

**LTC11D043**

**Title:** City College Norwich – Cheating and Plagiarism Procedure  
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## **City College Norwich Cheating and Plagiarism Procedure**

### **Issue**

A proposed Cheating and Plagiarism Procedure for City College Norwich.

### **Recommendation**

The Learning and Teaching Committee is invited to approve the proposed City College Norwich Cheating and Plagiarism Procedure attached as Appendix 1 for immediate implementation.

### **Resource Implications**

None identified.

### **Equality and Diversity**

The College's Disability Equality Policy states that:

'the college is committed to equality of regard and of opportunity for all, irrespective of age, disability, ethnic origin, gender, marital status, medical condition, religious belief or sexual orientation. In its policies and practices the college will seek to enhance the self esteem of all those it serves and to provide an environment in which each individual is encouraged to fulfil her or his potential.'

### **Further Information**

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**CITY COLLEGE NORWICH**  
**CHEATING AND PLAGIARISM PROCEDURE FOR USE**  
**WITH HE PROGRAMMES**  
**Version 6.1 (effective date Sept 2011)**

## **1 INTRODUCTION**

- 1.1. The following procedure applies to all students of City College Norwich (the College) enrolled on programmes leading to awards of the University of East Anglia (the University), Edexcel (BTEC) and to other non-prescribed HE qualifications.<sup>1</sup> The procedure is also applicable to other programmes, including those of CCNQ where specified in the programme regulations.
- 1.2 The College takes allegations of cheating, which includes plagiarism and collusion, very seriously. Students who cheat, whether intentionally or not, threaten the values and beliefs of academic work and undermine the integrity of higher education awards and the College. Cheating of any kind, whether discovered before or after the conferment of an award, will be investigated and dealt with appropriately.
- 1.3 All work submitted for assessment by students is accepted on the understanding that it is the student's own effort and is written from their own understanding and without falsification of any kind. Students are expected to offer their own analysis and presentation of information even when group exercises are carried out unless the assignment or assessment brief and task specifications instruct to the contrary. Students are always required to attribute the work of others using the Harvard Referencing system (N.B. The College acknowledges that there are some variations even within the definition of Harvard so the default referencing system will be that which is published by the College Information Store and which is published in the current HE Student Handbook, on Blackboard and on other flyers and handouts in the Information Store itself).

## **2 DEFINITIONS**

This procedure recognises the following activities as cheating, plagiarism, collusion or other forms of academic misconduct:

### **2.1 'cheating':**

Occurs where there is evidence that a student has, with intent, gained or attempted to gain an unfair, improper or dishonest advantage in the assessment process. Cheating will therefore include:

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<sup>1</sup> This category includes HE professional qualifications that are funded by the LSC, eg CIPD. (See appendix for list of courses).

- a) impersonation - either where a student allows any another person to take an assessment on their behalf or where another person takes an assessment on behalf of another;
- b) obtaining or attempting to obtain unauthorised access to examination papers;
- c) the copying of, or attempting to copy, the work of another candidate in an examination or other in-class assessment;
- d) the use or attempt to use in an examination room (or any other room in which a formal assessment is taking place) any aid such as books or written notes, papers, stationery, devices of any kind that can store and display data or access information by remote transmission other than those permitted in the rubric of the examination paper;
- e) requesting a temporary absence from an examination room (or any other room in which a formal assessment is taking place) with the intention of gaining access to information that may be relevant to a formal assessment;
- f) the falsification of data, as defined in section 2.4; the duplication of assessments as defined in section 2.4 and any other form of academic misconduct as defined in section 2.4;
- g) false statements made in order to receive special considerations by an Assessment Board or to obtain extensions to deadlines or exemption from work;
- h) assisting or attempting to assist another student to gain or attempt to gain an unfair, improper, or dishonest advantage in the assessment process;
- i) the purchase or theft of material with the intention of submitting in lieu of the student's own work.

