

Regulations on Academic Misconduct

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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. This may include the unauthorised or unacknowledged joint authorship of work undertaken as part of group work or the unauthorised or unacknowledged copying of material prepared by another as part of group work. It may also be the unauthorised or unacknowledged translation of another's work. The other person's work may exist in any published or unpublished medium, including the internet and essay banks.
 - (b) Commissioning, which is requesting or engaging another person (whether paid or unpaid) to write or rewrite work in order to obtain an unfair advantage for oneself. This would include the use of third parties such as family, friends, students, providers of essay writing services or providers of proofreading services not authorised by the institution.
 - (c) Duplication, which is the unauthorised or unacknowledged replication of one's own work in any significant quantity across separate assessments without sufficient redevelopment to make it novel and appropriate to each assessment. This would also include the replication of work which was previously submitted for assessment at this or another institution. A student who is repeating a module in attendance will normally be expected to submit new work which has not previously been submitted for the module.
 - (d) Falsification, which is the unacknowledged invention or alteration of data, quotations or references. Falsification of evidence which comes to light as part of an investigation into

academic misconduct will be treated under the institution's Student Disciplinary regulations.

- (e) Impersonation, which is any attempt to deceive or gain an unfair advantage either by assuming the identity of another person in an assessment or allowing one's identity to be assumed by another in an assessment.
 - (f) Deception, which includes any attempt to present false or misleading documentation to gain an unfair advantage in an assessment.
 - (g) 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.
 - (h) 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, gaining access to or the use of unauthorised materials relating to an assessment, or any other unacceptable behaviour. Unauthorised materials include, but are not limited to notes, writing upon the body, texts or instruments, mobile telephones, pagers, electronic devices, or 'Smartwatches' which have memory or networking capabilities.
- (3) The identification of certain assessment offences, including plagiarism, commissioning, 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 instances of poor academic practice, minor offences and major offences, which are dealt with and/ or investigated in different ways and attract penalties and outcomes commensurate with the type of offence.

- (6) A member of staff who is marking formative or summative work, and is of the opinion that the work shows minor instances of poor academic practice, e.g. a poorly paraphrased paragraph, which does not meet the academic threshold for a minor assessment offence, shall assess the work in the normal way with reference to departmental marking schemes highlighting the poor practice and deducting marks as appropriate.
- (7) 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;
 - (b) it is clear that there is fairly extensive poor academic practice rather than the occasional poorly referenced source or poorly worded paraphrase, and/ or a deliberate attempt to gain credit dishonestly;
 - (c) the student has not committed more than one previous minor assessment offence.

Only offences of undergraduate students in their first year of study, of Visiting students, of pre-master's students or of undergraduate students who are direct entrants to the second year of study and in their first year 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.

- (8) A major offence is one where
- (a) the student is deemed to be aware of what constitutes honest scholarly practice or requirements; and
 - (b) there is clear evidence of bad academic practice, e.g. plagiarism is significant; commissioning in the case of collusion the student has lent work to another student knowing parts will be copied; duplication of work submitted for another module/ course; or
 - (c) there appears to be 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 with respect to either formative or summative work, and is of the opinion that the offence constitutes a minor offence in terms of the provisions of Section 1 (7) 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 more than once for the same work in cases where they have copied work. The member of staff shall immediately submit a factual written report of the case to the Chair of the departmental or school Academic Misconduct Panel, who shall set up a meeting with the student. The report will specify the grounds on which the allegation is made and any supporting evidence. Where the work has been marked by the Chair of the Academic Misconduct Panel, it may be appropriate for a different member of academic staff to conduct the remainder of the process on his/her behalf.
- (2) The Chair of the Academic Misconduct Panel 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. While students are permitted to submit a written response to the allegation, they are expected to attend the meeting in person. Exceptionally this requirement to attend may be waived by the Chair.

