

## ASSESSMENT OFFENCES

### SUMMARY OF PRINCIPAL CHANGES

<b>General changes</b>	
None	
<b>Section</b>	
2.1.1	See text

*(Amendments to version 10.0, UPR AS14, Appendix III are shown in italics.)*

## 1 INTRODUCTION

- 1.1 Cheating, plagiarism, collusion, other Assessment Offences and Academic Misconduct:
- i are defined in Appendix I, UPR AS12<sup>1</sup>/Appendix I, UPR AS13<sup>2</sup> which also set out a range of offences that the University will normally regard as Assessment Offences and/or Academic Misconduct: while the University has attempted to present as comprehensive a list as possible, this list of offences should not be considered exhaustive; Student Programme Handbooks should also include a section on cheating, plagiarism, collusion and other Assessment Offences and/or Academic Misconduct and
  - ii will, in the first instance, be dealt with in accordance with the procedure set out in this document (Appendix III, UPR AS14).
- 1.2 The nature of some of the offences defined in section 2 of this document is such that they are either wholly or partly a matter of academic judgement. Whether or not a student intended to commit an Assessment Offence is not relevant for a finding of guilt.

## 2 DEFINITIONS

- 2.1 Appendix I, UPR AS12<sup>1</sup>, and Appendix I, UPR AS13<sup>2</sup>, define cheating plagiarism, collusion and other Assessment Offences/Academic Misconduct as follows:

“2.1.1 ‘cheating’:

to attempt to gain an unfair, improper or dishonest advantage in the assessment process;

to gain an unfair, improper or dishonest advantage in the assessment process;

where on the balance of probability it could reasonably be construed that a candidate intended to gain an unfair, improper or dishonest advantage in the assessment process.

Cheating includes:

- a impersonation - either where a student allows any other person to take an assessment on their behalf or to present themselves as being that student or where a current University of Hertfordshire student takes an assessment on behalf of another University of Hertfordshire student;
- b obtaining or attempting to obtain unauthorised access to examination papers;

<sup>1</sup> UPR AS12 Appendix I ‘Assessments and Examinations - Regulations for Candidates(Including Requests for the Review of Examination Decisions (Appeals Procedure) (University-delivered provision)’

<sup>2</sup> UPR AS13 Appendix I ‘Assessments and Examinations - Regulations for Candidates (Including Requests for the Review of Examination Decisions (Appeals Procedure)) (Partner Organisation-delivered provision)’

- c the copying of, or attempting to copy, the work of another candidate in the examination or other in class assessment, whether by overlooking what he or she has written or is writing or by asking him or her for information in whatever form;
- d the introduction into an examination room (or any other room in which a formal assessment is taking place) of aids including books, notes, personal notes or revision notes in any form, papers, stationery, computer disks or other devices of any kind other than those permitted in the rubric of the examination paper. This includes, for example, unauthorised information stored in the memory of a pocket calculator, in a mobile telephone, personal organiser or any other device;
- 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, or attempting to gain, access to information that may be relevant to a formal assessment;
- f false statements made in order to receive special considerations by the Board of Examiners or to obtain extensions to deadlines or exemption from work;
- g assisting or attempting to assist another University of Hertfordshire student to gain or attempt to gain an unfair, improper, or dishonest advantage in the assessment process;
- h the *misappropriation* of material submitted for assessment;
- i *contract cheating - using one or more of a range of services provided or input from a third party, with or without payment of any kind:*
  - i *'services' includes the provision of essays or other types of assignments, conducting research;*
  - ii *'third party' includes web-based companies or auction sites (essay mills), sharing websites (including essay banks), or an individual such as a lecturer, fellow student, friend or relative;*
  - iii *'Input' means that the third party contributes to the work of the student, such that there is reasonable doubt as to whose work the assessment represents';*
- j academic misconduct offences as defined by section 2.1.4, a - f, where on a balance of probability, it could reasonably be construed that a candidate attempted or intended to gain an unfair, improper or dishonest advantage in the assessment process.

