

# Regulations on Assessment Offences

1. Definition of an assessment offence
2. Investigations into and outcomes of alleged minor offences
3. Investigations into alleged major offences
4. Procedure for investigations into alleged major offences
5. Outcomes of investigations conducted by the Assistant Registrar
6. Outcomes of investigations conducted by the Head of Department
7. Outcomes of investigations conducted by the Faculty Dean
8. Referral of cases to a Vice-Principal
9. Appeals

## ASSESSMENT OFFENCES

### 1. Definition of an assessment offence

- (1) In these regulations, an assessment offence is any conduct which attempts to deceive or is in contravention of any rules or regulations governing assessment. An offence may occur in relation to any piece of work submitted for assessment or review, whether or not the piece counts towards a final mark or award. The work in question may take any form, including but not limited to words, graphs and images, musical texts, data, source code, ideas or judgements.
- (2) Specific examples of assessment offences include, but are not limited to, the following.
  - (a) Plagiarism, which is the presentation of another person's work in any quantity without adequately identifying it and citing its source in a way which is consistent with good scholarly practice in the discipline and commensurate with the level of professional conduct expected from the student. The other person's work may exist in any published or unpublished medium, including the internet and essay banks.
  - (b) Duplication, which is the unacknowledged replication of one's own work in any quantity across separate assessments without sufficient redevelopment to make it novel and appropriate to each assessment. This would include the replication of work which was previously submitted for assessment at another institution.
  - (c) Falsification, which is the unacknowledged invention or alteration of data, quotations or references.
  - (d) Collusion, which is to act in agreement with another person in order to obtain an unfair advantage for oneself and/or for that person. Group working may constitute collusion where the discipline or the method of assessment emphasises independent study and collective ideas are presented as uniquely those of the individual submitting the work. Collusion may also include any attempt to impersonate another person, or to allow oneself to be impersonated, in an assessment.
  - (e) Failure to comply with any of the rules which have been set down for the conduct of the assessment, including the [Instructions to Candidates](#) and any instructions given by Examiners, Invigilators or Officers of the College, or in the case of collaborative provision of a partner institution, responsible for the conduct of the assessment. This would include

any irregularity affecting the security or integrity of an assessment, such as cheating, fraud, copying from other students, passing information or materials from one to another without express authorisation, the use of unauthorised materials, including but not limited to notes, texts or instruments, and unacceptable behaviour.

- (3) The identification of certain assessment offences, including plagiarism, duplication, falsification, and collusion is a matter of expert academic judgement, based on a comparison across the student's work and on knowledge of sources, practices and expectations for professional conduct in the discipline. Therefore it is possible to determine that an offence has occurred from an assessment of the student's work alone, without reference to further evidence.
- (4) Circumstances which may imply an attempt by a student to deceive or gain an unfair advantage include:
  - (a) the use of sources which would not normally be available to the student, such as work submitted by others in previous years;
  - (b) an attempt to deny the offence when presented with material evidence;
  - (c) collusion with another person;
  - (d) a repeat offence after the investigation into a previous case involving the same student has been completed and the student has been informed of the outcome in accordance with these regulations, so that it is reasonable to assume that the student was acting in awareness of the possible consequences of his/her actions.
- (5) Within these regulations a distinction is made between minor offences and major offences, which are investigated in different ways and attract penalties and outcomes commensurate with the type of offence.
- (6) A minor offence is one where
  - (a) the student may be unaware of honest scholarly practice or requirements, e.g. in terms of group work or could be assumed to not have fully understood what constitutes plagiarism/ collusion, may have lent work to fellow student in all innocence;
  - (b) it is clear that this is case of poor academic practice, rather than a deliberate attempt to gain credit dishonestly;
  - (c) the student has not committed more than one previous minor assessment offence.

Only offences of first year undergraduate students in their first term of study, of Visiting students or of undergraduate students who are direct entrants to the second year of study and in their first term of study at the College can be treated as minor offences. Offences identified for all other categories of students must be treated as major offences as students are deemed to be aware of what constitutes good academic practice.

- (7) A major offence is one where
  - (a) the student is deemed to be aware of what constitutes honest scholarly practice or requirements;

- (b) there is clear evidence of bad academic practice, e.g. plagiarism is significant; In the case of collusion the student has lent work to another student knowing parts will be copied; duplication of work submitted for another course/ programme;
- (c) there is a deliberate attempt to gain credit dishonestly.

