

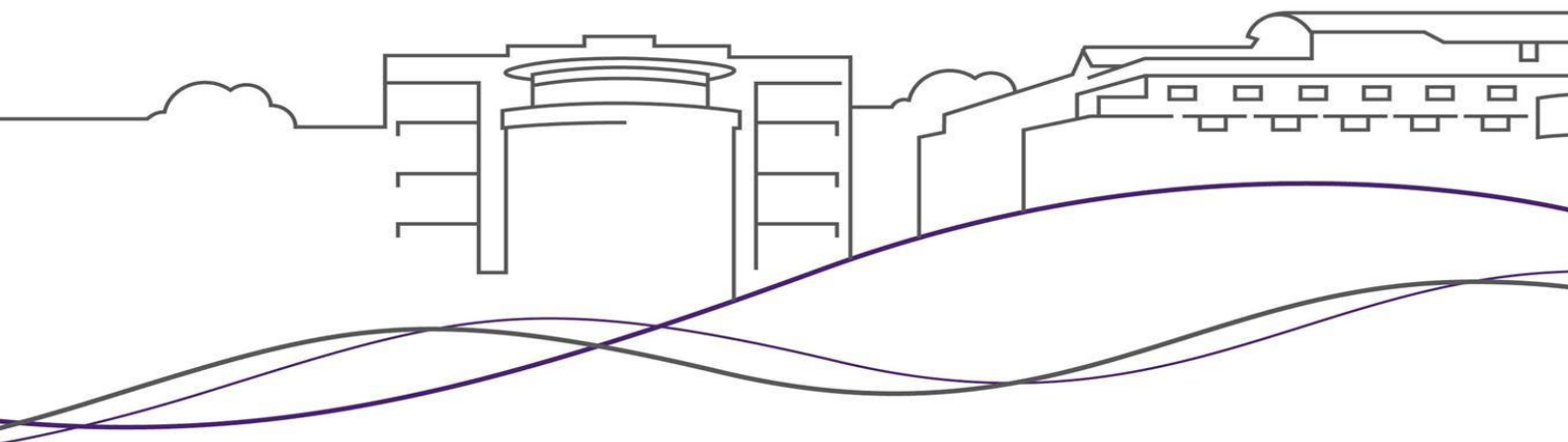


**HIGHER EDUCATION**

# **ASSESSMENT REGULATIONS v8.0**

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# Document Control

Document Approved by: HEAB	Date of Approval: June 2024
Review by: HEARG	Review Date: May 2024
Date of Implementation: September 2024	CPD to support Implementation: July 24
Version Number: 8.0	Author: A Wilson

Revision History			
Ver	Date	Author	Description
1.0	June 17	A Wilson	Conception
2.0	May 18	A Wilson	Update regulation for passing a programme
3.0	June 19	A Wilson	Update EC and Policy Changes
4.0	Feb 20	A Jaycock	Update Academic Offences activity
5.0	June 21	A Wilson	Updated to move from Element to Component of assessment
6.0	June 22	A Wilson	No changes
7.0	June 23	A Wilson	Updated plagiarism statement / Job titles updated
8.0	June 24	K Jones	Updated to reflect 30 credit module compensation and change in job titles. Language relating to academic misconduct changed.

Approval History			
Ver	Committee	Date Approved	Comments
1.0	AIDB	June 17	Approved
3.0	AIDB	July 19	Approved
4.0	HEAB	March 20	Approved
5.0	HEAB	June 21	Approved
6.0	HEAB	June 22	Approved
7.0	HEAB	June 23	Approved

8.0	HEAB	June 24	Approved
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# Assessment Regulations

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## 1. Introduction

The purpose of this academic regulation is to set out the requirements for assessment for programmes approved at South Devon College. This includes academic misconduct and extenuating circumstances regulations.

This regulation should be read alongside the UCSD Assessment Policy, which sets out detailed guidance for students and staff on assessment requirements.

This regulation should be read alongside the UCSD Extenuating Circumstances Policy and Procedure, which sets out detailed guidance for students on what may and may not be considered as extenuating circumstances. The document also sets out the procedures that a student must follow when they believe they have extenuating circumstances relating to assessment.

## 2. Extenuating Circumstances

Extenuating circumstances are unexpected circumstances which:

- affect a student's ability to attend or complete an assessment or a number of assessments
- are exceptional
- are outside a student's control, and
- can be supported by independent evidence (unless self-certifiable).

Consideration of extenuating circumstances ensures that a student is not disadvantaged by these circumstances, while also maintaining academic standards.

All claims of extenuating circumstance will be treated carefully and in confidence.

The College operates a 'fit-to-sit' policy. If a student sits an exam or attends a practical will be taken as a declaration that they consider themselves fit to do so, and will count as an attempt.

If a student believes that their academic performance will be affected by personal or health circumstances, they must submit details to the College on the appropriate form and provide relevant corroborative evidence as soon as possible, and no later than ten working days after the assessment deadline.

Claims submitted outside published deadlines will not normally be approved.

All claims, other than those that are self-certified, must be accompanied by independent supporting documentation that shows the nature, timing and evidence of the problem, and the effect the problem has had on the student's performance. Supporting evidence should not be retrospective. Information on what may be

acceptable supporting evidence is available in the Extenuating Circumstances Procedures.

The College recognises that some illnesses can be short-lived and do not require medical attention, but can be severe in their effects and prevent a student's engagement with assessment activities. If a student has an illness for which medical advice would not normally be sought, that has a duration of five days or less, but is severe in its effects (e.g. gastroenteritis, severe migraine), preventing their engagement with assessment activity, they may self-certify their circumstances instead of providing independent medical evidence. Self-certification is allowed only once in each academic year.

Marks will not be adjusted, even if a student has valid extenuating circumstances. Details of how extenuating circumstances may be taken into account are set out in the Extenuating Circumstances Procedure.