#### 2.1.2 'plagiarism':

the misappropriation or use of others' ideas, intellectual property or work (written or otherwise), without acknowledgement or permission. This may include, but is not limited to:

- a the importing of phrases from or all or part of another person's work without using quotation marks and identifying the source;
- b 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;
- c 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.

#### (Note for guidance:

For the avoidance of doubt, plagiarism may be intentional or unintentional.)

#### 2.1.3 'collusion':

evidence of the representation by an individual of work which he or she has undertaken jointly with another person as having been undertaken independently of that person.

#### 2.1.4 'other Academic Misconduct/Assessment Offences':

evidence that a student failed to comply with the University's assessment and examination regulations, other than those offences falling under sections 2.1.1 to 2.1.3, above, including:

- 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 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);
- d failure to comply with the instructions of an invigilator;
- e the introduction into the examination room of any personal notes or revision notes in any form or stationery;
- f 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;
- g breach of professional confidentiality;
- h failure to obtain ethics approval prior to undertaking work involving human participants;
- i failure to comply with the terms and conditions of an ethics approval granted for work involving human participants.

2.1.5 'Serious Adverse Circumstances':

Section C.3.8, UPR AS14<sup>3</sup>, refers.

## 2.2 Offences

### 2.2.1 The following are regarded as offences:

- i cheating;
- ii plagiarism;
- iii collusion;
- iv Academic Misconduct/Assessment Offences.”

Allegations of cheating, plagiarism, collusion and other Assessment Offences will be investigated in accordance with the procedures set out in this document (Appendix III, UPR AS14). Should such allegations be proven, the University reserves the right, at its sole discretion, to impose any of the academic penalties set out in this document (Appendix III, UPR AS14) and (where the allegation is treated as an Academic Misconduct matter under the provisions of UPR SA13<sup>4</sup> or UPR SA15<sup>5</sup>) in Appendix I, UPR SA13<sup>6</sup>/Appendix I UPR SA15<sup>7</sup>.”

## 3 ACADEMIC MISCONDUCT - CASES DEALT WITH THROUGH THE STUDENT DISCIPLINARY PROCEDURES

### 3.1 Alleged Academic Misconduct offences which necessarily involve making decisions that go beyond purely academic judgement will be dealt with in accordance with the provision of UPR SA13<sup>4</sup> or UPR SA15<sup>5</sup>. The University regards the following as matters to be referred for consideration under the provisions of UPR SA13<sup>4</sup> or UPR SA15<sup>5</sup>:

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<sup>3</sup> UPR AS14 'Structure and Assessment Regulations – Undergraduate and Taught Postgraduate Programmes'  
<sup>4</sup> UPR SA13 'Student Discipline', or equivalent Student Discipline Code operating in a partner institution, where agreed  
<sup>5</sup> UPR SA15 'Fitness to Practise'  
<sup>6</sup> Appendix I, UPR SA13 'University Schedule of Sanctions and Penalties for Academic and Non-Academic Disciplinary Offences'  
<sup>7</sup> Appendix I, UPR SA15 'University Schedule of Sanctions and Penalties for Academic and Non-Academic Disciplinary Offences'