- (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 to provide support to the student, but not to represent him/her. Under no circumstances is the student permitted legal representation nor can the student be accompanied by another student currently under investigation for an assessment offence. Students are not permitted to record the meeting. In the case of a minor offence relating to group work, it is at the discretion of the Chair following initial investigation which students in the group will meet with the Panel. The Chair reserves the right after meeting with one or more students, to decide that meetings with further members of the group are required. The meeting will be chaired by the Chair of the Academic Misconduct Panel in the department or school. The Chair will be accompanied by one other academic member of staff from the department or school and an administrative member of staff as a note taker. Neither the Chair nor the academic member(s) of staff should have been involved in the marking or moderation of the piece of assessment which is under investigation. 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 with an indication of the penalty. The student may submit a written note to correct any perceived inaccuracies in the notes of the meeting.
- (4) The Chair of the Academic Misconduct Panel may interview or request written evidence from any other person that s/he deems appropriate in order to establish the facts of the matter.
- (5) If the student does not respond to the allegation in writing or attend the meeting with the Chair of the Academic Misconduct Panel, it will be assumed that s/he does not wish to contest the allegation.
- (6) The Chair of the Academic Misconduct Panel 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 any assessment offences on their current course of study. The Chair of the Academic Misconduct Panel will also check all other modules being taken in the current year of study to establish whether there are further instances of minor or major assessment offences.
- (7) Following the meeting, the Chair of the Academic Misconduct Panel will determine outcomes and penalties in line with Section 6 (4) of these regulations. The Chair may also, where appropriate, require the student to attempt the assessment again by a set deadline to address issues of poor academic practice but without any additional changes to the substance of the work.
- (8) The student will be required to complete a package of support, which will include completion of the Moodle 'Avoiding Plagiarism' course.
- (9) A third offence should be investigated as a major offence in line with Section 4 (1) – (7) of these regulations.
- (10) In cases where the student fails the module as a result of failing a piece of summative assessment, the School Progression and Awards Board may award a resit with the mark for the module capped or require that the module 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, whether organised by Student Administration, the School (including in-class tests) 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 investigating officer in Student Administration.
 - (b) In all other cases, with the exception of (c) below, the investigation will be conducted by the Academic Misconduct Panel of the department or school, chaired by an academic member of staff.
 - (c) If the examiners for a research degree student identify a suspected assessment offence the investigation will be conducted by the School Director of PGR Education.
- (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 module result, 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 (7) of these regulations do not apply, shall immediately submit a factual written report of the case to an investigating officer in Student Administration, Chair of the Academic Misconduct Panel in the department or school, or equivalent at a partner institution in the case of collaborative provision, or School Director of PGR Education 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 Chair of the Academic Misconduct Panel, 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 Chair of the Academic Misconduct Panel, or School Director of PGR Education 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. While students are permitted to submit a written response to the allegation, they are expected to attend the meeting in person. Exceptionally this requirement to attend may be waived by the Chair.
- (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 to provide support to the student, with respect to observing the meeting and providing clarification on questions to the student, for example, but not to represent him/her by responding directly to the questions of the panel. Under no circumstances is the student permitted legal representation nor can the student be accompanied by another student currently

under investigation for an assessment offence. Students are not permitted to record the meeting. In the case of an allegation relating to group work, it is at the discretion of the Chair following initial investigation which students in the group will meet with the Panel. The Chair reserves the right after meeting with one or more students, to decide that meetings with further members of the group are required. The meeting will be chaired by the Chair of the Academic Misconduct Panel in the department or school. The Chair will be accompanied by at least one, but not more than two other academic member(s) of staff, and an administrative member of staff as 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 with an indication of the penalty. The student may submit a written note to correct any perceived inaccuracies in the notes of the meeting.

- (4) In the case of Section 3 (1a) of these regulations an investigating officer in Student Administration 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 investigating officer 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 Chair of the Academic Misconduct Panel/ investigating officer/ School Director of PGR Education 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 investigating officer, if invited to do so, or with the Chair of the Academic Misconduct Panel, or with the School Director of PGR Education, it will be assumed that s/he does not wish to contest the allegation.
- (7) The Chair of the Academic Misconduct Panel / investigating officer / School Director of PGR Education 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 course of study. The Chair of the Academic Misconduct Panel / investigating officer will also check all other modules being taken in the current year of study to establish whether there are further instances of assessment offences.

