

**Academic Offences Procedures for
Students Studying for University
of Essex Awards at South Essex
College of Further and Higher
Education 2018-19**

Academic Offences Procedures

This policy relates to students studying for University of Essex awards at South Essex College.

A. Academic Offences

A1.

Academic offences include:

- a. plagiarism that is, using or copying the work of others (whether written, printed or in any other form) without proper acknowledgement in any assignment, examination or other assessed work ;
- b. using work previously submitted for another assignment without full acknowledgement;
- c. falsifying data or evidence;
- d. submitting a fraudulent claim of extenuating circumstances;
- e. assisting another student to commit an academic offence;
- f. submitting written work produced collaboratively unless this is explicitly permitted;
- g. copying the work of another candidate or otherwise communicating with another candidate in an examination;
- h. introducing any written, printed or electronically stored information into an examination other than material expressly permitted in the instructions for that examination;
- i. attempting to interfere with the assessment process.

This list is not exhaustive.

A2.

In submitting any piece of work (e.g. dissertation, thesis, essay, test or report) a student shall acknowledge any assistance received or any use of the work of others.

General Considerations

A3.

A student may be found guilty of an academic offence whether or not there has been any intention to deceive; that is, **a judgement that negligence has occurred is sufficient to determine guilt.**

A4.

Students have a duty to inform themselves of the Academic Offences Policy and Procedures and of the academic conventions used in the University for correctly citing and acknowledging the work of others, including the correct use of quotation marks, and the regulations governing examinations. Further details and advice are to be found at: www.essex.ac.uk/plagiarism/. For advice on correct referencing see also programme handbooks, referencing handbook and websites.

A5.

Depending on their nature and severity, alleged academic offences will be dealt with by the Head of HE or nominee and Quality or Dean / Associate Dean of Academic Partnerships or nominee or by an Academic Offences Committee.

A6.

Plagiarism or cheating in work for a Masters dissertation/project or for a research degree is considered an especially severe offence since the explicit aim is to carry out independent investigative work.

A7.

When any academic offence is alleged, a student is required either to attend any meeting arranged to discuss the alleged offence with the Head of HE or nominee and Quality, Dean / Associate Dean of Academic Partnerships or nominee, or Academic Offences Committee or if he or she does not wish to attend to submit a written response by the date of the meeting. If the student attends the meeting, he or she may bring a member of the University or Students' Union to help him or her in presenting his or her case. A meeting may proceed in the absence of the student (and their representative) provided that the Head of HE or nominee, Dean / Associate Dean of Academic Partnerships or nominee, or Chair of the Academic Offences Committee is satisfied that due notice has been given to the student.

A8.

In some instances, such as allegations relating to collusion or group submissions, it may be necessary and appropriate for the Head of HE or nominee, Dean / Associate Dean of Academic Partnerships or nominee or Academic Offences Committee to see more than one student at a time.

A9.

At any meeting to discuss an alleged academic offence, the student will be given an opportunity to make the Head of HE or nominee, Dean / Associate Dean of Academic Partnerships or nominee, or Academic Offences Committee aware of any mitigating circumstances that they wish to be considered in the context of the allegation. Students should ensure that any mitigating circumstances they wish to present are submitted to the relevant adjudicator at the time the case is considered.

A10

If an allegation of an academic offence has been proven, the student will be invited to disclose any further cases which they wish to be taken into consideration as part of the same offence. Students are warned that all undisclosed offences which come to light will be treated as subsequent offences, potentially carrying heavier penalties.

A11

In determining the penalty for an academic offence, any previous confirmed academic offence will be taken into account. When more than one offence is considered at the same time the offences will normally all be considered as a first offence if the student has not previously been found guilty of an academic offence. A subsequent offence may occur from the point at which a student is found guilty of a first offence.

A12.

If a student is given an opportunity to resubmit work having been found to have committed an academic offence; any further allegations made about the resubmitted piece of work will be treated as a subsequent offence.

A13.

Students are reminded that the penalties for academic offences may be very severe, especially those for any subsequent offence (i.e. an offence identified after any previous offence has been confirmed), including requiring a student to withdraw or determining that a degree not be awarded. Where necessary the relevant Professional Body will also be informed.