- i **Plagiarism**, as defined in section 2.1.2, where an Associate Dean of School (Academic Quality Assurance) (or nominee) considers the matter to be sufficiently serious to be dealt with under the provisions of the student disciplinary procedures (UPR SA13<sup>4</sup>) or to be considered under the provisions of UPR SA15<sup>5</sup>.
  - ii **Cheating**, as defined in section 2.1.1.
  - iii **Collusion**, as defined in section 2.1.3, where an Associate Dean of School (Academic Quality Assurance) (or nominee) considers the matter to be sufficiently serious to be dealt with under the provisions of the student disciplinary procedures (UPR SA13<sup>4</sup>) or to be considered under the provisions of UPR SA15<sup>5</sup>, in which case the circumstances will include, but may not necessarily be limited to:
    - a where an allegation of collusion has been made and one or more of the parties contests it, the matter will be dealt with through the student disciplinary procedure for the specific purpose of determining whether the alleged offence has been committed and by whom; where the disciplinary process identifies an offender, in addition to any disciplinary penalty that may be applied under the provisions of Appendix I, UPR SA13<sup>6</sup> or Appendix I, UPR SA15<sup>7</sup>, the matter will then be referred to the appropriate Short Course/Module Board of Examiners (see section 3.2).
  - iv **breach of professional confidentiality**;
  - v **failure to obtain ethics approval prior to undertaking work involving human participants** (UPR RE01<sup>8</sup>, refers) where the Chairman of the relevant Ethics Committee with Delegated Authority (ECDA), acting as the nominee of the relevant Associate Dean of School (Academic Quality Assurance), considers the matter to be sufficiently serious to be dealt with under the provisions of UPR SA13<sup>4</sup> or UPR SA15<sup>5</sup> (UPR RE01<sup>8</sup>, refers);
  - vi **failure to comply with the terms and conditions of an ethics approval granted for work involving human participants** (UPR RE01<sup>8</sup>, refers) where the Chairman of the relevant ECDA, acting as the nominee of the relevant Associate Dean of School (Academic Quality Assurance), considers the matter to be sufficiently serious to be dealt with under the provisions of UPR SA13<sup>4</sup> or UPR SA15<sup>5</sup> (UPR RE01<sup>8</sup>, refers).
- 3.2 Where a Student Academic Misconduct Panel (or equivalent panel in a partner institution, where agreed), convened under the provisions of UPR SA13<sup>4</sup> or UPR SA15<sup>5</sup>, finds that an Academic Misconduct offence, as defined in section 3.1, has been committed, the Student Academic Misconduct Panel will so inform the Short Course/Module Board of Examiners. The Short Course/Module Board of Examiners will exercise its academic judgement and allocate marks (see section 5.4.2).
- 3.3 The role of the Short Course/Module Board of Examiners is to exercise academic judgement. It has no role in determining the disciplinary or other sanctions or penalties that might be imposed under the provisions of UPR SA13<sup>4</sup> or UPR SA15<sup>5</sup>. Conversely, neither a Student Academic Misconduct Panel nor the Vice-Chancellor may seek to influence a Short Course/Module Board of Examiners in exercising its academic judgement in relation to a student.

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<sup>8</sup> UPR RE01 'Studies Involving the Use of Human Participants'

## 4 ASSESSMENT OFFENCES DEALT WITH BY SHORT COURSE/MODULE BOARDS

### 4.1 Assessment Offences

4.1.1 The following types of Assessment Offence will be dealt with by Short Course/Module Boards and will not be referred for consideration under the provisions of UPR SA13<sup>4</sup> or UPR SA15<sup>5</sup>:

- i **plagiarism**, as defined in section 2.1.2, not referred by an Associate Dean of School (Academic Quality Assurance) (or nominee) to the student disciplinary process (see section 3.1);
- ii **collusion**, as defined in section 2.1.3, where an Associate Dean of School (Academic Quality Assurance) (or nominee) considers that the collusion should not be dealt with under the provisions of the student disciplinary process and where the allegation is not contested;
- iii **Assessment Offences as defined in section 2.1.4, a-f inclusive.**

4.2 The Assessment Offences referred to in section 4.1, i – iii, will be dealt with in accordance with the procedures set out in section 5 of this document. The Short Course/Module Board has absolute discretion to impose any of the penalties set out in section 5.

## 5 PROCEDURE

5.1 Allegations of plagiarism, collusion and other Assessment Offences and/or Academic Misconduct, as defined in section 2, will be made, in writing, to the appropriate Associate Dean of School (Academic Quality Assurance) (or nominee) and will be accompanied by appropriate documentary evidence to support the allegation (see section 5.3).