## **MINOR OFFENCES**

### **2. Investigations into and outcomes of alleged minor offences**

- (1) A member of staff who suspects that an assessment offence has occurred, and is of the opinion that the offence constitutes a minor offence in terms of the provisions of Section 1 (6) of these regulations, shall assess the work in the normal way with reference to departmental marking schemes provided that the student is not given credit for another person's work and is not given credit more than once for the same work. The student may be required to attempt the assessment again by a specified deadline for formative purposes only, except that, for pieces of work which count towards a final mark or award, the outcome from the original submission will stand. A minor offence will also result in a warning.
- (2) A third minor offence should be investigated as a major offence in line with Section 4 (1) – (7) of these regulations.
- (3) In cases where the student fails the course unit as a result of failing a piece of summative assessment, the Sub-board of Examiners may award a resit with the mark for the course unit capped or require that the course unit be repeated in attendance.

## **MAJOR OFFENCES**

### **3. Investigations into alleged major offences**

- (1) Allegations that a major assessment offence has occurred will be investigated as follows:
  - (a) Where the allegation relates to a formal examination which has been organised by Student Administration, Registry, or by a collaborative partner, and is of a practical or procedural nature, rather than being a matter arising from the academic assessment of the student's work, the investigation will be conducted by an Assistant Registrar.
  - (b) In all other cases, with the exception of (c) below, the investigation will be conducted by the Head of Department or School responsible for the course or programme in question, or his/her nominee from the academic staff.
  - (c) If the examiners for a research degree student identify a suspected assessment offence the investigation will be conducted by the Dean of the appropriate Faculty.
- (2) Normally all allegations will be investigated in accordance with these regulations, even where the student has already been issued with a final outcome for the assessment, or is no longer registered at the College, subject to the procedures for the [Ratification and Revocation of Awards](#).
- (3) A student's final course results, progression status or award outcome may not be finalised and released whilst an allegation against him/her is under investigation.

#### 4. Procedure for investigations into alleged major offences

- (1) A member of staff or an examiner who suspects that a major assessment offence has occurred with respect to either formative or summative work, and is of the opinion that the provisions of Section 1 (6) of these regulations do not apply, shall immediately submit a factual written report of the case to the Assistant Registrar, Head of the Department or School, or equivalent at a partner institution in the case of collaborative provision, or Faculty Dean as appropriate. The report will specify the grounds on which the allegation is made and any supporting evidence. Where the allegation is made by the Head of Department or School, it may be appropriate for a different member of academic staff to conduct the remainder of the process on his/her behalf.
- (2) In the case of Section 3 (1b) or (1c) of these regulations the Head of Department or School, or Faculty Dean shall provide the student with a copy of the written report which sets out the allegation, including the relevant evidence, and a letter inviting him/her to respond to the allegation at a meeting to take place not less than seven days later, and/or in writing, and to provide by the date of the meeting documentary evidence of any extenuating factors which s/he feels should be taken into account.
- (3) The purpose of the meeting will be to ensure that the student understands the allegation, is aware of these regulations and of the process to be followed, and is given a fair opportunity to respond to the allegation. The student may be accompanied at the meeting by another student or staff member of the College. The Head of Department or School, or Faculty Dean, or his/her nominee, will act as Chair and will be accompanied by at least one, but not more than two other academic member(s) of staff, and a note taker. Member(s) of staff who have reported a suspected assessment offence may be invited by the Chair to attend to clarify certain aspects of the allegation contained in the report but should not be present for the discussion and judgement of the outcome and penalty to be applied. A brief written note of the meeting will be produced, and a copy sent to the student, shortly after the meeting. The student may also submit a written note of the meeting if s/he does not agree with the one prepared by the College.
- (4) In the case of Section 3 (1a) of these regulations the Assistant Registrar will provide the student with a copy of the written report which sets out the allegation, including the relevant evidence, as well as details of the relevant regulations and the process to be followed. The student will be given not less than seven days later to respond to the allegation in writing. The Assistant Registrar may in exceptional circumstances decide to hold a meeting with the student if the facts set out in the written report (see Section 4 (1)) are not sufficiently clear.
- (5) The Assistant Registrar / Head of Department or School / Faculty Dean may interview or request written evidence from any other person that s/he deems appropriate in order to establish the facts of the matter.
- (6) If the student does not respond to the allegation in writing or attend the meeting with the Assistant Registrar, if invited to do so, or with the Head of Department or School, or with the Faculty Dean, it will be assumed that s/he does not wish to contest the allegation.
- (7) The Head of Department or School / Assistant Registrar / Faculty Dean investigating the case will contact each department in which the student has studied as necessary in order to establish whether or not the student has committed a minor or major offence on their current programme of study. The Head of Department/ Assistant Registrar will also check all other course units being taken in the current year of study to establish whether there are further instances of assessment offences.