## 2.2 'plagiarism':

Plagiarism is the representation by an individual, whether intentionally or otherwise, of another person's work as their own or the use of another person's work without acknowledgement including:

- a) the importing of phrases from another person's work without using quotation marks and without identifying the source;
- b) making a copy of all or part of another person's work and presenting it as one's own work by failure to disclose the source;
- c) without acknowledgement of the source, making extensive use of another person's work, either by summarising or paraphrasing the work merely by changing a few words or by altering the order in which the material is presented;
- d) the use of the ideas of another person without acknowledgement of the source or the presentation of work which substantially comprises the ideas of

another person and which represents these as being the ideas of the candidate.

### 2.3 'collusion':

Collusion is the unauthorised collaboration or co-operation between two or more persons. Specifically an individual student presents work for formal assessment as their own individual work when in fact it is the product of collaborative or co-operative activity:

- a) where two or more students have worked together and it is impossible to determine who has produced the work, the pieces of work will be marked as they stand and the highest mark of those awarded will be divided equally among the number of students deemed to have colluded;
- b) if, however, it is clear that one of the students has produced most/all of the work and lent it to the others, the Investigating Officer shall record marks to take account of the effort put in by the student who produced the work, and the lack of effort from the other students who colluded.

### 2.4 'other academic misconduct' includes:

- a) the falsification of data including the creation of false written materials or statistical data or its alteration, for example, by the invention of the statistics presented or the invention of quotations or references;
- b) the duplication of assessed work – the submission of broadly similar work completed by the student for academic credit as part of the same programme without express acknowledgement of the previous submission;
- c) permitting or assisting another to present work that has been copied or paraphrased from a student's own work without attribution or as if it were the work of the other;
- d) the removal of an examination script or examination stationery or other materials from the examination room (or any other room in which a formal assessment is taking place);
- e) failure to comply with the proper instructions of an invigilator;
- f) breach of professional confidentiality;
- h) failure to obtain ethics approval prior to undertaking work involving human participants or the failure to comply with the terms and conditions of an ethics approval.

(With acknowledgment to the University of Hertfordshire from whose published policy these definitions have been adapted.)

### 2.5 Poor Academic Practice.

Comment:

The complexity and unfamiliarity of academic protocols can present a real difficulty to some students, particularly those who are returning to education after a long

break and /or who have little experience of forms of academic writing beyond QCF level 2.

#### Overview:

Where a preliminary investigation or scrutiny by an academic disciplinary panel considers that inexperience or unfamiliarity or possibly a lack of proper instruction or guidance has contributed significantly to an apparent instance of plagiarism or other academic malpractice then this may be described as 'poor academic practice'. Whilst the factual nature of the offence will not be in dispute the penalties or consequences will be moderated. It is likely that the following will be considered by a preliminary review or academic disciplinary panel in arriving at this conclusion:

- The age and entry qualifications of the student
- The year of the programme
- The consistency (or otherwise ) of the particular piece of work with others submitted at or around the same time
- Any previous history of similar offence

The penalties for poor academic practice will therefore be less severe than for deliberate acts of cheating and/or plagiarism and will be accompanied by recommendations for support and additional instruction to avoid repetition.

## 2.6 Repeat Offences

Where a student commits the same or a similar offence to one which earlier has been treated as poor academic practice the offence shall be treated as a prima facie deliberate act of cheating, plagiarism or academic misconduct and shall be treated as a Level 2 or Level 3 Offence.

Full details of these approaches and the likely penalties are set out in Section 6.

## 3 PREVENTION AND DETECTION OF PLAGIARISM

3.1. All students must be made aware of what constitutes plagiarism and the College's expectations with respect to referencing and the use of bibliographies. Guidance can be sought from academic tutors and staff in the Information Store and by consulting published guidance available from the Information Store, the HE Student Handbook and advice and guidance materials published on Blackboard. There are many other sources of guidance including the University of East Anglia's published policy which has significantly influenced the development of this procedure; [http://www.uea.ac.uk/plagiarism/plagiarism\\_policy](http://www.uea.ac.uk/plagiarism/plagiarism_policy).

3.2. From the start of the academic year 2011/12 the great majority of student's assignment work will be submitted electronically using the new online portal. Files submitted in this way will be used for plagiarism detection by submission to Turnitin (or such other plagiarism detection software as the College may determine).

In the unlikely event that student s' work has been approved for submission in hard copy then it must be presented in the prescribed format and be accompanied by an electronic copy ( on a CD or data stick, for example).