A14.

Where a student has a penalised mark for work as a result of an academic offence the penalty will not be carried forward if the student repeats a year. However, the record of the offence is kept on the student's record and the academic offences database and any further offences will be classified as subsequent offences. Where necessary, the relevant Professional Bodies will be informed.

A15.

All information relating to suspected academic offences and their outcomes will be recorded on the academic offences database and in the student's file.

A16.

For students subject to the *Fitness to Practice Procedure*, an academic offence that affects professional suitability may also be referred to other relevant committees to be handled in accordance with the appropriate procedures.

A17.

Where the alleged offence involves an alleged breach of the College's behaviour policy, the case must be referred to the Assistant Principal Student Support.

A18.

Where an academic offence has been alleged and a student has withdrawn, or been required to withdraw, from the College for reasons not related to the allegation; the Academic Offences Procedures will be completed. If the student is found to have committed an academic offence, a notional penalty will be allocated and a record made of the outcome. The outcome will be communicated to the student in writing.

B. Alleged academic offences dealt with by Head of HE or Nominee

B1.

Head of HE or nominee is responsible for the initial investigation of alleged academic offences relating to coursework submitted by any student undertaking a module at the College.

B2.

All cases referred to Head of HE or Nominee must be investigated and dealt with on a formal basis.

B3.

Head of HE or Nominee can take decisions about all suspected academic offences relating to coursework where:

- a. the offence is a first academic offence that if confirmed will result in a penalty that it is within their power to impose see B8(b));
- b. the student does not request referral to the Dean / Associate Dean of Academic Partnerships or nominee;
- c. the alleged offence does not involve any breach of the College's disciplinary regulations.

B4.

All other cases, including all cases relating to formal examinations and any allegation of an academic offence after the degree has been conferred, must be referred to the Dean / Associate Dean of Academic Partnerships or nominee.

B5.

Where appropriate, a student is entitled to see a copy of paperwork relating to the alleged offence at least five days prior to the meeting with the Head of HE or nominee.

B6.

The Head of HE or Nominee should not take a student's array of marks into consideration when allocating a penalty.

Head's powers

B7.

The Head of HE or nominee acting on behalf of Senate shall have the power, taking into account the circumstances of the case, to:

- a. determine that no offence has been committed;
- b. determine that an offence has been committed and issue one of the following penalties
- c. a formal written warning only;
- d. unit of assessment to be referenced correctly/rewritten and assessed for an uncapped mark (students should only be permitted to rewrite assignments where the offence does not simply involve referencing);
- e. unit of assessment to be referenced correctly/rewritten and assessed for the maximum of a capped pass mark (students should only be permitted to rewrite assignments where the offence does not simply involve referencing);
- f. unit of assessment to be referenced correctly/rewritten and assessed for credit purposes only with a mark of zero to be retained for all calculations, including degree classification (students should only be permitted to rewrite assignments where the offence does not simply involve referencing);
- g. refer the case to the Dean / Associate Dean of Academic Partnerships for further investigation.
- h. in some instances, where an academic offence has been committed in a unit of assessment which is worth a small part of the module aggregate (no more than 15%), it may be appropriate for the Head of HE or nominee to allocate a penalty of a mark of zero for the unit of assessment with no resubmission or second attempt allowed. This penalty may only be allocated following consultation with and approval by the Dean / Associate Dean of Academic Partnerships.

B8.

No person shall perform the functions of a Head of HE or nominee regarding academic offences unless approved by the Dean / Associate Dean of Academic Partnerships. At the Head's request, the Dean / Associate Dean of Academic Partnerships or nominee may approve the appointment of named, normally senior members of the academic staff of the College to perform all the functions of the Head of HE or nominee in respect of these procedures for all alleged offences in the College.

B9.

Individual members of the academic staff are not permitted to make decisions about any case of suspected

plagiarism and must refer these to the Head of HE or nominee.

B10.

A Head should not be involved in the investigation of allegations for modules for which they are responsible. In such cases they should appoint a substitute who must be approved by the Dean / Associate Dean of Academic Partnerships or nominee.

HEADS OF HIGHER EDUCATION DUTIES

B11.

