Regulations on Assessment Offences

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 The other person’s work may exist in any published or unpublished medium, including the internet and essay banks.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 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 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. Cases where a student has submitted unacceptable work through an apparently genuine and innocent misunderstanding of good scholarly practice and the requirements of the assessment may not constitute an offence under these regulations. In such circumstances it may be most appropriate to assess the work in the normal way without reference to the procedures set out in these regulations, 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, except that, for pieces of work which count towards a final mark or award, the outcome from the original submission will stand.

Investigations into alleged offences

6. Allegations that an 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, 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.

7. Normally all allegations will be investigated in accordance with these regulations, even
8. 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.

Procedure for investigations

9. A member of staff or an examiner who suspects that an assessment offence has occurred, and is of the opinion that the provisions of paragraph 5 do not apply, shall immediately submit a factual written report of the case to the Assistant Registrar, Head of the Department or School, 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.

10. In the case of paragraph 6(b) or 6(c) 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.

11. 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 making the allegation may be invited by the Chair to attend to clarify certain aspects of the allegation contained in the report but should normally withdraw once this has happened and should not otherwise be present during the meeting. 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.

12. In the case of paragraph 6(a) 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 (paragraph 9) are not sufficiently clear.

13. 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.

14. 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.
15. 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 an offence before.

**Outcomes of investigations conducted by the Assistant Registrar**

16. 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 paragraph 28.

17. 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.

18. 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 paragraph 34, 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.

19. 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 paragraph 34, s/he will refer the matter to a Vice-Principal under the provisions of paragraph 28.

**Outcomes of investigations conducted by the Head of Department**

20. The Head of Department or School will decide whether or not an 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 paragraph 28 by writing to the Assistant Registrar.

21. If the Head of Department or School 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 relevant academic departments/schools and in the Registry.

22. If the Head of Department or School decides that an offence has occurred, s/he will select the appropriate course of action from the following.

   (a) Where the offence has only minor implications and the work otherwise contains sufficient evidence that the student has satisfied the requirements to pass, the student will be deemed to have passed the assessment. For assessments which carry a percentage mark, the Head of Department or School will select whichever of the following penalties has the least impact on the student’s final mark for the course overall: either (i) cap the mark for the piece of work at a minimum Pass; or (ii) subtract ten percentage marks from the final mark for the course overall, subject to a minimum mark of a minimum Pass, and return a mark for the piece of work based on the portion which is deemed to be acceptable for assessment.

   (b) Where there is doubt on whether the student has satisfied the requirements to pass and the provisions of (c) below are for whatever reason inappropriate, the RHUL Regulations on assessment offences 2013/14
student will be deemed to have failed the assessment. For assessments which carry a percentage mark, 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 offence by the student, and that a more severe penalty is merited, s/he will refer the matter to a Vice-Principal under the provisions of paragraph 28, by writing to the Assistant Registrar, with a recommendation for one of the penalties set out in paragraph 34.

23. The Head of Department or School will inform the student in writing of any penalty imposed under the provisions of paragraphs 22(a) or 22(b) 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.

24. 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. The student may additionally be required to attempt the assessment again by a specified deadline for formative purposes, except that, for pieces of work which count towards a final mark or award, the outcome from the original submission will stand.

Outcomes of investigations conducted by the Faculty Dean

25. The Faculty Dean will decide whether or not an offence has indeed occurred based on the findings of his/her investigation.

26. 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.

27. 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 paragraph 28.

Referral of cases to a Vice-Principal

28. Cases may be referred to a Vice-Principal only under the provisions of paragraphs 16, 19, 20, 22(c), and 27. 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 extenuating circumstances which have been disclosed by the student, if provided.

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29. 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.

30. Based on the evidence set out in paragraph 28 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.

31. 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.

32. The Vice-Principal will decide whether or not an offence has indeed occurred based on the findings of the investigation.

33. If the Vice-Principal decides that an 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.

34. For all students, with the exception of research degree students, who will be subject to paragraph 35, if the Vice-Principal decides that an 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 offence has only minor implications and the work otherwise contains sufficient evidence that the student has satisfied the requirements to pass, the student will be deemed to have passed the assessment. For assessments which carry a percentage mark, the Vice-Principal will select whichever of the following penalties has the least impact on the student’s final mark for the course overall: either (i) cap the mark for the piece of work at a minimum Pass; or (ii) subtract ten percentage marks from the final mark for the course overall, subject to a minimum mark of a minimum Pass, and return a mark for the piece of work based on the portion which is deemed to be acceptable for assessment.

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(b) Where there is doubt on whether the student has 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. For assessments which carry a percentage mark, 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.

(d) Where the gravity of the offence warrants such a course of action, the Vice-Principal may decide to suspend the student’s registration with the College for a period of up to one year, normally with immediate effect.

(e) 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. Students who have their registration terminated would not normally be permitted to reapply to the College for any programme.

35. 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 paragraph 34(e) will be imposed.

36. 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.

37. 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

38. 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.

39. Appeals must be submitted in writing by the student to the Head of Academic Development within one month 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 paragraph 38 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.

40. 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.

41. Appeals which are not dismissed under the provisions of paragraph 40 will be investigated in the first instance by a senior member of the Academic Development team. 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.

42. The findings from the investigation by the senior member of the Academic Development team 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 confirm the decision;

(c) to convene an Appeals Committee under the provisions of paragraph 43 to investigate the matter further through a formal hearing.

43. 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 Development team 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 RHUL Regulations on assessment offences 2013/14
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.

44. A student who wishes to abandon or withdraw an appeal at any stage must inform the senior member of the Academic Development team in writing. The senior member of the Academic Development team will then determine how to proceed, taking account of the available evidence and the matters raised by the student in the appeal.

45. The senior member of the Academic Development team 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.