Valid extenuating circumstances claims will not be carried forward automatically to cover future assessments. A student must submit a claim for each assessment or number of assessments affected.

Students have the right to appeal the College's decision whether or not to accept an Extenuating Circumstances claim. These appeals must be submitted within ten working days of the College informing the student of the outcome of the extenuating circumstances claim.

Appeals against extenuating circumstances decisions can be made only on the following grounds:

- a) A material and demonstrable procedural irregularity in the Extenuating Circumstances process
- b) Evidence that the College did not consider all of the information available to it at the time of its consideration of the claim.

Appeals will not be considered on the following grounds:

- a) Dissatisfaction with the judgement of the College in its consideration of the Extenuating Circumstances claim
- b) Late submission of an application for Extenuating Circumstances, where there are no compelling reasons why the application was made late
- c) Late submission of evidence to support an Extenuating Circumstances claim, where there are no compelling reasons why the evidence was submitted late.

Appeals will be considered through the HE Academic Appeals process

Appeals against an extenuating circumstances decision cannot be made once an Award Assessment Board has made a progression decision. Students who want to appeal against a progression decision on the basis of extenuating circumstances should follow the College's standard appeals procedure.

The outcome of any appeal against a College decision in relation to Extenuating Circumstances is final and will not be considered again later as an appeal against the decision of the Award Assessment Board.

### **3. Late Submission of Coursework**

Coursework that is assessed with a numerical mark will be capped at the minimum pass mark if it is submitted within the first 24 hours after the deadline date and time.

Coursework that is assessed with a numerical mark will be awarded a mark of zero if submitted more than 24 hours late.

Coursework that is assessed on a pass/fail basis will be awarded a Fail if it is submitted after the deadline date and time.

The 24 hours will apply to the next College working day, irrespective of programme term dates. Some programmes may not apply the '24 hour' rule because of professional, regulatory or statutory body requirements.

Members of academic staff cannot grant extensions to deadlines for submission of coursework. A student who misses a deadline, or believes that they will miss a deadline, due to circumstances beyond their control should submit extenuating circumstances as set out above. The student will normally be given a maximum of 10 working days after the original deadline to submit the work. There may be times where, because of the nature of the assessment task, or the time available to provide marks to an assessment panel, a period of more or fewer than 10 days is allowed. Where this is the case, tutors should tell students and the HE Faculty Office in advance. This extra period will not normally apply to the resit period for which an absolute deadline is already set, nor to any other deadline date for marks to be considered by Subject Assessment Panels/Award Assessment Boards. The final deadline for submitting the coursework will be confirmed in writing by the HE Faculty Office.

Coursework which is submitted after the deadline will be marked but the results will not be published onto the official record until any extenuating circumstances have been considered. Informal feedback may be given on the quality of the work submitted. If there are valid extenuating circumstances, the actual result achieved

will be entered onto the record and submitted to the Subject Assessment Panel and Award Assessment Board. If the circumstances are not considered valid, the normal penalty for submitting late will be applied, as set out above.

#### **4. Late arrival at a formal examination**

If a student arrives late to a formal College examination, they will not be allowed to enter the examination room if the examination has been in progress for more than 30 minutes, unless there are exceptional circumstances.

If a student arrives to an examination late, and is allowed to sit their examination (within 30 minutes of the start), they will not be given extra time at the end of the examination to make up for the time missed at the beginning.

#### **5. Late arrival at an assessment on a professional programme**

Students on programmes leading to professional registration might not be allowed to sit an assessment if they arrive late. The decision on whether to allow a student on a professional programme to go into an assessment late will take into account factors such as:

- whether the student's professionalism is being assessed as a competence standard
- the security of the assessment
- the logistics of admitting a student late
- whether allowing a student late admittance will disadvantage any other students.

The relevant Programme or Module Handbooks should state clearly whether or not students will be allowed to take an assessment if they arrive late.

#### **6. How to pass a Level**

A student must pass 120 credits to complete the Level and progress or graduate.

A full-time student must complete a Level before being allowed to progress to the next Level, unless an extended referral has been awarded.

An extended referral allows a student to progress to the next Level of study while completing referral work in a maximum of 20 credits. The student will be usually required to complete the referral work within 5 weeks of the date of issue. It prevents a student from having to repeat a whole year of study, just to pass 20 credits.



An Award Assessment Board will normally meet at the end of the summer term and in September. The Programme teams will make local arrangements to review the provisional marks of the modules which require in-year review, for example January starts.

A final year student may be given an extended referral opportunity, which will usually mean that they can complete referral assessment within 5 weeks of the date of issue, without having to attend. Final year students can only complete extended referral work in a maximum of 20 credits. The student will then be considered at the next round of assessment Panels and Boards (normally the end of the summer term).

Exceptionally, the Board may make a decision to not permit a student to progress or graduate where PSRB requirements have not been met. In this instance the Board will determine the most appropriate cause of action required for the student to satisfy the PSRB requirement.

## **7. How to pass a module**

Students cannot re-take modules that have already been successfully completed.

The pass mark for an undergraduate module (4-6) is 40%, Merit (60-69%) or Distinction (70% or over) for all modules.

**An exception to regulations can be permitted to require an element level or component of assessment to be passed at specified threshold.**

## **8. Procedures in the event of failure**

### **8.1 Academic Credit Compensation**

Where a student fails one or more taught modules, the Award Assessment Board may compensate those credits studied for the failure.

The maximum compensation allowed within each award is: Undergraduate awards 30 credits per level.

In order to be compensated:

Where 10 or 20 credits are being compensated the module mark(s) must be within 10% of the pass mark

Where 30 credits are being compensated the module mark(s) must be within 5% of the pass mark.

Compensation will be considered only at the Award Assessment Board when the full module profile is known. If the original module mark achieved was below the pass mark, the original mark will remain after compensation. Compensation cannot be applied for any module where assessments are marked on a pass/fail basis, i.e. no marks are awarded.