It should be noted that submission by email is never permissible unless sanctioned in exceptional circumstances by the Head of Higher Education or member of Principalship.

## 4 PROCEDURE FOR DEALING WITH BLANK OR UNREADABLE MEMORY DEVICES;

4.1 Where a student submits a piece of work with a disk or memory stick it may transpire that the disk appears to be blank or cannot be read.

The cause of this might be:

That the disk format cannot be read by College equipment

That the disk has become corrupted

That the disk does not hold the required file.

Step 1: The administrator must take the disk/memory device to IT Services for them to investigate its contents. If the appropriate file can be found IT Services will produce a copy that can be read by the HE Office which will then proceed as normal.

Step 2: If a file is present but cannot be opened, or the disk has become corrupted or there is no file, the HE Office will contact the student and ask for a new copy of the appropriate file to be brought in by the end of the **next working day**. The Information Store may be open outside of the normal working week but this will not be defined as a normal working day for this purpose).

If the student identifies reasonable, practical obstructions to their ability to submit the file in this way then s/he can be asked to email the assignment to the HE Office together with an explanation or details of extenuating circumstances. The HE Office shall decide whether or not the reasons offered justify allowing the work to be treated as a submission and, if it is, will decide whether or the submission will be capped or uncapped.

Step 3: If the file is provided as requested the plagiarism test will proceed as normal.

Step 4: If the required file is not provided in accordance with timescale defined in Step 2 then there will be a prima facie case of plagiarism or cheating and the HE Office will advise the module tutor, the student's Head of School and HoHE (for information).

Step 5: The Tutor will then proceed to deal with assignment under the first stage of the Cheating and Plagiarism procedure.

## 5 PROCEDURE FOR DEALING WITH AN ALLEGATION OF CHEATING OR PLAGIARISM

5.1 General principles:

- Each Head of School shall nominate at least one member of the School management team to serve as the Academic Standards Officer (ASO). Schools with larger HE student population are advised to nominate 2 (or even more). It is expected that ASOs are most likely to be Programme Managers or Planning and Performance Programme Managers.

- If an allegation of cheating, plagiarism or other form of academic malpractice is made against a student, the ASO will carry out an investigation to ascertain whether the allegation is well founded.
- If the ASO concludes that there is a case of a Higher Level Offence to answer they will inform the HoS who will request that the HE Office convenes an Academic Disciplinary Panel to consider the issue formally and to make recommendations to the Assessment Board.
- An appeal against a decision of the Academic Disciplinary Panel that an offence has been committed may be made only on grounds of maladministration. The procedure for such an appeal is set out in Section 9 below.
- The Academic Appeals Procedure allows only for appeals against a penalty and the procedure to be followed is available on Blackboard.

## 5.2 Procedure:

If a lecturer or other member of staff suspects a student of unfair academic practice, which includes plagiarism and other forms of cheating, the situation should be reported at the earliest opportunity to the ASO. The relevant academic Programme Manager (if other than the ASO) should also be informed. Evidence to back up the suspicion should be provided.

The student should be informed by the ASO (email to official @student.ccn.ac.uk account) at the earliest opportunity that an allegation has been made and that it is being investigated within the school (identifying the people involved). The ASO is responsible for informing the student in writing (email with a read receipt is acceptable) within 3 working days of the allegation being made that such an allegation has been made and that a preliminary investigation is underway.

The ASO will decide as quickly as possible whether the offence appears to be substantiated and to classify according to the criteria set down in the Category of Offence Table (paragraph 6). The ASO may seek advice or guidance from the HE Office or, if appropriate, from the Academic Link at the university to inform their decision making.

Where the ASO finds no evidence to support the allegation, it will be dismissed forthwith and no record shall be made in the student's file.

Where the ASO finds that there is evidence of a Level 1 or Level 2 Offence, they shall inform the student in writing and record it in the student's file together with the outcome described in the Category of Offence Table. The ASO will inform the HE Office by email of any allegations which have resulted in a note in the student's file.

Where the ASO considers the alleged offence to be a Level 3 Offence and that there is evidence of there being a case to answer, they shall inform the HE Office who will convene the Academic Disciplinary Panel upon receipt of a formal request (in writing or by email) from the Head of School.

