



Procedures for the Consideration of Allegations of Assessment Offence 2020-21

REVISIONS FOR 2020-21: Students are advised to read through the procedures to ensure they are familiar with them. The following changes have been made for the current academic year.

- *Presumption of Innocence (f): The standard of proof has been altered from the legal standard - 'beyond reasonable doubt' to the civil standard - 'on the balance of probabilities', in line with that applied by many professional regulatory bodies.*
- *Annex 1: The list of available penalties on page 8 has been updated to explicitly include 'that no report be made on the performance of the student for the whole module/unit'.*

JURISDICTION

- a) These Procedures describe the University's response to allegations of offence in any form of assessment that contributes to the award for which a student is registered.
- b) These Procedures do not apply to students who are registered directly with a Member Institution of the University, or with the University of London in Paris. In those cases, students should follow the procedures published by that Member Institution or body.
- c) Definitions of what constitutes an assessment offence can be found in the Quality Assurance Framework for students of the School of Advanced Study, and in the General Regulations for all other students.
- d) The authority under these Procedures resides with the Associate Director: Student Affairs.
- e) The Associate Director: Student Affairs may delegate any of the duties assigned to them under these Regulations to another member of staff of the University.

PRESUMPTION OF INNOCENCE

- f) Any student will be presumed to be innocent of an alleged offence until the opposite is established on the balance of probabilities, based on the available evidence.

GLOSSARY

Use of the following terms throughout the Procedures for the Consideration of Allegations of an Assessment Offence (the *Procedures*) are defined below:

Assessment Offence	A breach of assessment regulations, as defined in the General Regulations or Quality Assurance Framework. Assessment Offence, Examination Offence and Academic Misconduct may be used interchangeably across various University literature, but mean the same thing.
Academic judgement	A decision that is made about a matter where the opinion of an academic expert is essential, such as the relevance of unauthorised materials in a written examination; or whether unreferenced material can be considered 'common knowledge' within that area of academic research.

Case	The allegation against you and all information relating to it.
Outcome	The final decision(s) reached following consideration of a case under a stage of these <i>Procedures</i> . This may include the application of penalties.
Penalty	A sanction imposed as a consequence of a student having been found, through these <i>Procedures</i> , to be in breach of the General Regulations. A penalty can be non-academic, such as a warning; or academic, such as 'no report'. A list of penalties available under these <i>Procedures</i> can be seen on page 7 of this document.
No Report	An academic penalty. It is the equivalent to a fail mark, but also means that the assessment attempt will not be recognised as valid for the purposes of progression or completion of an award. A zero will appear on the student's transcript, and it will reduce the number of permitted attempts at the assessment or module by one.
Precedent	An established outcome, based on the previous handling of equivalent cases under these <i>Procedures</i> . Precedent may reflect the severity of the offence and whether a student has a previous offence on their record.

PROCEDURE

Referral – Allegations of coursework offence

1. An academic judgement is taken at programme-level that an offence has been committed, as defined under the General Regulations, and that the nature of the offence is beyond the appropriate scope of the mark scheme.
2. A referral is made for investigation under the *Procedures*.
3. Allegations of coursework offence will normally be reported in the first instance to the Student Affairs office (by a programme or Member Institution), or the Registry of the School of Advanced Study (by Institutes of the School of Advanced Study).
4. The student is informed by the Programme Team that a referral has been made.

Referral – Allegations of written examination offence

5. Examination allegations are most often made by an Invigilator during an examination. However, occasionally they may be reported through other channels, such as by an examiner or marker, or by another student.
6. When an allegation is made during an examination, the student will usually be informed by the Invigilator and asked to complete and sign the relevant sections of an Incident Report Form. A student declining to complete and sign the Incident Report Form, or the examination centre failing to offer this opportunity to the student, will not prevent an investigation taking place under these *Procedures*.
7. When an allegation is made after the examination has finished, the student will be informed in writing by the Student Affairs office that a referral has been made for consideration under these *Procedures*.

Investigation

8. Following a referral, the release of any pending assessment results will automatically be withheld for a student who is under investigation for an allegation, or allegations, of assessment offence, until the an outcome of an assessment offence is determined.
9. The case will be assigned to a case handler who will oversee investigations. This may include verifying existing evidence, obtaining further evidence or statements from the student and/or relevant third parties, or referring for further academic judgement.
10. If, following investigation and having sought appropriate academic judgement, a case handler determines that there is insufficient evidence of an assessment offence to be pursued under these *Procedures*, the referral will progress straight to consideration by the internal panel (see paragraph 12).
11. If, following investigation, it is determined that there is sufficient evidence to pursue the allegation under these *Procedures*, the student will be presented with details of the allegation and supporting evidence relevant to their case. The student will be asked to provide an explanatory statement within two weeks. If a statement is not provided within two weeks, the case will be considered without this additional evidence.
12. All evidence, including any explanatory statement submitted by the student, is reviewed by an internal panel. The panel will consist of no fewer than two members and will include the Associate Director: Student Affairs and/or Senior Manager: Academic Integrity and Student Conduct, and the relevant investigator.
13. The internal panel will determine whether the evidence, including any statement submitted by the student, supports the allegation or not. The internal panel may decide that further investigation is required before a determination can be made.

