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Revocation of Awards Policy (MPF1316)

1. Objectives

This policy provides for the revocation of awards obtained as a result of:

- (a) error; or
- (b) fraud; or
- (c) student academic misconduct.

2. Scope

This policy applies to all awards made by the University under section 14(3) of the University of Melbourne Statute. It does not apply to Executive and Short Courses for non-accredited study.

3. Authority

This policy is made under the University of Melbourne Act 2009 (Vic) and the University of Melbourne Statute .

4. Policy

4.1. The University reserves the right to revoke an award where it is demonstrated that the award was obtained through:

- (a) error; or
- (b) fraud; or
- (c) student academic misconduct.

4.2. Revocation of awards is by order of Council and follows the recommendation of an investigative committee or student academic misconduct investigation under the Academic Board Regulation .

4.3. Any person may raise concerns, through the University Secretary, which would lead, if validated, to revocation of an award.

5. Procedural principles

Investigating revocation of awards claims: error and fraud

5.1. Where a prima facie case is presented indicating that an award was granted due to an error or fraud, Council must appoint a committee to investigate the matter.

5.2. The committee appointed by Council must contain a minimum of three members.

5.3. In investigating the matter, the committee:

- (a) may follow any procedure it considers appropriate;
- (b) is not bound by the rules of evidence or other technicalities or legal forms, and may inform itself of any matter in any manner it thinks fit;
- (c) must act fairly in all the circumstances, having regard to the requirements of natural justice;
- (d) may not take into account prior unrelated findings of misconduct when deciding whether or not to recommend revocation of the award; and
- (e) must inform the graduate of the evidence it intends to take into account in making its decision, and allow the graduate to present a case and to respond to any relevant evidence or allegations orally and/or in writing.

5.4. The committee may, after considering all the evidence, recommend that the award:

- (a) be revoked as it was improperly granted due to an error; or
- (b) be revoked due to the commission of fraud that was materially significant to the granting of the award, where such fraud brings the University, the award, or the recipient into disrepute; or
- (c) not be revoked, due to a factual basis for revocation not being established.

5.5. The committee must put its recommendation in writing to Council, with reasons for its determination.

Investigation of revocation of awards claims: academic misconduct

5.6.

Where a matter is raised with the University Secretary that pertains to a case of alleged academic misconduct, the University Secretary refers the matter to the relevant dean for investigation under the Academic Board Regulation.

5.7.

The misconduct must be academic misconduct related to the basis upon which the award was made.

5.8.

If the student misconduct committee recommends revocation of the award it must put its recommendation in writing to Council, with reasons for its determination.

Council decision

5.9. Council must consider the recommendation of the relevant committee and the reasons advanced for that recommendation.

5.10. Council must then:

- (a) decide to revoke the award; or
- (b) decide not to revoke the award; or

(c) refer the matter back to committee for further investigation.

5.11. Council must inform the graduate of its decision, with a statement of reasons, within 20 University business days of the decision being made.

5.12. In the case of an award revoked due to an error, Council may allow the individual to rectify the error by completing the required units or subjects to obtain the award, if appropriate.

5.13. If Council decides to revoke the award the graduate must be asked to return the testamur, to the University Secretary;

5.14. If the graduate cannot return the testamur, for example, due to loss or destruction, the graduate is to complete a signed statutory declaration detailing the reason for the inability to return the testamur and send the signed statutory declaration to the University Secretary.

5.15. The University Secretary sends a notice of revocation to the Academic Registrar who must:

(a) amend the register of graduates must be amended to reflect that the award has been revoked and the date of revocation; and

(b) update the relevant academic record to indicate that the award was revoked by Council.

5.16. The University Secretary must append the revoked testamur or the statutory declaration to the Council minutes where approval to revoke was granted.

5.17. A decision to revoke an award is not subject to University appeal.

5.18. Council may revoke an award under the University Statute even if the conferral occurred before commencement of the statute.

6. Roles and responsibilities

<i>Role/Decision/Action</i>	<i>Responsibility</i>	<i>Conditions and limitations</i>
Receive notifications of concern that may lead to revocation of awards	University Secretary	...

<p>Appoint a committee to investigate a claim for revocation of an award due to error or fraud.</p> <p>Receive the recommendation of a student academic misconduct committee or a student appeals committee that revocation of an award for academic misconduct reasons be considered.</p> <p>Considering the recommendations of the relevant committee, determine whether the award will be revoked.</p> <p>Ensure that the graduate is informed of the decision and, where an award has been revoked due to error, allow the individual to rectify the error by completing the required units or subjects to obtain the award, if appropriate.</p>	University Council	...
<p>Nominate a representative to the investigative committee if the allegation relates to error.</p> <p>Ensure register of graduates is amended if the award is revoked</p>	Academic Registrar	
<p>Nominate a representative to the investigative committee if the allegation relates to fraud</p>	University General Counsel	
<p>Request return of revoked testamur.</p> <p>Ensure records of revoked testamur kept.</p>	University Secretary	
<p>Update register of graduates.</p> <p>Update academic record.</p>	Academic Registrar	

7. Definitions

Error in this policy means a mistake that has incorrectly credited a student with points to which they are not entitled towards completion of an award, and the requirements of the award have not been met. For the avoidance of doubt, error in this policy does not include an error where a testamur was issued erroneously or contained incorrect details. (*Note: refer to Courses, Subjects, Awards and Programs Policy (MPF1327)*)

Fraud means a false representation of a matter of fact – whether by words or by conduct, by false or misleading allegations, or by concealment of what should have been disclosed – that deceives and is

intended to deceive another.

Student Academic Misconduct has the meaning given in section 42 of the Academic Board Regulation

POLICY APPROVER

Council

POLICY STEWARD

University Secretary

REVIEW

This policy is to be reviewed by 23 June 2021.

VERSION HISTORY

Version	Approved By	Approval Date	Effective Date	Sections Modified
1	Governance and Nominations Committee as authorised by Council	23 June 2016	21 July 2016	New policy arising from the Regulatory Framework Review and Policy Consolidation Project.
2	Council	16 June 2021	22 June 2021	AM, Sections 5.1, 5.4(a), 5.12, 6.7.