The HE Office will:

- (a) write to the student concerned within 2 working days of the notice of a case to answer informing them of the outcome of the decision of the ASO, the next stages in the procedure and of their right to attend and be accompanied at a subsequent Hearing and to receive copies of all relevant papers and evidence. The formal notification shall state in writing:
- the allegations;
  - the particulars that are alleged to support the allegations;
  - the student's right to be represented at a Hearing (see 5.2(d) and 7);
  - that the student should make a formal reply to the allegations in writing within 10 working days;
  - that if the student accepts (by email or in writing) that the allegations are true then the Chair of the Academic Disciplinary Panel (see 5.2(d) and 8) will be asked to recommend penalties to the Assessment Board, that the student will be notified of the recommended penalties.

When writing to the student the HE Office should ask whether they have any specific needs/circumstances which need to be considered for the disciplinary hearing, e.g. the use of a hearing loop, guide dog, special equipment.

- (b) collect all the available evidence, including brief written statements from the person(s) making the allegation;
- (c) appoint a suitably qualified and experienced member of the College Management Team or senior academic (who has not taught the student and is not in any other way connected with them), to act as Chair of the Academic Disciplinary Panel.
- (d) The Panel will comprise of the Chair and two members of the academic staff of the College, who shall not be from the same School as the student and shall not have taught the student or in any other way be connected with them. The Panel shall not include the Head of School involved in the preliminary review of evidence, the Chair of the Assessment Board or the Clerk to the Corporation. A secretary appointed by the HE Office will take the minutes of the Hearing.

The Hearing will normally take place within 20 working days of the formal notification to the student of the allegations.

The student shall be given at least five working days' notice of the date and time of the Hearing and shall be informed of the names of any witnesses to be called.

The student must notify the HE Office of the name of any representative or friend and of any witnesses they intend to call on their behalf at least 2 working days prior to the Hearing.

A Hearing shall not be convened where a student admits to plagiarism or other forms of cheating. In such cases the HE Office will inform the Chair of the Academic Disciplinary Panel who will make a recommendation to the Assessment Board. The HE Office shall inform the student of the recommendation to the Assessment Board. The student has the rights of Appeal which are set out in Section 9 below.

Where the Hearing determines that there is insufficient evidence to substantiate the allegation, the HE Office shall so inform the Head of School and the allegation will be withdrawn. In this case the Head of School should advise the student of the dangers of poor academic practice and treat the assessed work accordingly (as in 6.1).

During the Hearing the student's work will be retained by the School, an unmarked copy will be provided to the student on request, and the student informed that the work is being checked for plagiarism.

## 6 CATEGORY OF OFFENCE

### 6.1 *(The following section is adapted from the UEA Procedure Plagiarism and Collusion Policy).*

Offences under this procedure shall be classified by the ASO as a Low Level (level 1), Medium Level (level 2), or High Level (level 3) offence using the table below. When making a judgement on the level of the offence, the ASO shall apply the principle of "balance of probability", weighing up all the evidence and reaching a judgement on what was the most probable scenario to allow classification of the plagiarism/collusion offence to be set at the appropriate level.

<b>Plagiarism and Collusion</b>			
<b>Criteria</b>	<b>Low Level (1)</b>	<b>Medium Level (2)</b>	<b>High Level (3)</b>
<b>Experience of student</b>  <i>Relates to the expectation that the student should be aware of the seriousness of their actions</i>	<b>For example:</b> student unaware, e.g.:  first year student or first semester of course;  cultural considerations and/or mitigating circumstances;  no previous cheating or plagiarism detected	<b>For example:</b> student likely to be aware, e.g.:  students after first semester of course but before final year;  after completion of known instruction(s) in avoiding plagiarism and/or collusion;  previous level 1 case detected	<b>For example:</b> student is aware, e.g.:  experienced student;  where student is expected to fully understand and exhibit academic integrity;  previous level 2 or level 3 case detected