Head of HE or nominee is required to:

- a. inform in writing each student whose case has been referred to him or her about the nature of the alleged offence;
- b. check the Academic Offences Records to determine whether there has been any previous confirmed academic offence;
- c. inform each student in writing of his or her decision and the student's right to appeal against the decision;
- d. confirm in writing his or her decision in respect of any case and the grounds for the decision (a copy must be kept both in the student's file and in the central file);
- e. inform the Dean / Associate Dean of Academic Partnerships annually of the number of cases dealt with.

C. Alleged Academic Offences dealt with by the Dean/Associate Dean of Academic Partnerships

C1.

The Dean / Associate Dean of Academic Partnerships investigates:

- a. all alleged offences relating to formal examinations;
- b. all alleged offences relating to coursework which the regulations indicate must be referred to them by the Head of HE or nominee.

C2.

The Dean / Associate Dean of Academic Partnerships can take decisions about the following alleged offences where:

- a. the student does not request that the case be referred to an Academic Offences Committee;
- b. the offence is a first or subsequent academic offence that could result in a penalty that is within the Dean / Associate Dean of Academic Partnerships' powers to impose (see C9(b));

C3.

The Dean / Associate Dean of Academic Partnerships must refer to an Academic Offences Committee:

- a. any case where the student requests that it be heard by an Academic Offences Committee;
- b. any case where the penalty would be more severe than it is within the Dean/Associate Dean powers to impose (see C9(b));

C4.

Any cases involving breaches of the College's disciplinary regulations must be referred to the Assistant Principal Student Support.

C5.

Where an allegation of an academic offence arises after the degree has been conferred the Head of HE or nominee must consult the Dean / Associate Dean of Academic Partnerships who will consult the University of Essex who shall determine the procedures to be used in dealing with the case.

C6.

Where appropriate, a student is entitled to see a copy of paperwork relating to the alleged offence at least five days prior to the meeting with the Dean / Associate Dean of Academic Partnerships.

C7.

The Dean / Associate Dean of Academic Partnerships should not take a student's array of marks into consideration when allocating a penalty.

DEAN / ASSOCIATE DEAN OF ACADEMIC PARTNERSHIPS OR NOMINEE POWERS

C8.

The Dean / Associate Dean of Academic Partnerships acting on behalf of Senate shall have the power to:

- a. determine that no offence has been committed;
- b. determine that an offence has been committed and impose one of the following penalties:
- c. formal written warning;
- d. unit of assessment to be referenced correctly/rewritten and assessed for an uncapped mark (students should only be permitted to rewrite assignments where the offence does not simply involve referencing,);
- e. unit of assessment to be referenced correctly/rewritten and assessed for the maximum of a capped pass mark (students should only be permitted to rewrite assignments where the offence does not simply involve referencing,);
- f. the student resit the examination for the maximum of a capped pass mark;
- g. unit of assessment to be referenced correctly/rewritten and assessed for credit purposes only with a mark of zero to be retained for all calculations, including degree classification (students should only be permitted to rewrite assignments where the offence does not simply involve referencing,).
- h. refer the case to an Academic Offences Committee for further consideration;
- i. in some instances, where an academic offence has been committed in a unit of assessment which is worth a small part of the module aggregate (no more than 15%), it may be appropriate for a Dean/Associate Dean to allocate a penalty mark of zero for the unit of assessment with no resubmission or second attempt allowed.

Dean / Associate Dean of Academic Partnerships duties

C9.

The Dean / Associate Dean of Academic Partnerships is required to:

- a. inform in writing each student whose case has been referred to him or her about the nature of the alleged offence;
- b. establish whether there has been a previous confirmed academic offence;
- c. inform in writing each student of his or her decision and the student's right to appeal against the decision;
- d. ensure that a note is kept on the student's central file of the decision and the reasons for it;
- e. inform the Head of HE or nominee of the decision;
- f. inform in writing each student whose case has been referred to an Academic Offences Committee the substance of such reference;
- g. report to the Academic Board annually the number of cases dealt with by Dean / Associate Dean of Academic Partnerships or nominee and the Head of HE or nominee .