5. Outcomes of investigations conducted by Student Administration

- (1) The applicable standard of proof used in reaching a decision on whether or not an assessment offence has occurred will be the balance of probabilities.
- (2) An investigating officer in Student Administration 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 investigating officer may seek the advice of a Senior Vice-Principal or nominee under the provisions of Section 8 (1) of these regulations.
- (3) If the investigating officer 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 Student Administration.

- (4) If the investigating officer 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 Student Administration, as will any subsequent written statement from the student which contests the evidence.
- (5) If the investigating officer 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 Senior Vice-Principal or nominee under the provisions of Section 8 (1) of these regulations.

6. Outcomes of investigations conducted by the Academic Misconduct Panel

- (1) The applicable standard of proof used in reaching a decision on whether or not an assessment offence has occurred will be the balance of probabilities.
- (2) The Academic Misconduct Panel will decide whether or not a major offence has indeed occurred based on the findings of their investigation. In the most difficult cases, they may seek the advice of a Senior Vice-Principal or nominee under the provisions of Section 8 (1) of these regulations by writing to Student Administration.
- (3) If the Academic Misconduct Panel decides that a major offence has not occurred, they 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 Student Administration.
- (4) Where an Academic Misconduct Panel has agreed that an offence (minor or major) has occurred, they 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, and the provisions of (d) below are for whatever reason inappropriate the Academic Misconduct Panel will select one of the following penalties:
 - (i) Reduce mark for piece of assessment by 10 percentage marks;
 - (ii) Cap the mark for the piece of assessment at a minimum pass;
 - (iii) Award a mark of zero for the piece of assessment;
 - (iv) Award a mark of zero for the module as a whole.
 - (b) Where the student has not satisfied the requirements to pass and the provisions of (d) below are for whatever reason inappropriate, the Academic Misconduct Panel will select one of the following penalties:
 - (i) Reduce the mark for the piece of assessment by 10 percentage marks, e.g. 38% becomes 28%;
 - (ii) Award a mark of zero for the piece of assessment;
 - (iii) Award a mark of zero for the module as a whole.
 - (c) Where there is evidence of academic misconduct in group work the Academic Misconduct Panel will determine, on the basis of the investigation of the allegation, whether each member of the group receives the same penalty from those listed in (a) and (b) above or whether the

misconduct can be related to a specific part of the work and to specific students. In such cases one of the penalties in (a) and (b) above will be applied only to the student(s) concerned.

- (d) Where it is the view of the Academic Misconduct Panel 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 modules, 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 that a more severe penalty is merited, they will refer the matter to a Senior Vice-Principal or nominee under the provisions of Section 8 (1) of these regulations. They will write to Student Administration, 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 but the Panel believes there is a prima facie case or where the Panel has agreed that there is prima facie evidence of commissioning as described in Section 1 (2b) of these regulations, the case will automatically be referred to a Senior Vice-Principal or nominee following departmental investigation.
- (5) If a number of cases are identified within a short space of time (either identified by different markers or identified as part of the investigation of a case where previous pieces of work are retrospectively checked), the departmental Academic Misconduct Panel will decide whether the same or different penalties apply to each piece of work depending on the nature of the offence in each case.
- (6) Students who are invited to attend an Academic Misconduct Panel are strongly advised to review any pending assignments for further breaches of these regulations and consult departmental academic staff for advice as appropriate.
- (7) The Chair of the Academic Misconduct Panel will inform the student in writing of any penalty imposed under the provisions of Section 6 (4) 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 Student Administration.
- (8) The consequences of any penalty for the module or course as a whole, and any recommendation for the student to resit or repeat the assessment, will be determined with reference to the student's performance overall and at the discretion of the School Progression and Awards Board unless the Academic Misconduct Panel has indicated that the failed module 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 School Director of PGR Education

- (1) The School Director of PGR Education will decide whether or not an offence has indeed occurred based on the findings of his/her investigation. The applicable standard of proof used in reaching this decision will be the balance of probabilities.
- (2) If the School Director of PGR Education 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 Student Administration.

- (3) If the School Director of PGR Education decides that an offence has occurred, s/he will refer the matter to a Senior Vice-Principal (normally the Senior Vice-Principal (Research and Enterprise)) or nominee, via Student Administration, under the provisions of Section 8 (1).