A part time undergraduate student may be awarded a compensated pass only at the point when the student has attempted 120 credits of a Level.

While there should be no compensation for an individual module taken as accredited CPD, a module taken as accredited Professional Development may be compensated (dependent on the module status) when it contributes to a programme or an award.

## **8.2 Referral, repeat and deferred decisions**

An undergraduate student who fails any component of the immersive module in the first semester will be required to complete an in-year referral in the failed component by week 15.

Referred work in the immersive module will be capped at Component level, as detailed below.

A student who fails the immersive module in the first semester, and is required to take a referral, is required to refer only those components which they failed.

A student who fails any other module and is required to take a referral will normally be required to refer only the Component (s) of the module which s/he failed.

A student who fails and is required to repeat a module will normally be required to repeat all Components unless there is, for example, a substantial laboratory/fieldwork element which has been completed to a good standard where timetabling or other logistical problems may otherwise occur. In such cases the Award Assessment Board will set out what is to be retaken.

Where a student fails one or more taught modules, the Award Assessment Board may:

- award compensation in a maximum number of credits, if permitted, and make an award based on the aggregate mark achieved
- Exceptionally, defer a module/s decisions when the Board are satisfied that external factors outside of the students control prevented them from completing the module/s, until the next available opportunity. To a maximum of 40 credits at the next available opportunity.
- allow the student to be referred in the module(s), in whole or in part of each Component of assessment, at the next available opportunity; a student may be referred in up to 60 credits
- allow the student to repeat the module(s), with or without attendance, by a date to be determined by the Board
- require the student to withdraw from the programme and award any intermediate qualification for which the student has achieved the credit requirements
- require a student whose extenuating circumstances will prevent the completion of the award during the normal period of registration, or have prevented them from making academic progress in the previous session, to interrupt studies or withdraw from the programme
- require a student whose extenuating circumstances will prevent them from meeting the learning outcomes of their programme to transfer to an alternative programme, or withdraw from the programme and be granted the appropriate exit or aegrotat award.

A student who has already been given a referral opportunity, but is unsuccessful in that referral, will normally be required to repeat the module in its entirety.

The Award Assessment Board should make its decision on whether to compensate or refer an undergraduate student at the final stage based on the student's potential to achieve a higher classification on referral.

A student who fails to submit referred assessment or fails to attend a referral examination will be awarded a mark of zero for that Component. Students should consider the likelihood of their success in referred assessments. Students may choose to repeat module(s) instead. If a student chooses to repeat the module(s), they must pay the standard fee and repeat all Components of the module.

The form of the referred assessment does not have to be the same as the form of assessment, and is only required to assess learning outcomes that were not achieved, which was originally failed. It is the responsibility of the Award Assessment Board to specify the form of the reassessment. However, if the form of the reassessment is different (including cases where the nature of the examination or coursework has changed) students should be told in writing, via the student transcript and accompanying letter.

If a student has extenuating circumstances that will prevent them from completing the award during the normal period of registration, or has prevented them from making academic progress in the previous session, the Board decision will be subject to a case conference being held in line with the Fitness to Study Policy.

The decision by the Award Board to withdraw a student should be an exceptional decision, taken only when it is clearly in the student's best interests, and usually after the opportunity to repeat the failed modules has been applied (unless there are associated Fitness to Practise issues for those students on programmes leading to professional registration).

Where an undergraduate student has failed a referred assessment in up to 20 credits (or has failed referred assessment in one 30 credit module), the Board may exceptionally allow the student to progress and offer a further referral opportunity (an extended referral) during the next session, based on a judgement of the student's overall performance and potential.

A final year undergraduate student may be given an extended referral opportunity, which will mean that they can complete referral assessment usually within 4 weeks of the referral boards, without having to attend. Final year students can only complete extended referral work in a maximum of 30 credits. The student will then be considered at the next round of assessment Panels and Boards.

The Award Assessment Board may determine the form of the reassessment. Where the referral takes the form of coursework, the submission deadline should normally be set 4 weeks after the referral boards and, while marks are provisional, feedback should be given to students by the end of the Autumn Term (with academic staff consulting with External Examiners over any borderline marks). This would enable the College to advise students who had failed at their final attempt of their options and, in particular, to give students the opportunity to withdraw by the end of the first week of the following term, thereby avoiding liability for the full year's fees. Referred examinations/fieldwork will normally be taken on the next occasion on which the examination/fieldwork is scheduled.

Where a student fails the dissertation/major project module, the Award Assessment Board may at its discretion, based on a judgement of the student's overall performance and potential:

- allow the student to resubmit the work under its original title. The deadline for submission should be no more than sixteen weeks from the date of publication of results, or
- require the student to submit a new dissertation/project, by a date to be determined by the Board, or

- require the student to withdraw from the programme, or
- require a student whose extenuating circumstances will prevent the completion of the award during the normal period of registration, or has prevented them from making academic progress in the previous session, to suspend or withdraw from the programme.

A student who is being reassessed in one Component of assessment must achieve the pass mark of 40% in that Component. The student will fail the referral or repeat if they do not achieve the pass mark in the reassessed Component, even if they achieve the overall aggregate module pass mark.

The original rule for passing the module, as set out above, will apply to a student who is reassessed in more than one Components of assessment. A student who fails the referral or repeat because they have not achieved the pass mark in the reassessed Component (even if they achieve the overall aggregate module pass mark) will still be eligible for compensation, as set out above.

Where there are valid extenuating circumstances, the Board may allow a student to take referrals in the appropriate assessments at the next available opportunity even if they have failed more credits than can normally be referred. To be eligible for such a referral, students should have shown enough academic progress during the year to suggest that they have the potential to achieve all the credits in which they have been referred.

If the summer Award Assessment Board requires a final stage student to repeat failed modules, that student can ask for referrals only in the number of credits required to achieve an Ordinary Degree (rather than an honours degree). If the student wants to return to the College to “top up” to Honours, they will have to reapply for admission, normally no less than two years after the award of the Degree. The College’s decision on re-admission will be final.