## **5. Outcomes of investigations conducted by the Assistant Registrar**

- (1) The Assistant Registrar will decide whether or not there is prima facie evidence that an offence has indeed occurred based on the findings of his/her investigation. In the most difficult cases, the Assistant Registrar may seek the advice of a Vice-Principal under the provisions of Section 8 (1) of these regulations.
- (2) If the Assistant Registrar decides that an offence has not occurred, s/he will inform the student of this decision in writing as soon as possible. A record of the case, together with a copy of the letter informing the student of the outcome, will be kept on the student's file in the Registry.
- (3) If the Assistant Registrar decides that there is prima facie evidence that an offence of a minor or technical nature has occurred which would not warrant any of the penalties set out in Section 8 (7) of these regulations, s/he will inform the student in writing of this decision and the reasons for it as soon as possible. A record of the case, together with a copy of the letter informing the student of the outcome, will be kept on the student's file in the Registry, as will any subsequent written statement from the student which contests the evidence.
- (4) If the Assistant Registrar decides that there is prima facie evidence that an offence has occurred which would warrant one of the penalties set out in Section 8 (7) of these regulations, s/he will refer the matter to a Vice-Principal under the provisions of Section 8 (1) of these regulations.

## **6. Outcomes of investigations conducted by the Head of Department**

- (1) The Head of Department or School will decide whether or not a major offence has indeed occurred based on the findings of his/her investigation. In the most difficult cases, s/he may seek the advice of a Vice-Principal under the provisions of Section 8 (1) of these regulations by writing to the Assistant Registrar.
- (2) If the Head of Department or School decides that a major offence has not occurred, s/he will inform the student of this decision in writing as soon as possible. A record of the case, together with a copy of the letter informing the student of the outcome, will be kept on the student's files in the relevant academic departments/schools and in the Registry.
- (3) If the Head of Department or School decides that a major offence has occurred, s/he will select the appropriate course of action from the following.
  - (a) Where the work contains sufficient evidence that the student has satisfied the requirements to pass, the Head of Department or School will select one of the following penalties:
    - (i) cap the mark for the piece of work at a minimum Pass;
    - (ii) subtract ten percentage marks from the final mark for the course overall and return a mark for the piece of work based on the portion which is deemed to be acceptable for assessment;
  - (b) Where the student has not satisfied the requirements to pass and the provisions of (c) below are for whatever reason inappropriate, the student will be deemed to have failed the assessment. The mark will be set to zero;
  - (c) Where it is the view of the Head of Department or School that the implications of the offence are grave, including cases of a repeat major offence by the student, e.g. multiple instances of plagiarism/ collusion or other assessment offences identified more or less

simultaneously across a number of course units, cases where data has been falsified, cases where substantial parts of the assessment or the entire assessment are not the student's own work and have been copied and/ or purchased, and that a more severe penalty is merited, s/he will refer the matter to a Vice-Principal under the provisions of Section 8 (1) of these regulations, by writing to the Assistant Registrar, with a recommendation for one of the penalties set out in Section 8 (7) of these regulations. In cases where a student denies a major offence, the case will automatically be referred to a Vice-Principal following departmental investigation.

- (4) The Head of Department or School will inform the student in writing of any penalty imposed under the provisions of Section 6 (3)(a) or (3)(b) of these regulations and the reasons for it as soon as possible. A record of the case, together with a copy of the letter informing the student of the outcome, will be kept on the student's files in the relevant departments/schools and in the Registry.
- (5) The consequences of any penalty for the course or programme as a whole, and any recommendation for the student to resit or repeat the assessment, will be determined in reference to the student's performance overall and at the discretion of the Sub-board of Examiners unless the Head of Department or his/ her nominee has indicated that the failed course unit must be repeated in attendance. The student may additionally be required to attempt the assessment again by a specified deadline for formative purposes only, except that, for pieces of work which count towards a final mark or award, the outcome from the original submission will stand.

