, it was stated that to be eligible, the member of staff had to have been a staff member for a minimum of three years.

Following discussion and consideration of two proposals from the School of Health Sciences and Gray's School of Art, practice in some other higher education institutions, the QAA publication *QAA Characteristics Statement: Doctoral Degree (2020)* and a UK Council for Graduate Education (UKCGE) publication, *The Role of Publications and Other Artefacts in Submissions for the UK PhD*, the Research Degrees Committee agreed to

- Remove the clause relating to the portfolio extending over a particular period as, ultimately, the duration should be output driven and driven by the particular individual and the subject discipline.
- Remove the eligibility requirement for the member of staff to have been a member of staff for a minimum of three years.

Furthermore, the Research Degrees Committee had agreed that a short life working group would be convened to consider the specific detail of the Regulation and this would be taken forward shortly.

Members were supportive of the revised approach and noted that students could still provide an exegesis of 10,000 words in support of their submission. The work would also be examined against the same criteria as that of a traditional PhD. Aspects around co-authoring of papers needed to be clarified with applicants required to be explicit about their contribution to the relevant papers. Like all research students, these students would be eligible to join the research training sessions currently provided. It was noted that all of these aspects would be considered in more detail by the working group.

In terms of implementation, the intention was to implement the revised Regulation 'big bang' from Session 2021-22.

Recommendation from the Sub-Committee to the Quality Assurance and Enhancement Committee:

L Jack to
QAEC
[25/5/21]

From Session 2021-22, Regulation A6 be amended for all current and new students as follows [new text underlined]:

A6: Research Degrees – PhD by Public Output

11.1 Applicability

Any full-time or part-time member of staff of the University or affiliated institution, ~~if they have been a member of staff for a minimum of three years,~~ shall be eligible to apply to register for the award of the degree of Doctor of Philosophy by Public Output, and will be subject to the provisions of this Regulation, except as specified in the following paragraphs.

11.5 The Thesis and the Portfolio of Public Output

(ii) Portfolio of Public Output

The portfolio shall consist of public output which conforms to the following requirements:

- (a) ~~the portfolio shall extend over a period of not less than 5 years from the date of publication of the earliest item to the submission date;~~

The changes were designed to optimise and rationalise the Regulation to ensure consistency with practice in the rest of the sector and also optimise opportunities for the University in respect of staff pursuing a doctoral degree, and those closely associated with the University.

The Research Degrees Committee also **agreed** to set up a short-life working group to review the whole regulation relating to PhD by Public Output to ensure it was consistent with practice elsewhere in the sector.

6. ACADEMIC REGULATIONS SEMINAR

A report from the Academic Regulations Seminar held on 22 February 2021 was considered with members being asked to identify any specific areas for discussion. One area identified related to the current self-certification process for extensions, deferrals and appeals.

Feedback from the Seminar suggested that self-certification was operating reasonably well and the process for consideration of extensions and deferrals was more streamlined with less judgements required around an evidence base. However, Schools had reported a significant increase in the number of extensions since the introduction of self-certification with the result that large proportions of students had extended submission dates which was impacting on marking and moderation timescales, presentation of results to Assessment Boards and administrators' workload. There was currently no defined timescale for an extended submission date other than it would be based on the individual merits of the case and 'only in exceptional cases would the new deadline be after the date that marked coursework is returned to students, i.e. 20 working days' ([Fit to Sit Policy](#)). In some cases the lack of specific timescales was resulting in some students being granted the maximum extension period of 20 working days.

Members were agreed that parameters around the period for extensions would be helpful whilst also assisting with consistency across Schools and courses. Feedback from members indicated that in some Schools one week was the norm whilst others it was two weeks. It was agreed, though, that any student seeking more than a two week extension would be directed to the *Deferral Request* process.

It was acknowledged that a course's assessment schedule could impact on the volume of extensions if a number of assessment deadlines were in close proximity and this was something Schools should consider when developing their schedules whilst also taking into account the content to be delivered and the Academic Calendar.

Action
L Jack to
QAEC
[25/5/21]

Recommendation from the Sub-Committee to the Quality Assurance and Enhancement Committee

From Session 2021-22, the *Fit to Sit Policy* be extended to include guidance around the duration of extensions as follows:

- The period for an extension shall not normally extend beyond five working days.
- Only exceptionally shall an extension be granted beyond five working days and normally for no more than 10 working days.
- Only in very exceptional circumstances would an extension be granted beyond 10 working days. Normally any student seeking an extension beyond 10 working days shall be directed to the *Deferral Request* process.

7. ACADEMIC REGULATIONS SUB-COMMITTEE EVALUATION QUESTIONNAIRE

Feedback from the *Committee Evaluation Questionnaire* was considered. There were no major concerns identified. The feedback indicated an overall satisfaction with the operation of the Sub-Committee. Fourteen questionnaires were completed and all respondents indicated that the Sub-Committee had a clear sense of purpose and all believed that it had effectively met its remit during the session. Favourable comments had been made in relation to the online meetings.

8. FUTURE BUSINESS

No items were identified for consideration at future meetings at this point. If any items did arise then members should submit these to the Committee Secretary and/or Convener .

Members to
L Jack/V
Strachan

9. ANY OTHER COMPETENT BUSINESS (AOCB)

There was no further business to consider.

10. FUTURE MEETING DATES

The meetings of the Academic Regulations Sub-Committee, Session 2021-22, would be confirmed following approval by Academic Council.

11. VALEDICTORY

This was I Bogdan's last meeting of the Sub-Committee and members thanked her for her invaluable input to the Sub-Committee's discussions and for providing the student's voice to inform decisions. This was the first year that the Sub-Committee had had full attendance by a student and members were agreed that it had been extremely valuable. Members wished I Bogdan well for the future.

V Strachan, C, and H Castle, V-C
20 October 2021