An undergraduate student will be allowed a maximum of three attempts at a module. A failed module may not be referred or repeated on more than two occasions. An undergraduate student on a Level 0 programme will be allowed a maximum of two attempts at a module. A failed module may not be referred or repeated on more than one occasion.

Where a student has valid extenuating circumstances, a referral or repeat will be offered as a same attempt and will not, therefore, count as an additional attempt towards the maximum number of attempts allowed.

If a student studies a different module instead of the failed module, the number of attempts at the original module will count towards the maximum number of attempts at the new module.

Where a failed module is successfully referred or repeated, the mark for the referred/repeated Component(s) will be capped at the pass mark, and the capped mark(s) will be used when calculating the overall module mark.

If a student has repeated the module, with or without attendance, all Components will be capped at the pass mark.

Marks will not be capped if the referral or repeat is taken as a first attempt.

Where students are transferring to a new programme and/or subject area, and taking a large number of new modules (60 credits or more), Award Assessment Boards may allow students to be given whatever mark is achieved at the second or final attempt. The reasons for such an exception must be discussed with the External Examiner and recorded in the minutes.

### **9. Exclusion of a student on grounds of unsatisfactory progress (either academic or in terms of professional development)**

A student who the Chair of an Award Assessment Board, in consultation with the Programme Leader, considers to be making unsatisfactory progress (either academic or in terms of professional development), or whose conduct is unethical or unprofessional or dangerous, may be required to withdraw from a programme of study.

The Board will not normally require a student to withdraw from a programme of study unless:

- the College can demonstrate it communicated with the student to monitor academic or professional engagement, and
- the student has not demonstrated that they have addressed the issues raised in that communication.

If a student continues to demonstrate unsatisfactory academic or professional engagement, a written formal warning will be issued by the Dean of Higher Education Quality and Academic Registrar (or designated substitute) after consultation with the Programme Leader, setting out the reasons for the warning. If the problem is not resolved, the Award Assessment Board may require the student to withdraw.

## **10. Subject Assessment Panels and Award Assessment Boards**

The main purpose of Subject Assessment Panels and Award Assessment Boards is to make sure that the underlying principles of assessment at the College have been upheld:

- To provide a fair and reliable measure of students' performance, knowledge and skills against the learning outcomes and discipline pedagogy.
- To give College stakeholders confidence that a student has achieved the necessary level of achievement, giving a reliable and consistent basis for their award.

Subject Assessment Panels (with Subject External Examiners in attendance) are set up to confirm or modify module marks, to review the standard of assessment in the 'subject' and to decide on recommendations on the form of referral for individual modules.

The confirmed marks and recommendations are then considered by the Award Assessment Board (with the Award External Examiner in attendance) which makes decisions on the final result for each student on a particular award or group of awards.

### **Subject Assessment Panels**

The membership of the Panel will be:

- Chair (the Programme leader or equivalent),
- Internal Examiners for all subject (or group of subjects) modules,
- the Subject External Examiner(s), and
- A member of the Higher Education Team acting as Secretary to the Panel (non-voting member).

All Internal Examiners must be present either in person or via video conferencing/skype at the Panel. If, due to unforeseen circumstances, an Internal Examiner is prevented from attending a Panel, they must make sure that they give the Panel written comments on the marks and the standard of assessment in the module(s).

Subject External Examiners are required to be involved with the standards of assessment in all modules which contribute to a final award, and must attend the relevant Panel meetings.

The Subject Assessment Panel will consider the results of all modules in the subject, regardless of the programme or award on which the students are registered. The responsibilities of the Panel are to:

- a) Review the standard of assessment in the subject, and to make sure that appropriate academic standards are maintained at subject level in modules and across centres, as appropriate, including discussion of the data provided on marks distribution for modules
- b) Confirm or modify module marks. An Award Assessment Board cannot alter marks once they have been confirmed by a Panel, unless an error is discovered
- c) Discuss any problems with assessment (not about individual students)
- d) Make recommendations on the form of referral assessment for individual modules, which will be forwarded to the Award Assessment Board by the Chair of the Panel or designated substitute
- e) Receive information from the Panels/Committees of Investigation on substantiated examination and academic misconduct, which must be fully recorded in the notes of the Panel
- f) Receive the report from the Subject External Examiner(s) for the previous academic year, and any written response/action plan, to ensure that all issues that were raised have been addressed.

The Panel does not receive details of extenuating circumstances relating to individual students, and does not consider the overall performance of individual students.

Issues raised in the annual reports of the Subject External Examiner(s) will be discussed by the staff involved in the Subject Assessment Panel. Discussion may take place at a special meeting of the Subject Assessment Panel or an alternative forum if more appropriate. A written response will then be agreed. If appropriate, the Chair of the Award Assessment Board could co-ordinate the responses from Panels to the External Examiner(s).

All discussions of the Subject Assessment Panel must be recorded formally in the minutes.

### **Award Assessment Boards**

The membership of the Award Assessment Board will be:

- Chair, Dean of Higher Education Quality and Academic Registrar (or designated substitute)
- the Chair of each contributing Subject Assessment Panel or designated substitute,
- the Programme Leader(s) or equivalent,
- the Award External Examiner(s) (for stages where marks contribute to the final award classification),



- Higher Education Administrator (or designated substitute) as secretary to the Board (non-voting member).

The HE Academic Standards and Quality Manager or designated substitute will normally attend to make sure that the College's Regulations are followed, and that decisions are clear and unambiguous.

Where the Panel and Board are joined into one meeting, the Subject External Examiners must be present for the Panel business, but cannot participate in the Award Assessment Board discussions.

The membership of the Award Assessment Board may be extended to include Subject External Examiners and other Internal Examiners where this is a requirement for professional accreditation. In such cases the membership of the Award Assessment Board must be clearly set out in the current Award definitive document.