## **7. Outcomes of investigations conducted by the Faculty Dean**

- (1) The Faculty Dean will decide whether or not an offence has indeed occurred based on the findings of his/her investigation.
- (2) If the Faculty Dean decides that an offence has not occurred, s/he will inform the student of this decision in writing as soon as possible. A record of the case, together with a copy of the letter informing the student of the outcome, will be kept on the student's files in the academic department/school and in the Registry.
- (3) If the Faculty Dean decides that an offence has occurred, s/he will refer the matter to a Vice-Principal, via the Assistant Registrar, under the provisions of Section 8 (1).

## **8. Referral of cases to a Vice-Principal**

- (1) Cases may be referred to a Vice-Principal only under the provisions of Section 5 (3 – 5), Section 6 (3c) and Section 7 (3). The following information must be provided:
  - (a) a note setting out the reasons for the referral together with recommendations on the course of action to be taken (where appropriate);
  - (b) the written report which sets out the allegation, and where relevant a copy of the student's work in question, which has been marked to indicate the offending sections, together with references to any supporting evidence;
  - (b) evidence of the procedure followed to investigate the allegation, including copies of correspondence to and from the student and notes of any meetings which took place;

- (d) the student's written response to the allegation and details of any extenuating circumstances which have been disclosed by the student, if provided.
- (2) The Assistant Registrar will write to the student informing him/her that the case has been referred to a Vice-Principal, and inviting him/her again to respond to the allegation in writing, providing documentary evidence of any extenuating factors which s/he feels should be taken into account, within seven days.
  - (3) Based on the evidence set out in Section 8 (1) and any further material submitted by the student, the Vice-Principal will:
    - (a) refer the matter back to the Assistant Registrar / Head of Department or School/ Faculty Dean on the grounds that the correct procedure was not followed; or
    - (b) conduct a further investigation, which in exceptional circumstances may include a hearing with the student; or
    - (c) reach a decision based on the evidence already available.
  - (4) If the Vice-Principal decides that a hearing should be held, the Assistant Registrar shall convene a Hearing Committee comprising the Vice-Principal as Chair and two other members of academic staff from departments or schools in which the student has not studied, whose role will be to advise the Vice-Principal. The Assistant Registrar shall be responsible for setting the date and place of the hearing, for notifying members of the Committee and the student of the arrangements, and for sending copies of all relevant documentation to members of the Committee and the student in advance. The Hearing Committee may invite one or more representatives from the student's department or school to attend all or part of the hearing for the purpose of answering questions. The student may be accompanied by another student or member of staff of the College to assist in presenting his/her case, otherwise the hearing will be conducted in private.
  - (5) The Vice-Principal will decide whether or not a major offence has indeed occurred based on the findings of the investigation.
  - (6) If the Vice-Principal decides that a major offence has not occurred, the Assistant Registrar will inform the student of this decision in writing as soon as possible. A record of the case, together with a copy of the letter informing the student of the outcome, will be kept on the student's files in the department/school and in the Registry. For research degree students, the decision will be communicated to the examiners who will be asked to continue with the examination.
  - (7) For all students, with the exception of research degree students, who will be subject to Section 8 (8) of these regulations, if the Vice-Principal decides that a major offence has occurred, s/he will impose one or more of the following penalties. The penalty for a repeat offence will normally be more severe, on the grounds that it is reasonable to assume that the student was acting in awareness of the possible consequences.
    - (a) Where the work contains sufficient evidence that the student has satisfied the requirements to pass, the Vice-Principal will select one of the following penalties:
      - (i) cap the mark for the piece of work at a minimum Pass;
      - (ii) subtract ten percentage marks from the final mark for the course overall and return a mark for the piece of work based on the portion which is deemed to be acceptable for assessment;