5.2 To enable alleged offences involving the ethics regulations to be considered (UPR RE01<sup>8</sup>, refers), one or more of the Chairmen of Ethics Committees with Delegated Authority will be appointed as nominees of the Associate Dean of School (Academic Quality Assurance) for the purposes of dealing with cases relating to alleged breaches of the University's ethics regulations (UPR RE01<sup>8</sup>, refers).

### (Note for guidance:

The matters referred to in section 5.1 include alleged failure to obtain ethics approval prior to undertaking work involving human participants (UPR RE01<sup>8</sup>, refers) and failure to comply with the terms and conditions of an ethics approval granted for work involving human participants (UPR RE01<sup>8</sup>, refers).

For the proper administration of these procedures, where an allegation is received by the Chairman or Clerk of an ECDA or other member of staff, he or she is expected to inform the relevant Associate Dean of School (Academic Quality Assurance) who will ensure that the matter is referred to the most appropriate ECDA Chairman and that he or she has been formally designated to act as nominee.

The Chairman of the ECDA so designated is required to follow the procedures set out in section 5.3 and to ensure that the Associate Dean of School (Academic Quality Assurance) is fully briefed on the progress of the matter.

Where the Associate Dean of School (Academic Quality Assurance) is also the Chairman of the ECDA and intends to deal with the allegation in that capacity, he or she may nominate another member of staff of appropriate standing to act as the nominee of the Associate Dean of School (Academic Quality Assurance) for the purposes of these procedures.)

5.3 **Responsibilities of the Associate Dean of School (Academic Quality Assurance) (or nominee)**

**(Note for guidance:**

Associate Deans of School (Academic Quality Assurance) and their nominees are advised to note their responsibilities under the provisions of UPR SA13<sup>4</sup> and UPR SA15<sup>5</sup>.)

- 5.3.1 The Associate Dean of School (Academic Quality Assurance) (or nominee) will carry out a preliminary investigation.
- 5.3.2 Provided that there is a prima facie case to be discussed with the student and investigated further by the Associate Dean of School (Academic Quality Assurance) (or nominee), he or she will:
- i within five (5) working days of the date on which the allegation was referred to him or her, or as soon as possible thereafter:
    - a inform the student, in writing, by means of a **Letter of Notification**:
      - 1 of the alleged offence and the underlying facts that have been provided to support the allegation;
      - 2 that the student has a right to refute the allegations of Assessment Offence and/or Academic Misconduct to the Associate Dean of School (Academic Quality Assurance) (or nominee) either in person or in writing within five (5) working days of the date of the **Letter of Notification** (not the date of its receipt by the student);
      - 3 that, based upon the Associate Dean of School (Academic Quality Assurance) (or nominee)'s investigation, the Associate Dean of School (Academic Quality Assurance) (or nominee) may refer the matter to be dealt with under the provision of UPR SA13<sup>4</sup> or UPR SA15<sup>5</sup>.
  - ii consider the allegation and any supporting documentation, seek advice from whomsoever he or she deems appropriate and either:
    - a inform the student that the matter is to be referred to be dealt with under the provision of UPR SA13<sup>4</sup> or UPR SA15<sup>5</sup> or
    - b where the Assessment Offence is not to be dealt with under the provisions of UPR SA13<sup>4</sup> or UPR SA15<sup>5</sup>:
      - 1 prepare a draft report (**Recommendation Report**) for the Short Course/Module Board in the required format, based on the investigation and
      - 2 provide the **Recommendation Report** to the student prior to its submission to the Short Course/Module Board and
      - 3 invite the student to respond to the **Recommendation Report** within five (5) working days of the date of the **Recommendation Report** (not the date of its receipt by the student) and
      - 4 where the student has responded to the **Recommendation Report**, submit the student's comments to the Short Course/Module Board together with the **Recommendation Report**.

