**REGULATIONS ON ACADEMIC MISCONDUCT**

**SUMMARY OF REGULATORY AMENDMENTS AND/OR ADDITIONS FOR ACADEMIC YEAR 2017/18**

*The wording in bold reflects the changed wording.*

<table>
<thead>
<tr>
<th>Section number</th>
<th>Relevant paragraph(s)</th>
<th>Page(s)</th>
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</thead>
<tbody>
<tr>
<td>Name of regulations</td>
<td>The name of the regulations has been changed from <em>Regulations on assessment offences</em> to <em>Regulations on academic misconduct</em></td>
<td></td>
</tr>
<tr>
<td>All as relevant</td>
<td>References to the <em>Head of Department</em> have been amended to <em>Chair of the Academic Misconduct Panel</em> throughout the regulations</td>
<td>Throughout regulations</td>
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<tr>
<td>All as relevant</td>
<td>Serious first and second assessment offences and examination offences which are referred to a Vice-Principal for consideration will be dealt with by staff in Student and Registry Services, not by the Academic Quality and Policy, so amendments in this regard have been made throughout the regulations.</td>
<td>Throughout regulations</td>
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| Section 1 (2) | *Amendments have been to the definitions of various types of assessment offences.*

(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 The other person’s work may exist in any published or unpublished medium, including the internet and essay banks.**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 course unit in attendance will normally be expected to submit new work which has not previously been submitted for the course unit.

(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 your 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.

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.

### Section 1 (5-8)

- **Amendments have been made to distinguish between minor instances of poor academic practice and a minor offence, and to indicate that students in their first year (not term) of study can be investigated for minor offences.**

  (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;

(b) there is clear evidence of bad academic practice, e.g. plagiarism is significant; in the case of collusion the student has lent work to another student knowing parts will be copied; duplication of work submitted for another course/programme;

(c) there appears to be a deliberate attempt to gain credit dishonestly.

Section 2

This section has been entirely reworked to reflect the new process for the investigation of minor offences in departments.

(1) A member of staff who suspects that an assessment offence has occurred with respect to either format 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. 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, and/or in writing. Students are permitted to request an earlier meeting. Any such request must be made in writing.

(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 and an administrative member of staff as a note taker. 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 programme of study. The Chair of the Academic Misconduct Panel will also check all other course units 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 course unit as a result of failing a piece of summative assessment, the Sub-board of Examiners may award a resit with the mark for the course unit capped or require that the course unit be repeated in attendance.

| Section 4 (2 and 3) | The following amendments have been made to enable students to request an earlier meeting, to clarify the role of the person who may accompany the student, dealing with | 5-6 |
an offence relating to group work and notes of the meetings and informing student of the penalty. The option to submit evidence of extenuating/mitigating circumstances has been deleted from this section as such circumstances do not excuse the offence nor should they lessen the penalty, which is based on the severity of the offence (see also Section 8 (a and 2) below).

(2) In the case of Section 3 (1b) or (1c) of these regulations the Chair of the Academic Misconduct Panel, 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. **Students are permitted to request an earlier meeting. Any such request must be made in writing.**

(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.

<table>
<thead>
<tr>
<th>Sections 5 (1), 6(1) and 7 (1)</th>
<th>The following paragraphs/sentence have been added to indicate the standard of proof to be applied.</th>
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<tbody>
<tr>
<td>Sections 5 and 6</td>
<td>(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.</td>
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<tr>
<td>Section 7</td>
<td>(1) The Faculty Dean 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.</td>
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**Sections 6 (4-6)**

Amendments have been made to the penalties, penalties for group work, the investigation of multiple cases in a short period of time and students’ responsibility in terms of checking work yet to be submitted after an offence has been identified.

**Summary of changes – Regulations on academic misconduct 2017/18**

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(4) If the Academic Misconduct Panel decides that a major offence 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, 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 course 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 student will be deemed to have failed the assessment. The mark for the piece of assessment will be set to zero.

(c) Where there is evidence of academic misconduct in group work the Assessment 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 course units, cases where data has been falsified, cases where substantial parts of the assessment or the entire assessment are not the student’s own work and have been copied and/or purchased, and that a more severe penalty is merited, they will refer the matter to a Vice-Principal under the provisions of Section 8 (1) of these regulations, by writing to the Student and Registry Services, with a recommendation for one of the penalties set out in Section 8 (7) of these regulations. In cases where a student denies a major offence, the case will automatically be referred to a Vice-Principal following departmental investigation.

(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.

Section 8 (1 and 2) Amendments have been made to the following paragraphs to indicate that at the point of referral to a Vice-Principal a student can submit evidence of mitigating factors (rather
than extenuating circumstances) and that these may lessen the penalty at that point but not excuse the offence. Reference to submission of mitigating factors for investigations at departmental level have been omitted as penalties at this level need to be commensurate with the offence (see also Section 4 (2 and 3) above).

(1) Cases may be referred to a Vice-Principal 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 Vice-Principal, 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.

Section 8 (7a–e)  

(7) For all students, with the exception of research degree students, who will be subject to Section 8 (8) of these regulations, if the Vice-Principal decides that a major offence has occurred, s/he will impose one or more of the following penalties. The penalty for a repeat offence will normally be more severe, on the grounds that it is reasonable to assume that the student was acting in awareness of the possible consequences.

(a) A mark of zero for the piece of assessment;

(b) Where the implications of the offence are grave, the student will be deemed to have failed the course overall. For courses which carry a percentage mark, the mark will be set to zero. The Vice-Principal may decide in such a case to recommend that the student is permitted to resit the failed course, repeat it in attendance or not be permitted either of these options, bearing in mind relevant progression and award requirements;

(c) Where the implications of the offence are grave, the student will be deemed to have failed the course overall. For courses which carry a percentage mark, the mark will be set to zero. The Vice-Principal may decide to recommend that the student be given an exit award and not be permitted to complete the degree for which s/he was registered;

(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 one year and will set the marks for the courses in question to...
zero. The student would normally have to take resits in all such courses unless the requirements of the course were such that it had to be repeated in attendance;

(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 and will set the marks for the courses in question to zero. Students who have their registration terminated would not normally be permitted to reapply to the College for any programme.