The Award External Examiner must be present at the Board. If an Award External Examiner is unable to attend an Assessment Board, a replacement appointment will be made by the Dean of Higher Education Quality and Academic Registrar after appropriate consultation from amongst the other Subject or Award External Examiners.

The responsibilities of the Award Assessment Board are:

- a) To make decisions on progression, if appropriate, and awards for all students registered for the named award(s) for which the Board is responsible.
- b) To ensure that decisions are made fairly and democratically, and that justice is done to the individual student, in line with the appropriate College Academic Assessment Regulations (and any approved modifications for the particular award stated in the programme documentation).
- c) To make sure that academic standards of student performance are being maintained at award level, based on the reports received from each of the constituent Subject Assessment Panel chairs on the standard of assessment in subjects/modules, and are comparable with similar awards in other UK institutions, in the expert opinion of the Award External Examiner.
- d) To make sure that all valid extenuating circumstances relating to individual students have been fully taken into account before a decision is reached.
- e) To report and discuss, where appropriate, any examination or assessment misconduct and take appropriate action. The Award Assessment Board will accept the recommended penalty unless the wider assessment profile means that the penalty is no longer appropriate (if, for example, a student has committed multiple instances of academic misconduct across a programme, the penalty may be increased).

- f) To receive formally the Award External Examiner's report for the previous academic year, and any written response/action plan, to make sure that all issues that were raised have been discussed.

The Award Assessment Board may not alter the marks agreed at a Subject Assessment Panel except where there has been an error.

All discussions of the Award Assessment Board must be formally recorded in the minutes. All decisions relating to students with extenuating circumstances, any discussion of cases of examination and assessment misconduct, and any other instances where a Board has used its discretion, should be recorded in the minutes very carefully.

An Award Assessment Board runs under delegated authority from the Governing Body. The Award Assessment Board chair cannot agree standards and, therefore, the phrase 'Chair's Action' should not be used. The action which can be taken by Chairs between meetings of the Award Assessment Board should be set out clearly. The Board should, if possible, make decisions for students with outstanding assessments that if 'X' is achieved then 'Y' degree/award will be conferred; such decisions should be clearly recorded in the minutes. Results for such students can then be released if they satisfy the requirements. If 'X' is not achieved there would have to be a meeting of the Award Assessment Board (as a Referred Board), with a membership agreed by the Board.

The Referred Board will confirm marks, and make decisions on progression and awards. The Referred Board is an Award Assessment Board convened to consider the assessment profiles of students who have completed referred assessments.

## **11. Examination and Academic Misconduct**

The College reserves the right to apply these regulations in cases where examination or academic misconduct is identified after a student has left the College (i.e. to individuals who are not currently enrolled). This may lead to a decision by the College to revoke the award made to the former student.

### **11.1 Examination Misconduct Regulations**

This regulation should be read alongside the procedure for considering examination misconduct. It applies to examination misconduct occurring in formal College examinations and in-class tests.

This regulation, and associated procedures, applies only to those examinations and tests which contribute towards the award of credit or the satisfactory completion

of CPD activity (i.e. summative and not formative assessments). On programmes leading to professional registration, alleged offences in formative assessment may also be referred through the full examination offences process and / or Fitness to Practise proceedings.

Where offences are identified in a formative assessment on all other programmes, these should be drawn to the student's attention by the module leader and the student advised of the consequences of committing an offence in a summative assessment. Where a Tutor notices that a student has received such advice on a number of occasions, this may trigger a further discussion.

The College recognises the following, including any attempt to carry out the actions described, as examination offences, regardless of intent:

- a) Possessing or using in an examination or test any crib sheet, revision or other notes, books, paper, mobile phone, smart watch or electronic device of any kind other than those specifically permitted in the rubric of the examination paper. The offence lies in the possession of the material and does not depend on whether there was any intention to use the material.
- b) Obtaining access to an unseen examination or test material prior to the start of the examination/test.
- c) Failing to comply with the legitimate instructions of an invigilator or examiner, or with the instructions for candidates (for example signage, written instructions, on-line information).
- d) Removing from an examination or test any script, paper, working notes or other official stationery, whether or not completed, or any electronic records provided as part of the examination unless specifically authorised by an invigilator or examiner.
- e) Being party to personation, which is any arrangement where a person fraudulently represents, or intends to represent, a candidate in an examination or test.
- f) Communicating with another student or with any third party, other than an invigilator or examiner, whilst in the examination/test room.
- g) Copying the work of another student, whether by overlooking their work, asking them for information, or by any other means, or knowingly allowing their own work to be copied.
- h) Making false declarations in an attempt to obtain either modified assessment provisions or special consideration (e.g. of extenuating circumstances).
- i) Attempting to persuade another member of the College (student, staff, or invigilator) to participate in any actions which would be in breach of these regulations.
- j) Being party to any arrangement which would constitute a breach of these regulations.

k) Undertaking any other activity which could confer an unfair advantage to any candidate(s) taking an examination or test.

The Dean of Higher Education Quality and Academic Registrar (or designated substitute) reserves the right to refer any case direct to the Vice Principal (Curriculum, Performance and Quality) to decide whether immediate suspension or referral to the [Study and Wellbeing Review Policy and Procedure](#) is required, while the suspected exam misconduct is considered.

The decision on whether to refer the case to the Vice Principal (Curriculum, Performance and Quality) will take into account matters including, but not limited to, the severity of the alleged misconduct or any potential risk to the student's health or welfare.

Where a student is suspected of having committed misconduct in a formal College examination, the invigilators will follow the agreed process to report the incident.

Where a student is suspected of having committed misconduct in an in-class test the invigilators will complete the incident report form, copying it to the HE Faculty Office within 5 working days of the date of the test. The process for considering any alleged examination misconduct is set out here.