<p><b>Nature of Plagiarism</b></p> <p><i>Nature of the breach of academic Scholarship</i></p>	<p><b>For example:</b> poor academic practice, e.g.:</p> <p>referencing or attribution of work is not clear or is inadequate, or has numerous errors;</p> <p>inappropriate paraphrasing</p>	<p><b>For example:</b> bad academic practice, e.g.:</p> <p>failure to reference and/or cite adequately;</p> <p>copying segments of other students' assignment work;</p> <p>copying fragments of material from websites, book or other publications</p>	<p><b>For example:</b> clear breach of acceptable academic practice, e.g.:</p> <p>fabricated references or citations; whole works copied (from students or other sources published or unpublished);</p> <p>commissioning and submission of work which has been purchased or solicited from another individual or source</p>
<p><b>Extent of plagiarism</b></p> <p><i>Amount or proportion of assessment item or work that is not the students' own;</i></p> <p><i>Extent to which the assessment process is compromised</i></p>	<p><b>For example:</b> minor, e.g.:</p> <p>few sentences, one paragraph, one (minor) graphic;</p> <p>few elements of computer source code;</p> <p>few descriptive elements</p>	<p><b>For example:</b> extensive, e.g.:</p> <p>two to three paragraphs or a segment of the work;</p> <p>segments of computer source code</p>	<p><b>For example:</b> substantial, e.g.:</p> <p>significant appropriation of ideas, artistic work or substantial elements of the argument/conclusion</p> <p>multiple pages or sections of text or graphics copied</p>

**Plagiarism and Collusion**

<b>Criteria</b>	<b>Low Level (1)</b>	<b>Medium Level (2)</b>	<b>High Level (3)</b>
<p><b>Intent of student to cheat by way of plagiarism</b></p> <p><i>Intentionality of the act of plagiarism and intent to cheat by way of plagiarism</i></p>	<p><b>For example:</b></p> <p>plagiarism and/or collusion appears unintentional or due to lack of knowledge;</p> <p>intent to cheat is unlikely or doubtful</p>	<p><b>For example:</b></p> <p>plagiarism appears as the result of negligence;</p> <p>intent to cheat is probable but cannot clearly be substantiated;</p>	<p><b>For example:</b></p> <p>plagiarism appears deliberate and planned;</p> <p>actions contravene clear instructions;</p> <p>intent to cheat is evident and can be substantiated</p>

<b>Cheating other than Plagiarism or Collusion:</b>			
<b>Classification</b>	<b>Low Level (Level 1) Offence</b>	<b>Medium Level (Level 2) Offence</b>	<b>High Level (Level 3) Offence</b>
<b>Nature of cheating</b> <i>Relates to the seriousness of the infringement, the context or setting, whether or not the event is a first offence and whether or not, on the balance of probabilities, the infringement was deliberate, calculated, planned or that it was opportunist or accidental</i>	A minor breach of rules or academic integrity, a first offence and not deliberate, calculated, planned	<b>N/A</b>	Unless the event can be treated as a Low Level Offence then any instance of cheating (except where covered by the Plagiarism or Collusion provisions herein) will be treated as a High Level Offence and be referred to an Academic Disciplinary Panel.

<sup>2</sup> The table should be interpreted with reference to the associated guidance notes which can be viewed on CCN Blackboard.

6.2 Where an ASO believes that there are mitigating circumstances that should reduce the level of an offence from a High Level (level 3) offence to a Medium Level (level 2) offence or from a Medium Level (level 2) offence to a Low Level (level 1) offence, they should initially discuss this with their Head of School. HoS should then discuss the matter with the HoHE to ensure consistency of approach across the College.

6.3 After classification of the offence, the following outcomes should apply:

**(a) LOW LEVEL (LEVEL 1) OFFENCE:**

The ASO shall recommend that

- a) the offence is recorded on the student's file and
- b) the student may be given the opportunity of resubmitting the work as if for the first time
- c) that it may not be necessary to impose a grade penalty.

In order to help the student to avoid plagiarism and/or collusion in future assignments, the student shall be offered support which may be in the form of an appropriate learning support package.

**(b) MEDIUM LEVEL (LEVEL 2) OFFENCE:**

**(i) Plagiarism**

The ASO shall recommend that

- a) the offence is recorded on the student's file and

- b) the work shall be remarked but excluding as far as possible the plagiarised material. This ensures that the recorded mark reflects the student's own work.
- c) if the remarked work is assessed at less than 40% (pass) then normal reassessment arrangements will apply.