D. Academic Offences Committees

Membership

D1.

An Academic Offences Committee is a Committee of Senate. Members of an Academic Offences Committee must be drawn from the Panel of potential Academic Offences Committee members.

D2.

An Academic Offences Committee shall consist of the Dean/Associate Dean of Academic Partnerships in the chair, and two members of staff from outside the student's department who have no connection with the case in question. The Committee shall be serviced by an Administrator.

D3.

If the Dean / Associate Dean of Academic Partnerships or nominee has previously made a judgment relating to the allegation in question, then another Dean/Associate Dean must chair the Academic Offences Committee.

HEADS OF DEPARTMENT/HEAD OF HE OR NOMINEE

D4.

The Head of Department or Head of HE nominee will attend the Committee to set out the evidence relating

to the alleged offence (i.e. to act as prosecutor). The Head should not present any mitigating circumstances of which he/she is aware unless they relate to the Colleges procedures or teaching. Neither should the Head propose or comment on any penalty that might be imposed.

D5.

The Head is not a member of the Committee and can only attend when the student is present (not before or after). The Head is not permitted to ask questions of the student during the meeting except through the Chair.

D6.

Heads may, if they wish, delegate their duties in relation to Academic Offences Committees to an appropriate member of the academic staff in the College with the permission of the Dean/Associate Dean.

The Secretary of the Committee

D7.

The Secretary of the Committee will notify the student in writing of the time and place in which the case will be heard.

D8.

The Secretary of the Committee will take notes of the meeting, taking particular care to record the reasons for the decision and the deliberation concerning the imposition of any penalty and the alternatives from the set of possible penalties that were considered.

Student Attendance and Representation

D9.

If the student admits to the charge by informing the Head of HE or nominee in writing within five working days of notification of the charge, he or she need not attend the Committee and the Committee shall be free to proceed in his or her absence. In such a case a student may submit a statement in mitigation.

D10.

The student charged will be invited to be present at the committee whenever oral evidence is being heard by the Committee. He or she may bring a member of the College, or Students' Union to help him or her in presenting his or her case to the Committee.

D11.

Where appropriate, a student is entitled to see a copy of paperwork relating to the alleged offence at least five days prior to the Academic Offences Committee.

Order of Proceedings

D12.

The Chair of the Committee shall have the authority to determine the order of proceedings and exclude any material which appears irrelevant to the case.

D13.

The usual pattern of proceedings is:

- a. The members of the Committee have a preliminary discussion without the student, the student's representative or the Head being present.
- b. The student, the student's representative and the Head enter the room and the Chair introduces all those present.
- c. The Chair checks that the student has received details of the alleged offence and any supporting documentation.
- d. The Chair explains the order of proceedings to the student.
- e. The evidence relating to the alleged offence is then presented by the Head, and members of the Committee, the student and the student's representative are invited to put questions to the Head.
- f. The Chair then invites the student to put forward a case orally if he or she wishes to do so including any mitigation, and members of the committee (but not the Head) are invited to put questions to the student.
- g. The Chair invites the student's representative to put forward any additional statement.

- h. The Chair invites the student to make any final response.
- i. The student, the student's representative and the Head are then asked to leave the room.
- j. The Committee then deliberates and comes to a decision as to whether an offence has been committed.
- k. The Committee then determines the appropriate penalty from the set of penalties available to it, clarifying the reasons for the choice of penalty.
- l. The student is then recalled to the room to be told the decision as to whether the alleged offence is confirmed and, if so, the penalty and the reasons why this is the appropriate penalty. The Head may be present during this final stage.

D14.

Where the student's case is being heard by an Academic Offences Committee because it is a subsequent offence this information will be included in the papers given to the Committee in advance of the meeting.

D15.

An Academic Offences Committee should not take a student's array of marks into consideration when allocating a penalty.

D16.

Only members of the Committee and the Secretary shall be present while a committee is reaching a decision of innocence or guilt, or on any penalty or other action.

Adjournment

D17.

The Committee may adjourn:

- a. in order to enable the student or the student's representative to be present;
- b. where this is necessary to obtain further information.

D18.