**Recommendation Reports** and **Letters of Notification** will be sent by recorded mail and to the email address the student has provided to the University for all correspondence.

- 5.3.3 The School Administration Manager (or nominee) will make a written record of any meeting between the Associate Dean of School (Academic Quality Assurance) (or nominee) and the student.

- 5.3.4 Only the Associate Dean of School (Academic Quality Assurance) (or nominee) will communicate with the student concerning any matter being considered under the provisions of the process set out in this section (5.3).
- 5.3.5 Where section 5.3.2, ii, a, applies, the Associate Dean of School (Academic Quality Assurance) (or nominee) will inform the Chairman of the Short Course/Module Board, in writing, that consideration of the candidate should be deferred to await the conclusion of the process before the Student Academic Misconduct Panel.
- 5.3.6 Following the conclusion of the process before the Student Academic Misconduct Panel, the Associate Dean of School (Academic Quality Assurance) (or nominee) will provide a report to the Chairman of the Short Course/Module Board so that it may determine the appropriate academic penalty to be applied under section 5.4.2 of this document.
- 5.3.7 Where an allegation is upheld at the level of the Student Academic Misconduct Panel, in addition to any sanction or penalty imposed under the provisions of UPR SA13<sup>4</sup> or UPR SA15<sup>5</sup>, the Short Course/Module Board may, where cheating, plagiarism, collusion or other Assessment Offences (as defined in section 2 of this document) has occurred, impose one or more of the academic penalties set out in section 5.4.2 of this document.

#### 5.4 **Chairmen of Short Course/Module Boards**

5.4.1 Chairmen of Module Boards and Short Course Boards are responsible for:

- i reporting all allegations of an Assessment Offence, including proven cases of cheating, plagiarism, collusion or other Academic Misconduct, to all members of the Board;  
  
(where a Student Academic Misconduct Panel, convened under the provisions of UPR SA13<sup>4</sup> or UPR SA15<sup>5</sup>, finds that an Academic Misconduct offence, as defined in section 3.1, has been committed, the Student Academic Misconduct Panel will so inform the Short Course/Module Board. The Short Course/Module Board of Examiners will exercise its academic judgement and allocate marks (see section 5.4.2)
- ii ensuring that the report of the Associate Dean of School (Academic Quality Assurance) (or nominee) is provided to the Short Course/Module Board of Examiners so that it may determine the appropriate penalty to be applied and that receipt of the report is noted formally in the minutes of the Board meeting at which it is received;
- iii within ten (**10**) working days of the meeting of the Board, or as soon as possible thereafter, notifying the student, in writing, of the action taken by the Short Course/Module Board of Examiners in exercising its responsibilities and of his or her right to request a formal review of the decision or recommendation of a Board of Examiners under the provisions, as appropriate, of Appendix I, UPR AS12<sup>1</sup>/Appendix I, UPR AS13<sup>2</sup>, refers);
- iv ensuring that a report of the incident is made to any relevant Professional Body requiring such information.

#### 5.4.2 **Academic penalties**

Short Course/Module Boards may, on academic grounds, and at their absolute discretion, impose any of the following academic penalties:

- i award a grade for an assessment based purely upon academic merit, taking into account the extent to which the work submitted represents evidence of the student having met the relevant learning outcomes, where the Board is, in its academic judgement, able accurately to determine this or

- ii reduce the grade awarded for an assessment, to reflect the extent to which the cheating, plagiarism, collusion and/or other Assessment Offences as defined in section 2.1 has, in their academic judgement, created doubt about the evidence represented by the submitted work for the student having met the relevant learning outcomes or
- iii award a grade of **0** for an assessment, where the extent of the cheating, plagiarism, collusion and/or other Assessment Offences is, in their academic judgement, such as to make it unsafe to award any academic credit for the work.

Mrs S C Grant  
Secretary and Registrar  
Signed: **1 August 2018**