## **(ii) Collusion**

- Where two or more students have worked together and it is impossible to determine who has produced the work, the pieces of work will be marked as they stand and the highest mark of those awarded will be divided equally among the number of students deemed to have colluded. If as is likely the resulting mark for each student is less than 40% then each student will be offered the opportunity of a capped re-sit of the whole of the work.
- If, however, it is clear that one of the students has produced most/all of the work and lent it to the others, the ASO shall record marks to take account of the effort put in by the student who produced the work, and the lack of effort from the other students who colluded. If any of the marks thus recorded result in a mark of less than 40% (Pass) then the student(s) concerned will be offered the opportunity of a capped re-sit of the whole of the work
- The ASO may require, if they feel that is justified by the circumstances, require that students found guilty of collusion be set individual reassessment tasks in order to preserve the integrity of the assessment process.

## **(iii) Disciplinary action**

Where appropriate and for other forms of cheating and academic malpractice the ASO shall refer the case to the Head of School who will decide whether or not further disciplinary action is appropriate.

## **(c) HIGH LEVEL (LEVEL 3) OFFENCE:**

### **(i) Serial plagiarism**

Where a High Level (level 3) offence is judged to be the result of serial plagiarism, (i.e. there have been previous instances of Medium Level (level 2) plagiarism as set out below), the work should be marked in accordance with a Medium Level (level 2) offence. A formal judgement of serial plagiarism cannot result from previous work being identified as plagiarised without plagiarism in this work having been drawn formally to the student's attention via the procedure as stipulated under paragraph 5 of this policy (i.e. serial plagiarism cannot result from work having been recalled in accordance with paragraph 5, but in which plagiarism had not been identified at the time). An example of a serial offence being classed as a High Level (level 3) offence will normally be at least three previous occasions of Medium Level (level 2) offences all of which would need to have been formally drawn to the student's attention by the School ASO.

### **(ii) High Level (level 3) plagiarism offence – not serial plagiarism**

Where the offence is serious and has been identified as a High Level (level 3) offence, but there is no evidence of serial plagiarism committed by the student, the ASO shall record a mark of 0%.

### **(iii) Disciplinary action**

After identifying a High Level (level 3) offence as described under paragraph 6.1 or 6.3 (c) above, the ASO shall first report the offence to the Head of School who shall refer the case to HE Office which will convene an Academic Disciplinary Panel for further action. See paragraph 5 above for details of the procedures governing the Academic Disciplinary Panel.

Unless the allegation is dismissed the penalties for a High Level Offence will result in a record on the student file and incremental penalties as listed in Section 8 below.

### **(iv) Unsuitability to Practice**

Where programmes lead to professional qualifications, a Head of School may refer a student with a confirmed High Level (level 3) offence to the HE Office requesting that the matter be referred to the Professional Misconduct or Unsuitability Committee.

## **7 ACADEMIC DISCIPLINARY PANEL (the Hearing)**

- 7.1 A Hearing shall not be convened where a student admits to plagiarism or other forms of cheating. In such cases the HE Office will inform the Chair of the Academic Disciplinary Panel who will make a recommendation to the Assessment Board (Please go to paragraph 7.4 where this does not occur).
- 7.2 Hearings convened where a student admits plagiarism but contests the recommended penalties shall only consider evidence from the student regarding mitigation, if available, and shall therefore omit steps 7.7 to 7.12(a) below. In such cases the hearing will normally take place within 10 working days of receipt of the student's request for a Hearing.
- 7.3 Where the student who is the subject of the allegation does not appear at the Hearing, the Panel may deal with the allegation in their absence provided that the Panel is satisfied that the student has been properly notified of the Hearing.

### **Conduct of the Hearing**

- 7.4 The Hearing will be managed by the Chair and the parties involved shall be referred to as:
  - (The) Panel (the Chair, Panel members and the secretary)
  - (The) ASO (Academic Standards Officer)
  - (The) Student
  - (The) Supporter
  - (The) Witness
- 7.5 The Chair will introduce the Panel to the Student and their Supporter(s) and outline the purpose of the Hearing, the essential nature of the allegation and the procedure to be followed.
- 7.6 The Chair should ask the student if they still refute the allegation. Where the student admits to the allegation prior to the commencement of the Hearing the Panel may consider any evidence the student wishes to present in mitigation. In this case the Panel will, in private, consider only what preliminary

recommendations to make to the Assessment Board, therefore omit steps 7.7 to 7.12(a) below.

