

Regulations Governing Assessment Offences for Taught Degrees and Diploma Courses

Preamble

1. These regulations apply to the making of allegations of assessment misconduct against any candidate, to the subsequent hearing of those allegations and the actions that may then follow. They apply to any student registered for a taught degree or diploma course at the Institute.
2. Assessment offences are defined by the Regulations for Students. Such an offence can take place in connection with any work handed in for assessment, as part of an examination or part of coursework.

Assessment offences

3. Students taking any examination or subject to any assessment conducted by the Institute are required to abide by the relevant regulations and any associated instructions and procedures published by the Institute.
4. Failure to comply with the regulations, procedures or instructions referred to in 3. above shall constitute an assessment offence and will be dealt with in accordance with these Regulations, and under the Regulations for Students, as will any alleged case of cheating.
5. Cheating is an attempt to deceive the examiners and is an offence under these regulations. It includes but is not limited to:
 - 5.1 the bringing of books, notes, instruments, computer files or other materials or aids into the examination room that are not expressly permitted, and the use of such articles in the examination room,
 - 5.2 assistance or the communication of information by one candidate to another in an examination room or where not permitted by the examiners,
 - 5.3 copying or reading from the work of another candidate or from another candidate's books, notes, instruments, computer files or other materials or aids, unless expressly permitted by the examiners,
 - 5.4 leaving an examination without permission or supervision and returning to the examination,
 - 5.5 plagiarism,
 - 5.6 offering an inducement of any kind to an invigilator, examiner or other person connected with assessment in the hope of obtaining an advantage not otherwise obtainable,
 - 5.7 failure to comply with the request of an invigilator under these or other regulations and rules,
 - 5.8 any conduct of which the result would be an advantage for the candidate obtained by subterfuge or action contrary to regulation or published rules.

6. An attempt to commit an assessment offence is itself an assessment offence.

7. Work submitted by a candidate for assessment must be his/her own alone. The passing off of the work of others as the work of the candidate is plagiarism. It refers to any work by others, whether published or not, and can include the work of other candidates. Any quotation from the published or unpublished works of other persons including other candidates must be duly acknowledged.

8. The Academic Board will specify such books, notes, instruments, computer files or other materials or aids as are permitted to be used in conjunction with assessment.

9. Any unauthorised books, notes, instruments, computer files or other materials or aids introduced by a candidate into an examination room must on request be surrendered to the invigilator. The invigilator will pass such articles to the Academic Registrar of the Institute, who may retain them at his/her absolute discretion.

Making the allegation

10. Any member of the Institute may make the suggestion that a candidate has committed an assessment offence, by writing confidentially to the Academic Registrar, who will refer it to the relevant examiner.

11. Only an invigilator or examiner may make an actual allegation of assessment misconduct against a candidate. An invigilator should normally make an allegation in connection with his or her report on the examination concerned. An examiner proposing to make an allegation should first inform the chair of the Board of Examiners concerned before making the allegation, which should specify the passages of any item of assessment thought to be affected, but he/she should continue to mark the piece of assessment in the usual way.

12. All allegations must be made confidentially in writing to the Academic Registrar. They will be acknowledged.

13. The making of an allegation renders the matter effectively *sub judice*, and candidates against whom an allegation has been made should be questioned about possible offences only under these regulations.

The allegation

14. On receipt of an allegation, the Academic Registrar will consult the chair of the examination board responsible for the course in question. The results of the consultation will be as follows:

14.1 Where it is agreed that the evidence does not support an assessment offence no further reference will be made to the allegation except that the Academic Registrar will so inform the person making the allegation. Information about it will not be added to the student's file.

14.2 Where it is agreed that the evidence supports a technical but not material case of an assessment offence or that the evidence supports a *prima facie* case of a material assessment offence but that if proved it would be unlikely to lead to the decision of the examination board being amended, then with the consent of the candidate a note will be placed on his or her file and the tutor or supervisor may counsel the candidate as to his or her future behaviour; the examination board will be informed of the technical offence but will assess the candidate as if no assessment offence has taken place. If the candidate does not so consent the allegation will be heard under regulations 15 to 31.