Outcome

14. A decision is taken by the Associate Director: Student Affairs, confirming first whether an offence is proven. In reaching this decision, reference will be made to the panel's determinations.
15. Following the decision as to whether an offence is proven, the Associate Director: Student Affairs will determine whether precedent exists for the case. Consideration will be given to the student's assessments to date, any prior proven assessment offences on the student's record and any mitigating circumstances that apply to the assessment offence in question. If precedent exists, the outcome will be determined accordingly.
16. Where precedent does not exist, or the Associate Director: Student Affairs is otherwise unable to reach a decision, they will refer the matter for consideration by the Assessment Offences Committee in line with paragraph 26.
17. The student will be informed in writing of the decision of the Associate Director: Student Affairs and any penalties applied, with reference to the panel's determinations.
18. The student will be informed of their right to submit an appeal.

19. The hold placed on the student's results will be removed following determination of an outcome. Results will be released in the normal way, either following a subsequent scheduled release, or as soon as possible should results already have been released. These are the student's confirmed results.

Appeal Procedure

20. Students are permitted to appeal within two weeks of the date on the outcome letter, on one or more of the following grounds:
 - 20.1. That the procedures were not followed properly;
 - 20.2. That the decision maker(s) reached an unreasonable decision (e.g. case is outside of precedent);
 - 20.3. That the student has new material evidence that they were unable, for valid reasons, to provide earlier in the process;
 - 20.4. That there is bias or reasonable perception of bias during the procedure;
 - 20.5. That the penalty imposed was disproportionate, or not permitted under the procedures;
21. Appeals must be made using an appeal form, stating clearly the grounds on which they are being made and providing relevant supporting evidence.
22. Appeals made after two weeks or without relevant supporting evidence will not normally be considered.
23. The Chair of the Assessment Offences Committee determines whether an appeal has been made on valid grounds and can be accepted for consideration.
24. If an appeal is not accepted, the student will be informed in writing, including the reasons for this decision. A Completion of Procedures Letter will be issued from the Office of the Vice Chancellor. This enables a student to pursue an independent review with the Office of the Independent Adjudicator for Higher Education (OIA). Full details of the OIA and how to make a complaint are available from oiahe.org.uk
25. If an appeal is accepted, it will be scheduled for consideration at the next meeting of the Assessment Offences Committee.

Assessment Offences Committee –membership and procedure for hearings

26. The Assessment Offences Committee will meet to consider outcomes of cases where either;
 - a) an appeal made on valid grounds has been accepted for further consideration.
 - or*
 - b) the Associate Director: Student Affairs was unable to determine an outcome (for example, due to the absence of established precedent, the severity or complexity of the offence)
27. The Assessment Offences Committee will normally consist of no fewer than three members, including the Chair of the Assessment Offences Committee, who is appointed annually for a fixed term. Further members will normally be academic staff drawn from Member Institutions of the University of London or Institutes of the School of Advanced Study and include an academic lawyer, appropriate subject specialist(s) and a student member. The

membership of each Assessment Offences Committee meeting will reflect the nature of the case(s) under consideration.

28. When an Assessment Offence Committee meets to consider an appeal against an outcome determined by a previous Assessment Offences Committee, in accordance with paragraphs 45-49, it will be chaired by one of the panel members, as the Chair of the Assessment Offences Committee will have had prior involvement in the case.
29. In exceptional circumstances the Committee is permitted to conduct its business with two members.
30. No member of the Committee will have had any prior knowledge of the student or personal involvement in the case.
31. The Committee will normally conduct its business in person. Deliberations are permitted to take place by correspondence, or electronic means, if there is a clear reason for doing so and the method has been agreed by the Chair in consultation with the Associate Director: Student Affairs.
32. The Committee will be provided with full details of the cases under consideration including: all relevant documentation and evidence considered at earlier stages of the *Procedures*, written statements by the student and, in the case of appeals, the appeal submission form.
33. Students with cases under consideration will be provided with a copy of each document which will be presented to the Committee. The student will then have the opportunity to submit a further statement for consideration by the Committee, if they so wish.
34. The cases, based on the documents held by the student and the Committee, will be presented by the Associate Director: Student Affairs and/or the Senior Manager: Academic Integrity and Student Conduct, who will also answer any questions the Committee may have regarding procedural or regulatory matters.
35. Should the Committee not feel able to reach a judgement, it is permitted to adjourn its business to seek further evidence. Any further evidence will be provided to the student, who will be given the opportunity to submit a further statement, before proceedings resume.