8. Referral of cases to a Senior Vice-Principal

- (1) Cases may be referred to a Senior Vice-Principal or nominee only under the provisions of Section 5 (5), Section 6 (4)(d) 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;
 - (c) 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 mitigating factors which have been disclosed by the student, if provided.
- (2) The investigating officer will write to the student informing him/her that the case has been referred to a Senior Vice-Principal or nominee, and inviting him/her again to respond to the allegation in writing, providing documentary evidence of any mitigating factors which s/he feels should be taken into account, within seven days. Mitigation may lessen the penalty imposed but it does not excuse the offence.
- (3) Based on the evidence set out in Section 8 (1) and any further material submitted by the student, a Senior Vice-Principal or nominee will:
 - (a) refer the matter back to the Academic Misconduct Panel/ investigating officer/ School Director of PGR Education 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 a Senior Vice-Principal or nominee decides that a hearing should be held, the investigating officer shall convene a Hearing Committee comprising a Senior Vice-Principal or nominee 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 a Senior Vice-Principal or nominee. The investigating officer 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. Under no circumstances is the student permitted legal representation nor can the student be accompanied by another student currently under investigation for an assessment offence. Students are not permitted to record the meeting.

- (5) A Senior Vice-Principal or nominee will decide whether or not a major offence has indeed occurred based on the findings of the investigation.
- (6) If a Senior Vice-Principal or nominee decides that a major offence has not occurred, the investigating officer 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 Student Administration. 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 a Senior Vice-Principal or nominee 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) Reduce mark for piece of assessment by 10 percentage marks;
 - (b) Cap the mark for the piece of assessment at a minimum pass;
 - (c) A mark of zero for the piece of assessment;
 - (d) Where the implications of the offence are grave, the student will be deemed to have failed the module overall. For modules which carry a percentage mark, the mark will be set to zero. The student will normally be afforded the opportunity to resit the module. A Senior Vice-Principal or nominee may, however, decide to recommend that the student repeat the module in attendance or not be permitted either of these options, bearing in mind relevant progression and award requirements. If the offence occurs in a module which the student is taking as a second attempt, no further opportunities to resit or repeat the module will be given unless there are documented extenuating circumstances accepted by a Senior Vice-Principal or nominee.
 - (e) Where the implications of the offence are grave, the student will be deemed to have failed the module overall. For modules which carry a percentage mark, the mark will be set to zero. A Senior Vice-Principal or nominee may decide to recommend that the student be given an exit award and not be permitted to complete the degree for which s/he was registered;
 - (f) Where the gravity of the offence warrants such a course of action, a Senior Vice-Principal or nominee may decide to suspend the student's registration with the College for one year and will set the marks for the modules in question to zero. The student would normally have to take resits in all such modules unless the requirements of the module were such that it had to be repeated in attendance;
 - (g) Where the gravity of the offence warrants such a course of action, a Senior Vice-Principal or nominee may decide to terminate permanently the student's registration with the College and will set the marks for the modules in question to zero. Students who have their registration terminated would not normally be permitted to reapply to the College for any course.

- (8) For research degree students, if the Senior Vice-Principal) or nominee 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 (7e) of these regulations will be imposed.
- (9) The investigating officer 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 Student Administration.
- (10) For all students the consequences of any penalty for the module or course 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 or administrative errors 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 Director of Academic Services 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 Director of Academic Services 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 Director of Academic Services 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 Director of Academic Services 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 an investigating officer. 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 an investigating officer will be presented in writing to a Senior Vice-Principal or nominee, 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.

The Senior Vice-Principal or nominee who considers the appeal will not have previously been involved in the case, e.g. awarding the penalty.

- (6) The Appeals Committee will comprise the Senior Vice-Principal (Education) or nominee 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 a Senior Vice-Principal or nominee. The investigating officer 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 investigating officer in writing. The investigating officer will then determine how to proceed, taking account of the available evidence and the matters raised by the student in the appeal.

- (8) The investigating officer will inform the student in writing of the decision of a Senior Vice-Principal or nominee 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.