7.7 The Chair will ask all parties to confirm that they have and have had an opportunity to read and reflect on written /documentary evidence supplied by both sides. Should either side seek to introduce new/additional documentary evidence the Chair will consider:

- (a) whether the volume of material is excessive and will require a postponement or whether
- (b) an allowance of time for the Panel and the other side to retire to consider the evidence can be accommodated. Generally this should be no more than 20 minutes otherwise a postponement would normally be appropriate.

7.8 The Chair will invite the Panel to receive evidence.

7.9 Evidence shall be taken as follows:

- (a) *Present; the Panel, the Student, their supporter(s) and Witness(es) + ASO and Witness(es) introduced by the College.*  
The ASO presents the allegation that cheating had occurred. Written or other evidence may be presented in support of the allegation.
- (b) *Present; the Panel, the Student, their supporter(s) and Witness(es) + ASO and Witness(es) introduced by the College*  
The ASO presents witnesses in support of the allegation.
- (c) *Present; the Panel, the Student, their supporter(s) and Witness(es) + ASO and Witness(es) introduced by the College*  
The Student responds to the allegations with a view to rejecting the allegations and demonstrating that cheating did not occur. The Student's Supporter may help /assist/contribute to the argument presented by the Student. Written or other evidence may be referred to.
- (d) *Present; the Panel, the Student their supporter(s) and Witness(es) + ASO and Witness(es) introduced by the College*  
The student may present Witnesses to speak in their support.
- (e) *Present; the Panel, the Student their supporter(s) and Witness(es) + ASO and Witness(es) introduced by the College*  
Final statement by the ASO or nominee presenting the allegations.
- (f) *Present; the Panel, the Student their supporter(s) and Witness(es) + ASO and Witness(es) introduced by the College*  
Final statement by the Student or their Supporter(s).
- (g) The Chair of the Panel shall thank all present for their contributions and advise that the Hearing is now at an end and that the Panel will remain to consider the evidence and make its decision.

7.10 The members of the Panel shall have the right to put questions to any person attending the Hearing.

- 7.11 The ASO or nominee, the student who is the subject of the allegation, and their supporter(s), and all witnesses have the right to be present during the taking of evidence. All shall have the right to put questions to the witnesses and to each other except in relation to the final statements [7.9 (e) and (f) above].
- 7.12 In considering its decision, the Panel shall sit in private and will consider:
- (a) Whether the case has been proven;
  - (b) If it has, the reasons for the decision and what preliminary recommendations to make to the Assessment Board.
- 7.13 The student will be notified by the HE Office in writing of the Panel's decision within 5 working days of the Hearing. The notification will explain the student's right of appeal (see paragraph 9 below). The HE Office will also notify the Head of School by email of the Panel's decision.
- 7.14 If no notification of appeal by the student is received by the HE Office within 5 working days of the date of the HE Office's formal notification of the outcome of the Hearing, the Panel's recommendations will be forwarded to the Assessment Board for consideration. The student will be notified of this by the HE Office.
- 7.15 The decision of the Assessment Board will be notified to the student in the normal manner of communication of Assessment Board decisions.
- 7.16 If formal notification of appeal against the Panel's decision is received by the HE Office within 5 working days of the date of the HE Office's formal notification of the outcome of the Hearing, the Appeal procedure set out in paragraph 9 below will be followed.

## **8 PENALTIES FOR PLAGIARISM OR OTHER FORMS OF CHEATING**

- 8.1 In cases of proven plagiarism or other forms of cheating, a fail will be awarded for the piece of work in question. Depending on the severity<sup>3</sup> of the case the Panel may decide:
- (a) to adjust the mark/grade awarded to the piece of work (including to a mark/grade below the pass mark in which case proceed to b)i)
- OR
- (b) declare the piece of work to have failed:
    - (i) and that the piece of work is to be resubmitted without a cap on the mark

OR

    - ii) and that the piece of work is to be resubmitted with a mark capped at 40% (*Pass*)

OR

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<sup>3</sup> severity shall be a matter for the Panel to judge but may be influenced by (for example);  
 The volume of suspect material in relation to the whole,  
 Whether or not the student admits to the allegation  
 Any explanation given by the student

iii) and that the *whole module* is failed and must be reassessed in full with or without grade penalty.