- (b) Where the student has not satisfied the requirements to pass and the provisions of (c) below are for whatever reason inappropriate, the student will be deemed to have failed the assessment. The mark will be set to zero;
  - (c) Where the implications of the offence are grave, the student will be deemed to have failed the course overall. For courses which carry a percentage mark, the mark will be set to zero. The Vice-Principal may decide in such a case to recommend that the student is not permitted to resit these failed course(s), but must repeat them in attendance
  - (d) Where the gravity of the offence warrants such a course of action, the Vice-Principal may decide to terminate permanently the student's registration with the College and in line with Section 8 (7) of these regulations will set the marks for the courses in question to zero. Students who have their registration terminated would not normally be permitted to reapply to the College for any programme.
- (8) For research degree students, if the Vice-Principal decides that an offence has occurred, he/she will impose one of the following penalties:
- (a) Where the extent of the offence is such that there is sufficient remaining original material to be examined, the case and the thesis will be returned to the examiners to determine an outcome in accordance with the [Research Degree Regulations](#). Where the outcome is not a fail, in all cases the student will be required to re-present his/her thesis in a revised form within no less than 18 months. In addition, the student will be required to undergo a further oral examination.
  - (b) Where the extent of the offence is considered grave, or it is a second offence, the penalty set out in Section 8 (7d) of these regulations will be imposed.
- (9) The Assistant Registrar will inform the student in writing of any penalty imposed and the reasons for it as soon as possible. A record of the case, together with a copy of the letter informing the student of the outcome, will be kept on the student's files in the academic department/school and in the Registry.
- (10) For all students the consequences of any penalty for the course or programme as a whole, and any recommendation for the student to resit or repeat the assessment, will be determined in reference to the student's performance overall and at the discretion of the Examiners. The student may additionally be required to attempt the assessment again by a specified deadline for tutorial purposes, except that, for pieces of work which count towards a final mark or award, the outcome from the original submission will stand.

## **APPEALS AGAINST DECISIONS**

### **9. Appeals**

- (1) A student may appeal against a decision made under these regulations only on one or more of the following grounds:
  - (a) that there is evidence of a failure to follow the procedures set out in these regulations which might cause reasonable doubt as to the fairness of the decision;



- (b) that fresh evidence can be presented which the student could not with reasonable diligence have disclosed before the decision was made and which might cause reasonable doubt as to the fairness of that decision;
  - (c) that the decision was perverse given the evidence which was available at the time.
- (2) Appeals must be submitted in writing by the student to the Academic Registrar within 15 working days of the date on which the student was formally notified of the decision. The student's submission must include:
- (a) a statement of all the matters which the student wishes to be investigated and taken into account, which specifies how these matters relate to the grounds for appeal in Section 9 (1) of these regulations and lead the student to believe that the decision was unfair;
  - (b) a statement of the student's desired outcome from the appeal;
  - (c) copies of all documentary evidence on which the student wishes to rely in the appeal, and where relevant an explanation for why the student was previously unable to disclose any of the evidence or information.
- (3) The Academic Registrar or his/her nominee may dismiss any appeal which in his/her opinion does not fall within the remit of these regulations, fails to present reasonable grounds or fails to provide sufficient evidence in support of the student's claims. Where there are inadequate grounds for an appeal or insufficient evidence, the Academic Registrar or his/her nominee has the option to give the student one opportunity to address the deficiencies before deciding to dismiss the appeal. Where the appeal does not fall within the remit of these regulations the Academic Registrar or his/her nominee may recommend an alternative route for consideration of the student's concerns.
- (4) Appeals which are not dismissed under the provisions of Section 9 (3) of these regulations will be investigated in the first instance by a senior member of the Academic Quality and Policy Office. The investigation will be conducted through written correspondence and may include requests to any individual or party for representations, additional information or an expert opinion.
- (5) The findings from the investigation by the senior member of the Academic Quality and Policy Office will be presented in writing to a Vice-Principal, who will determine one of the following courses of action:
- (a) to amend or set aside the decision;
  - (b) to set aside the original decision and refer the case back to the department for reconsideration;
  - (c) to confirm the decision;
  - (d) to convene an Appeals Committee under the Section 9 (6) of these regulations to investigate the matter further through a formal hearing.
- (6) The Appeals Committee will comprise the Vice-Principal as Chair and two other members of academic staff from departments or schools in which the student has not studied, whose role will be to advise the Vice-Principal. The senior member of the Academic Quality and Policy Office shall be responsible for setting the date and place of the hearing, for notifying members of the Committee and the student of the arrangements, and for sending copies of all relevant

documentation to members of the Committee and the student in advance. The Appeals Committee may invite one or more representatives from the student's department or school to attend all or part of the hearing for the purpose of answering questions. The student may be accompanied by another student or member of staff of the College to assist in presenting his/her case, otherwise the hearing will be conducted in private.

- (7) A student who wishes to abandon or withdraw an appeal at any stage must inform the senior member of the Academic Quality and Policy Office in writing. The senior member of the Academic Quality and Policy Office will then determine how to proceed, taking account of the available evidence and the matters raised by the student in the appeal.
- (8) The senior member of the Academic Quality and Policy Office will inform the student in writing of the Vice-Principal's decision and the reasons for it, as well as the student's right to request that the decision be reviewed by the Office of the Independent Adjudicator for Higher Education.