The Committee shall meet to consider an adjourned case as soon as it is feasible and not later than three months after the adjournment, although the case need not be determined at the resumed meeting. If necessary, the Dean may co-opt additional members to replace any member not able to attend the reconvened meeting, including a new chair. If there are two new members the reconvened meeting shall proceed as a new hearing. If there is one new member the student may request that the meeting proceed as a new hearing.

Powers of the Committee

D19.

An Academic Offences Committee shall have the power to:

- a. determine that an offence has not been committed.
- b. determine that an offence has been committed and impose one of the following penalties:
- c. a formal written warning only;
- d. unit of assessment to be referenced correctly/rewritten and assessed for an uncapped mark (students should only be permitted to rewrite assignments where the offence does not simply involve referencing,);
- e. unit of assessment be referenced correctly/rewritten and assessed for the maximum of a capped pass mark (students should only be permitted to rewrite assignments where the offence does not simply involve referencing,);
- f. the student resit the examination for the maximum of a capped pass mark;
- g. unit of assessment to be referenced correctly/rewritten and assessed for credit purposes only, with a mark of zero to be retained for all calculations, including degree classification (students should only be permitted to rewrite assignments where the offence does not simply involve referencing,);
- h. a mark of zero be awarded for the unit of assessment with no resubmission or second attempt permitted;
- i. a mark of zero be awarded for the entire module with no resubmission or second attempt permitted;
- j. a mark of zero be awarded for the module and the student be permitted to complete credits for an exit award only;

- k. a mark of zero be awarded for the module and the Exam Board be instructed to consider the student only for an exit award on the basis of credits already achieved; or
- l. the student be required to withdraw without being awarded a degree or exit award (earned credits, that is credits which have already been ratified by a Board of Examiners, can be recorded).

RECORD

D20.

A note of the committee's meeting, including the decision and the grounds for it, will be taken by the Secretary.

CHAIR'S DUTIES

D21.

The Chair shall ensure that:

- a. each student is informed in writing of the Committee's decision and of the student's right to appeal against the decision;
- b. a note is kept on the student's central file of the decision and the reasons for it;
- c. the Head of HE or nominee, is informed of the decision.

E. Appeals against decisions by the Head of HE or Nominee,/Dean/Associate Dean of Academic Partnerships or Academic Offences Committee

Right of Appeal

E1.

A student shall have the right of appeal to an Academic Offences Appeal Committee against any decision of the Head of HE or nominee and Quality/ Dean / Associate Dean of Academic Partnerships or nominee or Academic Offences Committee (hereafter 'the Initial Adjudicator') on the following grounds:

- a. that there is material evidence now available which was not previously available to the Initial Adjudicator and of such a nature as to cause reasonable doubt as to whether the result might have been different had the material been available;
- b. that the Initial Adjudicator departed from the provisions of sections B, C or D in a manner prejudicial to the interests of the student and causing reasonable doubt as to whether the result might have been different had this not occurred;
- c. that the facts set out in the findings of the Initial Adjudicator do not warrant the resolution that there was an academic offence as charged;
- d. that the penalty imposed by the Initial Adjudicator was unreasonable having regard to all the circumstances of the case.

LODGING AN APPEAL

E2.

A student who wishes to appeal against the outcome of these procedures should write to the Academic Registrar (University of Essex) within five working days of the date on which notification of the decision was sent to the student concerned by the Initial Adjudicator. The Academic Registrar shall refer to the Pro-Vice-Chancellor (Education) any request to extend the time limit. If the student can show to the satisfaction of the PVC (Education) that circumstances beyond his or her control prevented this time limit being adhered to and that injustice would result from adhering to it, the PVC (Education) may extend the time limit in which an appeal may be lodged up to the period of thirty days from the date on which the notification of the decision was sent.

E3.

The written appeal shall set out in detail the grounds of the appeal.

E4.

The student may withdraw an appeal as of right at any time before the meeting of the Committee.

Duties of the Pro-Vice-Chancellor (education)

E5.

On receipt of an Appeal the Pro-Vice-Chancellor (Education) shall nominate a Dean/Associate Dean who has no previous involvement with the case (hereafter the Appointed Dean/Associated Dean) to deal with the appeal.