All cases of alleged examination misconduct will be considered by a College Examination Misconduct Panel. The composition of the College Examination Misconduct Panel will be as follows:

- Chair or Vice-Chair (nominated by the Vice Principal (Curriculum, Performance and Quality)).
- Dean of Higher Education Quality and Academic Registrar, or designated substitute
- Two academic members (drawn from a pool of 12 academic staff, nominated by the Academic Registrar).
- HE Academic Standards and Quality Manager
- or designated substitute (in attendance in an advisory capacity and to take notes).

The Panel will be considered quorate provided that one academic staff member is present, in addition to the Panel Chair and the Dean of Higher Education Quality and Academic Registrar, or designated substitute. All members of the Panel will have equal voting rights. A decision will be taken based on the majority vote wherever possible. When required, the Chair shall have the deciding vote.

The HE Faculty Office will provide administrative support for the operation of the Panel. A Panel member may not consider the case of a student from their own

curriculum area, or a student they know. Any conflicts of interest must be declared to the HE Quality Office.

The Panel will consider all of the evidence put before it and will ask questions of both the student and any witnesses relating to the alleged misconduct in order to establish the facts of the case. The student (or their representative) will have the opportunity to ask questions of any witnesses. If the student chooses not to appear before the Panel then their written statement will be considered by the Panel.

The Examination Misconduct Panel will decide either:

- a) That the allegation is not substantiated and that no further action is required;  
or
- b) That the allegation is substantiated and that one of the penalties below will be applied. At this stage, the Panel will be made aware of any previous substantiated misconduct committed by the student.

If the allegation is not substantiated, the HE Faculty Office, in liaison with the Dean of Higher Education Quality and Academic Registrar will ensure that all records relating to the allegation are removed from the student's permanent record at the College.

If the allegation is substantiated, the misconduct should be recorded on the student's permanent record.

The penalties that can be imposed are as follows:

- a) No mark penalty will be applied but the misconduct be recorded on the student's permanent record and the student be required to undertake appropriate remediation.
- b) A mark of zero will be recorded for the assessment in question.
- c) A mark of zero will be recorded for the Component in question.
- d) A mark of zero will be recorded for the module of which the assessment formed a part.
- e) The final aggregate mark for the programme will be reduced by 10%.
- f) The student is required to resubmit the assessment or repeat the module, with the award of credit only, with zero marks on successful completion.
- g) A mark of zero be recorded for the module of which the assessment formed a part; the student is barred from taking the module again and must withdraw from the programme.

A student on a programme leading to registration with a professional body is likely to be required to declare any substantiated misconduct with that professional body upon registration. The College may also inform the professional body.

Exceptionally, the Panel may conclude that an misconduct is so serious that it should be referred to the Vice Principal (Curriculum, Performance and Quality) with the recommendation that the student is excluded from the College.

The penalty awarded by the Panel in accordance with the tariff shall be binding upon the Award Assessment Board unless the wider assessment profile means that the penalty is no longer appropriate (if, for example, a student has committed multiple instances of academic misconduct across a module, the penalty may be increased).

The Secretary to the Panel will report the Panel's decision to the student and Programme Leader in writing within 5 working days of the date of the Panel's decision.

Substantiated misconduct will be reported to the Subject Assessment Panel and Award Assessment Board.

A student may appeal against the decision or penalty imposed by the Examination Misconduct Panel on the following grounds;

- a) Evidence of procedural irregularity which casts doubt on the conclusion of the Panel that misconduct has occurred or on the fairness of the penalty imposed;
- b) Where there is new evidence which could not reasonably have been made available to the Examinations Misconduct Panel at the time it made its decision;
- c) Where there is evidence that the Examination Misconduct Panel acted unfairly or failed to take into account matters which it should have done in reaching its decision.

Appeals must be submitted in writing to the HE Quality Office within 10 working days of the date of the letter notifying the student of the outcome of the Panel hearing.

Appeals against an Exam Misconduct Panel outcome should be submitted in line with the College's Academic Appeals Procedure. Following completion of the College's internal appeals procedures, a Completion of Procedures letter will be issued. A student who remains dissatisfied with the outcome may make a complaint to the Office of the Independent Adjudicator for Higher Education.

## **11.2 Academic Misconduct Regulations**

This regulation should be read alongside the procedure for considering academic misconduct. It applies to misconduct occurring in formal College assessments

(excluding formal examinations and in-class tests, which are dealt with under the Examination Misconduct procedures above).

This regulation applies to:

- assessments which contribute towards the award of credit, or
- the satisfactory completion of CPD activity (i.e. summative and not formative assessments).

On programmes leading to professional registration, alleged misconduct in formative assessment may also be referred through the full academic misconduct process and / or Fitness to Practise proceedings.

Where misconduct is identified in a formative assessment on all other programmes, these should be drawn to the student's attention by the module leader or supervisory team, as appropriate, and the student advised of the consequences of committing academic misconduct in a summative assessment. Where a tutor or supervisor notices that a student has received such advice on a number of occasions, this may trigger a further discussion.

Academic misconduct occurs when activity is undertaken which could confer an unfair advantage to any candidate(s) in assessment. The College recognises the following (including any attempt to carry out the actions described) as academic misconduct, regardless of intent:

- a) Plagiarism, which is copying work or ideas into a submitted assessment without full acknowledgement.
- b) Collusion, which is unauthorised collaboration of students (or others) in producing a submitted assessment. The Collusion occurs if a student copies any part of another student's work, or allows their own work to be copied. Collusion also occurs if other people contribute significantly to work that a student submits as their own.
- c) Contract cheating, often called 'ghost writing', which occurs when another person or people are commissioned or otherwise engaged to undertake an assessment, totally or in part, and the assessment is submitted as the student's own work.
- d) Misrepresenting or fabricating the outcomes and results of research, investigations, or experiments.