14.3 Where it is agreed that the evidence supports a minor offence (always a first offence and in addition the following factors would be taken into consideration: the extent of the misconduct and the extent of the pre-meditation. For example, a piece of work that had been downloaded *in toto* from the internet would always constitute a *prima facie* case of a material assessment offence whereas inadequate citation in one or two cases might constitute a minor offence; if the evidence suggested

deliberate minor editing to enable a candidate to pass off the text of another as his/her own this might constitute a material assessment offence even though the quantity was small, whereas one large unedited piece without citation in an essay that otherwise had correct apparatus might be considered a minor offence) the Head of Examinations would be empowered to impose the following penalties without referring the case to a Sub-Committee:

- i) where the case is technically proven but unintentional and trivial then, with the consent of the candidate, a note will be placed on his or her file and the tutor or supervisor may counsel the candidate as to his or her future behaviour; the examination board will be informed of the technical offence but will assess the candidate as if no assessment offence has taken place. If the candidate does not so consent the allegation will be heard under regulations 15 to 31;
- ii) the candidate should resubmit the corrected work which will be re-examined;
- iii) the mark to be reduced to the minimum required to pass the course element at honours level.

14.4 Where it is agreed that the evidence supports a prima facie case of a material assessment offence, subject to regulation 19 the allegation will be heard under regulations 15 to 24. The Academic Registrar will inform the person(s).

14.5 Where no agreement is reached the course of action more favourable to the candidate shall be adopted.

Overview of the process for handling allegations of plagiarism for students on taught courses can be seen in Appendix 1.

Hearing the evidence

15. The candidate has a right to know precisely what is alleged, to know the rules of procedure under which action will be taken and be advised how to obtain advice. The Academic Registrar will:

15.1 send to the candidate a copy of the allegation and the procedures for hearing it;

15.2 invite the candidate to state whether the allegation is true or false and provide a statement and/or any evidence relevant to the case;

15.3 advise the candidate that he/she might wish to seek advice from the appropriate Head of Programme.

However, communication with the candidate and any action under these Regulations may be delayed pending the sitting of any examinations to be taken imminently by the candidate.

16. If the candidate admits the allegation, the Academic Registrar shall ask him/her for any written observations that would assist the Institute in determining the action to be taken. All relevant information on the matter shall then be handled under regulation 20, and if the decision is taken to proceed it shall be referred to the Misconduct Sub-Committee for action under regulations 17 to 24.

17. The Academic Board of the Institute shall annually establish a Misconduct Sub-Committee comprising four persons, normally the Institute Chair of Examiners, who shall chair the Sub-Committee, two examiners, and a student drawn by lot from the Institute Students Union. No person directly involved in the assessment in question or connected in any way with the allegation will serve when the Sub-Committee considers the case. The Sub-Committee is quorate when three of its members are present, one of whom must be the Chair. All relevant documentation shall be placed before the Sub-Committee, which shall be required:

17.1 to determine the truth of any allegation as to assessment offences, and

17.2 to make a recommendation drawn from the penalties set out in these procedures, where the allegation is found proved.

18. The Sub-Committee should where practicable interview the person(s) making the allegation, as well as the candidate, unless the candidate chooses to have the matter heard in his/her absence. The Sub-Committee may seek such other evidence, oral or written, as would assist it in its work. The Institute reserves the right to enquire in detail into any use of its information technology hardware or software to assist in resolving allegations of copying or plagiarism, consistent with its published rules and practices.

19. On receipt of the candidate's response to the request in Regulation 15.2 or 16 the Academic Registrar shall consult the chair of the graduate Institute committee or chair of the main examination board as appropriate, who shall determine whether the matter should proceed. If it is determined that it should not proceed the Academic Registrar shall so inform the candidate and the chair of the examination board concerned, and no record of the allegation shall be placed on the student's file. If the decision is taken to proceed then a meeting of the appropriate sub-committee shall be called to consider the allegation.