Duties of the Appointed Dean/Associated Dean

E6.

The Appointed Dean/Associated Dean shall inform in writing each student who lodges a request for an appeal, normally within ten days of the receipt by him or her of that request, whether or not in his or her judgement the request discloses a proper ground for an appeal.

E7.

If there are proper grounds for an appeal the Appointed Dean/Associated Dean shall request that the Initial Adjudicator against whose decision the appeal is made, write a Statement of the Case, which shall include:

- a. details of the charge or charges in respect of which the decision was made;
- b. a brief summary of the evidence and of the relevant findings;
- c. the decision;
- d. details of any penalty imposed;
- e. a brief comment as to the reason for such findings, decision and penalty; and
- f. any further information which the person or body concerned considers to be relevant.

E8.

The Appointed Dean/Associate Dean must notify the student and the Initial Adjudicator of the time and place at which the appeal will be heard.

E9.

The Appointed Dean must inform the student of his or her right to bring a member of the College, or Students' Union to help in presenting the appeal to the Committee.

E10.

The Appointed Dean/Associated Dean will provide the student and the Initial Adjudicator with a copy of the statement of the case in advance of the meeting of the Academic Offences Appeal Committee.

Membership of an Academic Offences Appeal Committee

E11.

An Academic Offences Appeal Committee is a Committee of Senate. Members of the Committee must be drawn from the University Academic Offences Panel.

E12.

An Academic Offences Appeal Committee consists of the Appointed Dean/Associate Dean in the chair, and two members of staff from outside the student's department who have had no connection with the case.

E13.

The Appeal Committee will be serviced by a Secretary.

Order of Proceedings

E14.

The Chair of the Committee shall have the authority to determine the order of proceedings and exclude any material which appears irrelevant to the case.

E15.

The usual pattern of proceedings is:

- a. The members of the Committee have a preliminary discussion without the student, the student's representative or the Initial Adjudicator being present.
- b. The student, the student's representative and the Initial Adjudicator enter the room and the Chair introduces all those present.

- c. The Chair checks that the student has received details of the case and any supporting documentation.
- d. The Chair explains the order of proceedings to the student.
- e. The evidence relating to the alleged offence is then presented by the Initial Adjudicator and members of the Committee are invited to put questions to the Initial Adjudicator.
- f. The Chair then invites the student to put forward a case orally if he or she wishes to do so including any mitigation, and members of the committee (but not the Initial Adjudicator) are invited to put questions to the student.
- g. The Chair invites the student's representative to put forward any additional statement.
- h. The Chair invites the student to make any final response.
- i. The student, the student's representative and the Initial Adjudicator are then asked to leave the room.
- j. The Committee then deliberates and comes to a decision as to whether an offence has been committed.
- k. The Committee then determines the appropriate penalty from the set of penalties available to it, clarifying the reasons for the choice of penalty.
- l. The student is then recalled to the room to be told the decision as to whether the alleged offence is confirmed and, if so, the penalty and the reasons why this is the appropriate penalty. The Initial Adjudicator may be present during this final stage.

E16.

The Committee may proceed in the absence of the student or the student's representative provided that the Chair is satisfied that due notice has been given to the student.

E17.

Only members of the Committee and the Secretary shall be present while a committee is reaching a decision of innocence or guilt, or on any penalty or other action.

Adjournment

E18.

The Committee may adjourn:

- a. in order to enable the student or the student's representative to be present;
- b. where this is necessary to obtain further information.

E19.

The Committee shall meet to consider an adjourned case as soon as it is feasible and not later than three months after the adjournment, although the case need not be determined at the resumed meeting. If necessary, the Appointed Dean/Associate Dean may co-opt additional members to replace any member not able to attend the reconvened meeting, including a new chair. If there are two new members the reconvened meeting shall proceed as a new hearing. If there is one new member the student may request that the meeting proceed as a new hearing.

Powers of an Academic Offences Appeal Committee

E20.

An Academic Offences Appeal Committee shall have the power to:

- a. rescind a resolution of a Head/Dean/Associate Dean or Academic Offences Committee that the student has committed an offence and rescind all consequential penalties;
- b. confirm a resolution of a Head/Dean/Associate Dean or Academic Offences Committee that the student has committed an academic offence;
- c. confirm or amend (increasing or decreasing) the penalty allocated by Head/Dean/Associate Dean or Academic Offences Committee, provided that any amendment is consistent with the powers of the original authority.