OR

iv) and that the *whole module* is failed but cannot be retaken or reassessed during the current academic year.

OR

(c) To recommend a Fail for the Stage and a requirement that the results for all modules that have been reported be set to 0% Fail and retaken with grade cap penalty

OR

d) to impose other grade penalties or combination of Fail, Re-sit or Retake requirements that the Panel in its judgement considers appropriate.

8.2 Where the student retakes the module,

(a) the maximum assignment and/or module mark (or grade) will be restricted to 40% (or Pass); and

(b) the module may be deemed to be compulsory for classification purposes, this may involve:

(i) failure of the stage;

(ii) reduction of honours classification or other commendation.

8.3 In all cases where a module is failed for reasons of academic impropriety, it will not be compensated.

8.4 Exceptionally serious cases may entail a recommendation to the Principal that the student be expelled from the College.

8.5 A record of a proven allegation of plagiarism or any other form of cheating will be kept permanently on the student's record.

## **9 APPEALS AGAINST DECISIONS OF THE PANEL**

9.1 Grounds for Appeal:

a) An appeal against the decision of the ADP that Cheating or Plagiarism is proven can be lodged on grounds of maladministration only and must be conducted in accordance with paras 9.3 onwards of this procedure.

b) An appeal against the penalty imposed by the ADP is to be lodged under the Academic Appeals Procedure (published on Blackboard)

9.2 There are no grounds for appeal on the basis of the following:

(a) New evidence not disclosed at the hearing, for whatever reason (unless the evidence relates to the proper implementation of the procedure).

(b) Disputing the judgement of the Panel.

(c) Disputing the academic competence of Panel members.

- 9.3 Formal notification of appeal by the student against the Panel's decision must be received by the HE Office within 5 working days of the date of the letter informing the student of the outcome of the Hearing.
- 9.4 In the notification of appeal, the student must specify which aspect of the procedure was not followed.
- 9.5 The HE Office will notify the Clerk to the Corporation of the appeal and the arrangement for the Appeal Hearing will be made by the Clerk to the Corporation.
- 9.6 The Appeal Panel will comprise two Governors (including the Principal) and a member of the academic staff not involved in either the alleged incident of plagiarism or cheating or the Hearing of the Academic Disciplinary Panel. The Appeal Hearing will be Chaired by a Governor and the arrangements for conducting the appeal will follow the same pattern as those for the earlier Hearing. A secretary will record the minutes.
- 9.7 The Appeal Panel shall refer the case back to the Academic Disciplinary Panel if material irregularities in the conduct of the procedures are found.
- 9.8 There are no further rights of appeal to the College under this Procedure. Any further Appeal must be pursued in accordance with the Academic Appeals Procedure published on Blackboard.

## **10 REPORTING OF CASES CONSIDERED BY THE ACADEMIC DISCIPLINARY PANEL**

- 10.1 The HE Office shall present annually to HELTC and JBOS a report of all cases of alleged cheating referred to them, together with the decisions and recommendations of the Panel and the subsequent decision by the Assessment Board.
- 10.2 All cases of appeal against decisions of the Academic Disciplinary Panel and their outcomes will also be reported to the same meeting of the HELTC.
- 10.3 Any lessons to be learned or recommendations for changes to College procedures or practices as a result of the cases reported will be drawn to the attention of the HELTC in the report.

## **APPENDIX**

Non prescribed HE courses covered by this procedure:

NVQ 4 in Management  
NVQ 5 in Management  
CIPD Core Management  
CIPD Professional Development Scheme  
CIM Certificate  
CIM Advanced Certificate  
CIM Diploma  
CMS - PDC in Management Studies  
DMS - PDD in Management Studies  
PDC in Voluntary Sector Management  
NVQ 4 in Care  
Registered Managers Award