20. The lack of a response by the candidate after a reasonable time shall not prevent the chair of the appropriate examination board from taking the decisions required of them under Regulation 19.

21. If the candidate does not reply to the invitation set out in Regulation 15.2 above or if the candidate denies the charge, the Academic Registrar shall inform him/her of the date on which the hearing of the allegation is to take place. The candidate shall be invited to comment on the allegation and the evidence, both in response to particular questions and generally. He/she may elect to be accompanied by an officer of the Students' Union or by a friend or representative who is not legally qualified, and who shall have the same rights as the candidate.

22. The candidate shall have the rights to see or to listen to, as appropriate, all evidence given; to question the witnesses appearing before the Sub-Committee; and to submit documents to the Sub-Committee.

23. The validity of the proceedings of the Sub-Committee shall not be affected by the unwillingness or inability of the candidate, or other person acting with or for him/her, to reply to questions, orally or in writing, or to appear before the Sub-Committee.

24. The Sub-Committee shall in all cases decide that an allegation is not proved unless and until the evidence demonstrates the contrary to the satisfaction of a majority of its members present.

Subsequent action

25. If the Sub-Committee decides that the allegation is not proved, the Academic Registrar shall so inform the candidate in writing. No further action shall be taken, and no record of the allegation or the proceedings shall be included on the student's record.

26. If the Sub-Committee decides that an offence against these Regulations has been committed by the candidate, or if an offence has been admitted with or without written observations submitted under Regulation 16 the Sub-Committee shall have the power to recommend to the Board of Examiners either;

26.1 that the results in all papers taken in the year be cancelled and a mark of zero returned and, subject to the approval of the Director, the candidate's right to re-register for the examinations or equivalent be withdrawn, or

26.2 that the results in all papers taken in the year be cancelled and a mark of zero returned,
or

26.3 that the results in the component(s) or paper(s) concerned be cancelled and a mark of zero returned, where appropriate and, subject to the approval of the Director, that the candidate be denied the right to re-enter for the examinations or equivalent, or

26.4 that the results in the components or papers concerned be cancelled and a mark of zero returned, where appropriate, or

26.5 that it admonish the candidate and proceed to assess the candidate on the basis of such of his/her work as is unaffected by the offence.

27. The decision of the Sub-Committee under Regulation 26 may be given to the candidate orally by the chair of the Sub-Committee and shall be conveyed to him/her in writing by the Academic Registrar.

28. The Board of Examiners may at its discretion accept or not accept any recommendation made to it under Regulation 26 except that it shall not call into question any relevant facts established by the Sub-Committee and it shall not be empowered to apply a penalty more severe than that recommended to it.

29. The decision of the Board of Examiners under Regulation 28 shall be conveyed to the candidate in writing by the Academic Registrar.

30. Where a Sub-Committee has decided that an offence against these regulations has been committed by the candidate, the candidate shall have the right to appeal against that decision on the grounds that the Sub-Committee was constituted in such a way as to cast doubt on its impartiality and/or that relevant fresh evidence has been received that might have caused a different decision to have been made provided that it can be shown that it was neither reasonable nor practical for such evidence to have been presented to the Sub-Committee before its decision. Any such appeal must be received by the Academic Registrar within five working days of the date of the letter sent under Regulation 26. The Director or Deputy Director shall have the sole right of determining whether sufficient evidence is presented to warrant the reopening of the hearing. If he or she so determines, he or she shall direct a rehearing either by the original Sub-Committee or by a different one, which shall consider the matter *de novo*.

31. The examiners will not take into account any work presented by a candidate that is affected by the assessment offence, except where covered under Regulation 14.2.

Appeal

32. Any appeal against a decision of the examination board may be made under the Procedure for the Consideration of Appeals against Decisions of Boards of Examiners for Taught Degrees.