E21.

A note of the committee's meeting, including the decision and the grounds for it, will be taken by the Secretary.

E22.

The number of cases dealt with by an Academic Offences Appeals Committee under these procedures shall be reported by the Academic Registrar to Senate on an annual basis.

Further Appeals

E23.

Any appeal following the formal conclusion of the appeals procedures set out above may be made on the grounds of procedural irregularities in the appeals process only. A student who wishes to appeal against the outcome of these procedures should write to the Academic Registrar within four weeks of the Appeal hearing setting out in detail the nature of the evidence to support the claim that there were procedural irregularities in the appeals process. If *prima facie* there is evidence to support the claim then the case will be reviewed by a Pro-Vice-Chancellor. If the Pro-Vice-Chancellor determines that there were procedural irregularities in the appeals process then the case will be referred to an Appeals Committee for consideration.

E24.

The Office of the Independent Adjudicator for Higher Education (OIA) provides an independent scheme for the review of student complaints or appeals. When the University's internal procedures for dealing with complaints and appeals have been exhausted, the University will issue a Completion of Procedures letter. Students wishing to avail themselves of the opportunity of an independent review by the OIA must submit their application to the OIA within three months of the issue of the Completion of Procedures letter. Full details of the scheme are available on request and will be enclosed with the Completion of Procedures letter.

ACADEMIC OFFENCES PENALTY GUIDELINES FOR HEADS OF HIGHER EDUCATION, DEANS AND ACADEMIC OFFENCES COMMITTEE

Principles

F1.

In determining penalties Head/Dean/Associate Dean and Academic Offences Committee will take the following into account:

- a. the degree of severity of the offence.
- b. whether it is a first or subsequent offence (any allegations made about resubmitted work will be treated as a subsequent offence.
- c. the academic stage the student has reached (first year u/g, etc.).
- d. any mitigating circumstances.

(see the 'Guidelines for Penalties' tables for further guidance).

Application

F2.

A Board of Examiners may not overturn any decision on a penalty given in relation to an academic offence by a Head, a Dean/Associate Dean or an Academic Offences Committee.

F3.

If a student does not take the opportunity to submit a correctly referenced or rewritten assignment, or resit the examination, then a mark of zero will be allocated for that element of assessment and no further submission for credit or otherwise will be allowed.

F4.

If reassessment for the module is not on a like-for-like basis then the allocated penalty will be applied to the overall module mark in proportion to the weighting of the penalised element of assessment.

F5.

In cases where the module mark is determined by either the aggregate of coursework and examination or examination only, whichever is the higher, then any penalty applied to an element of the coursework component will result in the student's final module mark being determined by the aggregate of coursework and examination; the student will not be entitled to have their module mark determined by examination only.

F6.

In cases where a module mark is determined by the best grades of a student's work (for example the best three out of four units of assessments) the unit (s) of assessment to which a penalty has been applied must be included in the final aggregate. The student will not be entitled to have the module mark determined by discounting any such penalties.

Definition of Terminology

F7.

An examination is to be defined as any assessment under controlled conditions, including an in-class test.

F8.

A unit of assessment is to be defined as any element of a module which contributes to a final module mark.

GUIDELINES FOR PENALTIES (UNDERGRADUATE TAUGHT)

The guidelines presented below are guidelines only, and it is very important that those making decisions about penalties take the evidence with which they have been provided, including any extenuating circumstances, into account.

Band A – Minor Offence

Coursework:

- The academic offence relates to a failure to understand or apply the University's academic conventions in regards to proper referencing and acknowledging source material, but where an attempt to do so has been made.
- The student is completing a unit of assessment that is early in their studies, or has no previous experience of the particular referencing style (including self-plagiarism), and there has been a failure to understand the University's academic conventions.

Examination:

- The student is found to have contravened the rules of the examination as a result of human error or a misunderstanding, and it is agreed that they have not gained an unfair advantage.

