

**F1**

The University is concerned to ensure that its assessment regulations are fully and fairly implemented. It will take action against any student who contravenes these regulations through negligence, foolishness or deliberate intent in any form of assessment.

These regulations apply to all students other than those registered for research degrees.

Throughout these regulations, the role of Secretary to Academic Board may be delegated to a senior manager (the Deputy Academic Registrar) reporting directly to the Secretary to Academic Board.

**F2 Examples of academic misconduct**

**F2.1** Any transgression of Examination Room Rules (Section K of the University Regulations).

**F2.2** Being party to an arrangement intending to break or avoid the regulations.

**F2.3** The presentation by the student as their own work of a body of material (written, visual or oral) which is wholly or partially the work of another, either in concept or expression, or which is a direct copy:

**Note:** The work presented for assessment must be the candidate's own, or the work of a project group as requested by the tutor. Plagiarism is the representation of another person's published or unpublished work as the candidate's own by unacknowledged quotation. It is not an offence if the material is acknowledged by the candidate as the work of another through the accurate use of quotation marks and the provision of detailed references and a full bibliography, although the Assessment Board will not expect work to rely heavily on direct quotations.

**F2.4** Copying the work of another student (see F2.3 above).

**F2.5** Obtaining or seeking to obtain access to examination papers prior to the examination.

**F2.6** Being party to an arrangement whereby a person other than the candidate would fraudulently represent them at the assessment.

**F2.7** Failure to comply with the invigilators' instructions.

**F2.8** Behaviour of a manner likely to prejudice the chances of another candidate(s).

**F2.9** Offering a bribe or inducement to invigilators, academic or administrative staff, examiners or other persons connected with the assessments.

**F2.10** Arranging for another person to complete an assignment for submission by a candidate as their own work.

**F2.11** Including any material which is identical or substantially similar to the student's own material which has already been submitted for any other assessment within the University or elsewhere (self-plagiarism).

**F2.12** Presentation of data in laboratory reports, projects, etc, based on work purported to have been carried out by a student which has been invented, altered, copied or obtained by unfair

means.

**F2.13** Presentation of unauthorised groupwork as the work of a single candidate.

**F2.14** False declarations in order to receive special consideration by Assessment Boards, including deferrals and requests for exemption from work.

**F2.15** The use of any form of unfair or dishonest practice in assessment not identified by the examples given above including an attempted infringement of the University's assessment regulations, any arrangement with others to do so or any incitement to others to do so.

**F3 Recommended initial procedures****F3.1 Formal written examinations:**

**(a)** Where an invigilator suspects a candidate of infringing examination room rules they shall, if possible in the presence of another invigilator to act as witness to the action taken:

**i** Confiscate any unauthorised material in the possession of the candidate;

**ii** endorse the candidate's script on the front cover with a note of the time when the alleged infringement is discovered. In the case of suspected collusion they should endorse the script of each candidate involved. Wherever possible they should require another invigilator to act as witness by countersigning the endorsement;

**iii** issue a new examination script booklet to the candidate(s) in question, clearly instructing them to continue (not to restart) the examination;

**iv** inform the candidate(s) in question, at the end of the examination, that a report of the incident will be submitted to the Chair of the Assessment Board and to the Secretary to Academic Board;

**v** enter brief details of the incident on the invigilator's report;

**vi** report the allegation to:

**A** The Chair of the Subject Assessment Board;

**B** The School Assessment Officer.

**(b)** Where an internal or external examiner suspects a candidate of infringing examination room rules they shall:

**i** attach a cover note to the script detailing the alleged infringement;

**ii** report the allegation to:

**A** The Chair of the Subject Assessment Board;

**B** The School Assessment Officer.

**F3.2 Assessed coursework (including oral examinations, exhibitions, performances, assignments):**

**(a)** Where an internal or external examiner suspects a candidate of contravening the regulations in assessed coursework, they shall, where appropriate:

**i** endorse the candidate's work on the front cover with a note detailing the location of any plagiarised passages or evidence of collusion;

**ii** report the allegation to:

**A** The Chair of the Subject Assessment Board;

**B** The School Assessment Officer.

**F4 Procedure for reporting the incident to the Secretary to Academic Board for investigation**

**F4.1 (a)** In all instances, except where F4.1(b) applies, if it is considered that there is sufficient evidence to suggest that the candidate has contravened the regulations, the Module Leader, on behalf of the Chair of the Subject Assessment Board should refer the incident to the Secretary to Academic Board, copied to the Deputy Dean (Learning and Teaching Enhancement), for investigation. The deadline by which evidence supporting an allegation of academic misconduct to be submitted by Schools should normally be no more than one month after the completion date for that component of assessment.

**Please note:** If a viva voce assessment of the student is considered appropriate before an allegation is reported to the Secretary to Academic Board, it must not be treated as a formal hearing to consider academic misconduct.