- e) Making false declarations in an attempt to obtain special consideration in assessment. Examples include falsely claiming a need for modified assessment provision or making false extenuating circumstances claims.
- f) The inclusion in an assessment (other than an examination or test) of material which is identical or substantially similar to material which has already been submitted for any other assessment within the College.
- g) Persuading or attempting to persuade another member of the University or partner institution to participate, in any way, in actions which would be in breach of these regulations.
- h) Being party to any arrangement which would be a breach of these regulations.
- i) Any other activity which could confer an unfair advantage to any candidate(s) in assessment.

The Dean of Higher Education Quality and Academic Registrar (or designated substitute) reserves the right to refer any case direct to the Vice Principal (Curriculum, Performance and Quality) to decide whether immediate suspension or referral to the Fitness to Study procedure is required.

The process for considering any alleged academic misconduct is set out here.

All cases of alleged academic misconduct will be considered by a College Academic Misconduct Panel. The composition of the Academic Misconduct Panel will be as follows:

- Chair or Vice-Chair (Dean of Higher Education Quality and Academic Registrar)
- Two academic members, from a curriculum area unrelated to that of the student has allegedly committed the misconduct

The Panel will be considered quorate provided that two academic staff members are present, and the Dean of Higher Education Quality and Academic Registrar.

All members of the Panel will have equal voting rights. A decision will be taken based on the majority vote wherever possible. When required, the Chair shall have the deciding vote.

The HE Faculty Office will provide administrative support for the operation of the Panel.



The Panel will consider all of the evidence put before it and will ask questions of both the student and any witnesses relating to the alleged misconduct in order to establish the facts of the case. The student (or their representative) will have the opportunity to ask questions of any witnesses. If the student chooses not to appear before the Panel then their written statement will be considered by the Panel. The Module Leader should be available at the time of the Panel meeting, should the Panel require clarification on any points of fact.

The Academic Misconduct Panel will decide as follows:

- a) That the allegation is not substantiated and that no further action is required;  
or
- b) That the allegation is substantiated and that one of the following penalties below, will be applied. At this stage, the Panel will be made aware of any previous academic misconduct committed by the student. Where an allegation is not substantiated, the Dean of Higher Education Quality and Academic Registrar will ensure that all records relating to the allegation are removed from the student's record at the College.

The penalties that can be imposed for academic misconduct in taught modules are as follows:

- a) No mark penalty will be applied but the academic misconduct be recorded on the student's permanent record and the student be required to undertake appropriate remediation.
- b) A mark of zero will be recorded for the assessment in question.
- c) A mark of zero will be recorded for the Component.
- d) A mark of zero will be recorded for the module of which the assessment formed a part.
- e) The final aggregate mark for the programme will be reduced by 10%.
- f) The student is required to resubmit the assessment or repeat the module, with the award of credit only, with zero marks on successful completion.'
- g) A mark of zero be recorded for the module of which the assessment formed a part, the student is barred from taking the module again and must withdraw from the programme.

A student on a programme leading to registration with a professional body is likely to be required to declare any substantiated academic misconduct with that professional body upon registration. The College may also inform the professional body about the academic misconduct.

Exceptionally, the Panel may conclude that the academic misconduct is so serious that it should be referred to the Deputy Principal (Curriculum, Performance and

Quality) or the Principal with the recommendation that the student is excluded from the College.

The Dean of Higher Education Quality and Academic Registrar will report the Panel's decision to the student and the Programme Team in writing within 5 working days of the date of the Panel's decision.

A student may appeal against the decision or penalty imposed by the Academic Misconduct Panel on the following grounds;

- a) Evidence of administrative error or procedural irregularity which casts doubt on the conclusion of the Panel that an offence has occurred or on the fairness of the penalty imposed;
- b) Where there is new evidence which for good reason was not available to the Academic Misconduct Panel at the time it made its decision;
- c) Where there is evidence that the Academic Misconduct Panel acted unfairly or failed to take into account matters which it should have done in reaching its decision.

Appeals must be submitted in writing to the HE Quality Office within 10 working days of the date of the letter notifying the student of the outcome of the Panel hearing. Appeals must be submitted in line with the College's Academic Appeals Procedure.

Following completion of the College's internal appeals procedure, a Completion of Procedures letter will be issued. A student who remains dissatisfied with the outcome may make a complaint to the Office of the Independent Adjudicator for Higher Education.

## **12. Appeal against the decision of an assessment board**

This regulation should be read alongside the Academic Appeals procedure.

Students will not be disadvantaged if they make an appeal in good faith.

A student may submit an appeal against a decision of an Award Assessment Board which affects his/her academic progress, or right to an award.

The College will only accept an appeal where the student can produce evidence that:

- a) Assessments were not conducted in accordance with the current Assessment Regulations; or
- b) Some other demonstrable material irregularity related to assessment has occurred. Extenuating circumstances (whether relating to College issues,

personal or medical problems or any other issue) which are not submitted to the HE Faculty by the due date may be considered as grounds for appeal only in the most exceptional circumstances (for instance where the student was unable to disclose the circumstances in advance because of a medical condition). Since the College permits the submission of extenuating circumstances under confidential cover, the fact that a student did not wish to disclose personal information will not be considered as an exceptional circumstance.

An appeal cannot be made against the academic or professional judgement of the examiners (that is, the marks allocated, or the result in itself). Students may not challenge the validity of their results other than in the case of an alleged transcription error, or on the basis of evidence of material irregularity related to assessment. Students who suspect that an error has occurred in relation to the transcription of marks (e.g. the wrong mark for a module has been entered on to the transcript), should raise the matter directly and in writing with the HE Faculty Office. Such enquiries will not be treated as formal appeals.

Where a student, having been informed in writing that there has been no error, wishes to appeal, they must make a formal appeal to the Secretary to the Complaints and Appeals Board in the normal way, after marks have been ratified by the Award Assessment Board. If the advice to the student that there was no error is given after the deadline for submission of appeals, the deadline will be extended until two weeks (ten working days) after the date of that advice.