Maximum Suggested Penalty:

Penalty 3

Penalties available to Head of HE and Academic Offences Committee:

Penalty 1: A formal written warning only

Penalty 2: Unit of assessment to be referenced correctly and assessed for an uncapped mark

Penalty 3: Unit of assessment to be referenced correctly and assessed for the maximum of a capped pass mark

Penalty 4: Mark of zero to be given for the unit of assessment, with reassessment available to the Board of Examiners

Band B – Rather More Serious Offence

Coursework:

- A significant portion of the work submitted by a student is not original text and has not been referenced properly, either where the student has made no attempt to acknowledge the source material, or where the student would reasonably be expected to have a full understanding of the academic conventions.
- The work submitted includes references that are false or incongruous, (i.e. it appears that the student has not consulted works to which reference is made) but the concern does not relate to false authorship.

Examination:

- The student is found to have contravened the rules of the examination by introducing and/or attempting to access a small amount of material to aid their attempt at the examination.
- The student is found to have had access to the internet or to have communicated with someone other than an invigilator during an examination.

Maximum Suggested Penalty:

Penalty 5

Penalties available to Head of HE and Academic Offences Committee:

Penalty 5: Mark of zero to be given for the unit of assessment, with no resubmission or reassessment permitted

Band C – Severe Offence

Coursework:

- The majority of the work submitted by the student is not original or has not been referenced properly, either where the student has made no attempt to acknowledge the source material, or where the student would reasonably be expected to have a full understanding of the academic conventions.
- The student has submitted work that has been written or created by a third party, either wholly or in part.

Examination:

- The student is found to have contravened the rules of the examination by introducing and/or attempting to access a significant amount of material to aid their attempt at the examination.
- The student is found to have accessed the internet, or communicated with someone other than an invigilator during an examination, about the content of the module.
- The student has arranged for the examination to be attempted by a third party on their behalf.

Maximum Suggested Penalty:

Penalty 9

Penalties available to Academic Offences Committee only:

Penalty 6: Mark of zero to be awarded for the module, with no resubmission or reassessment permitted

Penalty 7: No longer eligible for full award: Mark of zero to be awarded for the module with no resubmission or reassessment permitted AND the student may complete credits for an exit award only

Penalty 8: Required to withdraw and no longer eligible for full award: A mark of zero to be awarded for the module with no resubmission or reassessment permitted AND the Examination Board to be invited to consider the student only for an exit award on the basis of credits already achieved

Penalty 9: Required to withdraw with no qualification awarded: A mark of zero to be awarded for the module with no resubmission or reassessment permitted AND the Examination Board to be invited to ratify credits that have already been achieved for recording purposes.

Academic Integrity Tutorials

In addition to a penalty, a student who is found to have committed an Academic Offence may be required to complete an Academic Integrity Tutorial.

Failure to attend the Academic Integrity Tutorial will be noted should the student commit any subsequent offences and shall not be considered as a valid claim of mitigation, unless exceptional extenuating circumstances have prevented the student from attending.

Subsequent Offences

When considering subsequent offences, Academic Offences Committee has the same authority in relation to the application of penalties and are advised to determine the appropriate Band of the offence first, before deciding on the penalty to apply or action to take.

A more severe penalty than that awarded for the first offence should be applied when the nature of the subsequent academic offence is similar to the first offence and where it is adjudged that the student, in the view of the Academic Offences Committee, has intended to cheat and/or has made little or no effort to understand the University's academic conventions since the first academic offence.

In such cases, for the subsequent offence should be more severe than the penalty for the first offence and may be more severe than the maximum suggested penalty of the appropriate Band. When a student has been found to have committed successive offences at Band B or higher, it would normally be appropriate for a penalty in the range of penalty 6 to penalty 9 to be awarded.

The weight of the first offence should have less impact on the penalty when the nature of the academic offence is different OR where the nature of the academic offence is similar and there is a clear indication that the student has attempted properly to understand the University's academic conventions since the first academic offence, and where this is apparent when the two offences are compared.

In such cases, the penalty for the subsequent offence may be within the maximum suggested penalty of the appropriate Band, but the nature and severity of previous offences should be considered before the penalty is determined.