Committee outcomes for appeal cases

36. The Committee will determine whether the appeal submitted by the student should be upheld. Appeals can be upheld resulting in a change to the outcome, upheld with no change to the outcome, or not upheld.
37. If the Committee determines that the appeal is upheld resulting in a change to the outcome, the Committee can decide that:
 - a. The penalty previously imposed should be revoked
 - b. That a lesser penalty should be imposed
 - c. That a harsher penalty should be imposed
38. If the Committee determines that an appeal is upheld but there is no change to the outcome, or that an appeal is not upheld, the previously determined outcome will stand.

39. The student will be informed of the appeal outcome in writing by the Chair. Whether an appeal is upheld or not, the Chair will provide clear reasoning for the decisions.
40. The decision of the Committee at this point is final and concludes the University's consideration of the matter. A Completion of Procedures Letter will be issued. This enables a student to pursue an independent review with the Office of the Independent Adjudicator for Higher Education. Full details of the OIAHE and how to make a complaint are available on the website of the OIAHE: oiahe.org.uk

Committee outcomes for cases referred by the Associate Director: Student Affairs

41. Following consideration of the evidence, the Committee will determine whether the allegation is proven. The Chair will give clear reasons for the decision.
42. If the Committee determines an offence is proven, they will be provided with details of the student's assessments to date, any prior proven assessment offences on the student's record and any mitigating circumstances that apply to the assessment offence in question.
43. The Committee, giving due consideration to the impact on the student's progression or eligibility for the award for which they are studying, will determine whether a penalty is to be applied, with reference to Annex 1.
44. The outcome determined by the Committee, and full details of any penalties, will be communicated to the student in writing by the Chair. The outcome will also be communicated to the referring body if appropriate.
45. Appeals against a decision of the Assessment Offences Committee, for cases referred by Associate Director: Student Affairs, can be made in line with paragraphs 20-22.
46. The Pro-Vice Chancellor (International), or, the Dean of the School of Advanced Study, as appropriate, determines whether an appeal has been made on valid grounds, has supporting evidence and can be accepted for consideration.
47. If an appeal is not accepted, the student will be informed in writing, including the reasons for this decision. The decision at this point is final and concludes the University's consideration of the matter. A Completion of Procedure Letter will be issued. This enables a student to pursue an independent review with the Office of the Independent Adjudicator for Higher Education (OIA). Full details of the OIA and how to make a complaint are available from oiahe.org.uk
48. If an appeal is accepted, a new Assessment Offences Committee, with members with no previous involvement in the case will be convened. The Committee will meet and conduct its business in accordance with paragraphs 27 – 40.
49. The Chair of the previous the Assessment Offences Committee will present the case in place of the Associate Director: Student Affairs and/or Senior Manager: Academic Integrity and Student Conduct, as stated in paragraph 34, and will be informed of the outcome.

ANNEX 1: LIST OF AVAILABLE PENALTIES

1. no further action to be taken, or
2. that the student be formally reprimanded and reminded of the need to strictly follow the Regulations, and/or
3. that no report be made on the performance of the student for the assessment in question, or
4. that no report be made on the performance of the student for the whole module/unit, or
5. that no report be made on the performance of the student for any or all the papers/assessments the student sat in the year the offence occurred, or
6. that the student cannot re-enter for any or all of those assessments before the expiry of a stated period of time, or
7. that no award of the University be granted before the expiry of a stated period of time, not exceeding three terms following satisfactory completion of the programme, or
8. that the student be excluded from future assessments for awards of the University.

Note: No report is the equivalent to a fail mark, but also means that the assessment attempt will not be recognised as valid for the purposes of progression or completion of an award. A zero will appear on the student's transcript, and it will reduce the number of permitted attempts at that assessment by one.

Table of precedent

The table below lists established outcomes for first, second and third proven assessment offences, and allegations that are not upheld, based on the consideration of previous cases under these *Procedures*. These standard outcomes do not preclude alternative action being taken where the nature of an offence justifies it. The Assessment Offences Committee will make reference to this table when setting new precedent.

CATEGORY	OUTCOME
Allegation not upheld or unproven	No Further Action
First offence(s)	Student will be formally reprimanded
	No report will be made for the assignment in question
Second offence(s) in a subsequent session	Student will be formally reprimanded
	No report will be made for the whole unit
Third offence(s) in a further session	No report for all modules taken within the academic year

Note: The definition of 'subsequent session' will be determined by the Associate Director: Student Affairs or the Assessment Offence Committee, but will normally be taken to mean that a sufficient amount of time has passed between receiving a penalty letter and submitting further assignments for assessment.