The appeal procedure is concerned only with formal progression or award decisions and the assessment processes which give rise to these. It is not appropriate to deal with problems experienced with programme delivery or availability of facilities (for example) via the appeal procedure. Students should raise such problems by the appropriate means when they arise (e.g. via the College's complaints procedure).

No appeal will be considered if it raises for the first time issues concerning the teaching of a student. Such matters will only be considered if they have been raised by the student promptly, at the time they first arose and pursued under the Student Complaints Procedure.

If, within an appeal, the student identifies issues which, in the view of the Dean of Higher Education Quality and Academic Registrar (or designated substitute) would be more appropriately dealt with via the Student Complaints Procedure, the student will be directed to that procedure. If the Dean of Higher Education Quality and Academic Registrar (or designated substitute) believes that the outcome of the complaint may be a factor in determining the appeal, the student will be advised accordingly and the appeal procedure suspended in relation to those issues until:

- the complaint is resolved, or
- the student indicates that they do not wish to progress further with the College Complaints Procedure, or
- the College Complaints Procedure has been exhausted.

Where an appeal encompasses a range of issues, those which are not factors likely to be material to the determination of the appeal will be investigated via the complaints procedure and the outcome notified to the student in advance of consideration of the appeal. Students will be advised that whilst the College will take steps to ensure that their case is dealt with expeditiously, it may not be possible to conclude a complaint (and hence appeal) prior to any resit assessments, thesis resubmission deadlines, or by the Assessment Board at which the student's profile will next be considered, or by the commencement of the next stage of their course.

Where a student submits a formal (written) complaint to the Complaints and Appeals Office which raises issues which may have impacted on assessment, or a progression or award decision, the Dean of Higher Education Quality and Academic Registrar will advise the student that the issues being complained of will be investigated via the complaints procedure. If the complaint is upheld, the case will be referred to an Appeal Panel to determine whether the outcome might form the basis for an appeal. The appeal procedure as described in the current appeal regulations will then be followed.

The original progression or award decision of an examining body stands until such time as it may be changed by that body, following an upheld appeal. In some instances, a Graduation Ceremony may be held within the two week deadline period for the submission of appeals. In such cases, students will be permitted to attend the Ceremony, without prejudicing any appeal they may later submit, providing the appeal is submitted within the deadline.

Students whose appeals are undergoing consideration at the time of a Graduation Ceremony may also attend the Ceremony without prejudicing the outcome of the appeal process. Such students will not receive an award certificate until the appeal is concluded.

Academic appeals must be made by the student him/herself and all subsequent correspondence from the College will be addressed to the student. In line with the provisions of the Data Protection Act, the College has a policy on the confidentiality of information held about individual students, including their assessment results, such that information may not be released to any third party other than when required by law or at the written request of the student.

Appeals must be made in writing to the Dean of Higher Education Quality and Academic Registrar. Appeals submitted to the HE Faculty Office or the Chair of Award Assessment Board etc., will not be processed. Students are required to complete and submit an Appeal Pro-forma, found within the [Academic Appeals Procedure](#).

For programmes operating within the standard undergraduate structure, a specific date will be identified annually as the deadline by which appeals must be received by the Secretary to the Complaints and Appeals Board. This deadline will be 10 working days after the deadline for publication of results lists (not the date of issue of the student's transcript), as specified in the College Academic and Administrative Timetable. For non-standard undergraduate programmes, a deadline of ten working days after the actual date of publication of the official results list (not the date of issue of the student's transcript), will be set and notified to students in writing.

Students are encouraged to submit appeals as soon as is practicable. The College will take steps to expedite consideration of appeals, but there can be no guarantees that they will be resolved prior to resit examinations/ assessments deadlines.

Appeals submitted after the College's published deadlines will be out of time and will not normally be considered under the appeals procedures. However, the College recognises that sometimes events occur outside a student's control which prevents them from engaging with the College's Appeals Procedure at the relevant time. If a student submits an appeal out of time they will need to demonstrate that exceptional circumstances existed that prevented them from submitting their appeal at the appropriate time.

Students will need to provide corroborative evidence such as a medical certificate to support the fact that they were prevented from submitting their appeal by the College's published deadlines. This is in addition to any evidence submitted as part of the appeal against the academic decision. The decision on whether or not to accept an appeal submitted out of time will be taken by the HE Quality Office and is the final decision of the College, against which there is no further right of appeal.

All appeals will be considered in line with the published academic appeals procedure.

All academic appeals that are made in line with the grounds set out above will be considered by an Appeal Panel. The Appeal Panel considering cases for students on

a taught award will comprise of three members. None of the Panel will be from the programme area in which the appellant is registered.

The Dean of Higher Education Quality and Academic Registrar (or designated substitute) will ensure an appropriate gender balance in determining Panel membership.

For appeals about taught programmes or modules, the Panel will decide that:

- the appeal is rejected since there are no grounds under the Regulations; or
- the appeal is upheld and the case referred back for review, through the Award Assessment Board.

Where the recommendation to uphold and allow the Appeal to proceed is made, this course of action will be implemented providing the majority of Panel members consulted agree to it. Where the recommendation to reject the appeal is made, this course of action will only be implemented provided all Panel members consulted agree to it.

If there is disagreement amongst the Panel members consulted as to whether an appeal should be rejected, the case will be considered by two other nominees drawn from across other programme areas. The Dean of Higher Education Quality and Academic Registrar (or designated substitute) will continue to ensure an appropriate gender balance in Panel membership when determining the additional members to be consulted. The final decision on the appeal will be that indicated by the majority of Panel members.

The Dean of Higher Education Quality and Academic Registrar , or designated substitute, will process all appeal cases as soon as is practicable. It is anticipated that all cases arising from the Award Assessment Boards will normally be concluded by the last working day in August.

All appellants will be advised of the Appeal Panel's decision in writing. Students will be issued with an Office of the Independent Adjudicator for Higher Education (OIA) 'Completion of Procedures' letter when they have completed the College's internal academic appeals procedure.