Exceptionally, where serious academic misconduct is discovered after the deadline for submission of an allegation of academic misconduct, an allegation may be pursued retrospectively under these procedures. Where a student has already graduated, the outcome may result in the revoking of a qualification already awarded.

**(b)** Allegations of academic misconduct at level 0 and level 1 (minor offences), of a straightforward and uncontested nature, may be dealt with locally at School level. Such cases involving plagiarism or collusion only would normally involve resubmission of coursework as a standard penalty. Adoption of this fast-track procedure by Schools is not mandatory and the School or the student concerned have the right for the more formal procedures to be invoked, as described below. The Chair of the Subject Assessment Board would notify the Secretary to Academic Board of the outcome in each case. See F11 for the full fast-track procedure.

**F4.2** Whilst an investigation is being carried out, the Assessment Board may note the incident and defer judgement.

**A holding grade of U** (allegation of academic misconduct being investigated) should be entered by the School Assessment Officer on the student's module record (for cross-reference with other alleged infringements).

**F4.3** To proceed with an investigation into an allegation of academic misconduct, the Secretary to Academic Board should receive the following **where appropriate:**

**i** the student(s)'s name and number;

**ii** a report of the incident;

**iii** the invigilator's report;

**iv** originals of scripts involved in alleged infringement of examination room rules;

**v** copy or original of unauthorised material used in an examination;

## Section F

**vi** copy or original work with plagiarised passages marked;

**vii** copy of source material with passages which have been plagiarised marked;

**viii** summary of any informal interview with the student regarding the incident (it is preferred that no interview takes place before a written allegation is put to the candidate by the Secretary to Academic Board);

**ix** copy of the instructions given to the candidate regarding the component and a copy of the referencing instructions given to the candidate;

**x** module number and information regarding whether the work contributes to a final qualification;

**xi** the percentage of contribution of the component towards the overall assessment of the module;

**xii** name of the Module Leader, Chair of Subject Assessment Board, Deputy Dean (Learning and Teaching Enhancement) and any other to whom the outcome of the investigation should be reported.

### F5 Procedure for investigation by the Secretary to Academic Board

**F5.1** As soon as reasonably practicable following receipt of any allegation and supporting documentation, the Secretary to Academic Board shall decide if there are reasonable grounds at first sight to suggest the candidate contravened assessment regulations.

**F5.2** If the Secretary to Academic Board decides there are no reasonable grounds, they shall request the Assessment Board to consider the work on its academic merits and remove all record of the alleged misconduct from the student's record.

**F5.3** If the Secretary to Academic Board decides there are reasonable grounds to suggest the candidate has contravened the regulations in assessment, they shall write to the student(s) concerned:

**(a)** To put the allegation.

**(b)** To request a written statement to explain how the allegation may have arisen and stating any mitigating circumstances which may be taken into account when considering a penalty (authenticated evidence to be provided where appropriate).

**(c)** To request a reply within 10 working days of the date on which the letter is sent and explaining the consequences of failure to reply.

**(d)** To refer to website.

**(e)** If appropriate, to enclose copies of any evidence or report.

**5.4(a)** If a written reply to the allegation is not received from the student within ten working days of the date on which the letter is sent, or if the student replies accepting the allegation, the Secretary to Academic Board shall report accordingly to the Chair of the Assessment Board and recommend an appropriate penalty.

**(b)** If the student does reply within the time limit

denying the charge the Secretary to Academic Board shall consider the allegation in the light of the student's response and in consultation with the module tutor, Programme Leader, Deputy Dean (Learning and Teaching Enhancement), and/or other appropriate members of staff. If it is decided to proceed with the allegation, the Secretary to Academic Board shall normally convene as soon as possible a Panel of Investigation.

At any stage of the investigation, the Secretary to the Academic Board may instigate further enquiry, or other activity, as appropriate, in order to arrive at a decision.

### F6 Panel to investigate the allegation of academic misconduct

**F6.1** Following F5.4(b), and if appropriate, the Secretary to Academic Board shall convene a Panel of Investigation which shall consist of two members of staff drawn from the following groups: Senior managers of the University; Associate Deans (Learning and Teaching Enhancement); Heads of Department; Directors of Programmes; together with one student.

**(a)** Staff involved in the assessment of the student shall be required to attend as witnesses.

**(b)** The Chair of the Panel shall be the Secretary to Academic Board or nominee.

**(c)** No member of staff who has been involved in teaching or assessing the student shall be eligible to serve on the Panel.

**(d)** The student will be given 10 working days notice, wherever possible, of the date, time, place and Panel membership, together with any documents to be consulted by the Panel.

**(e)** The student may object to the appointment of members of the Panel and to the date giving grounds for the objection. However, any change to the arrangement is solely at the discretion of the Chair.

**(f)** Due notice of the Panel of Investigation meeting will be considered to have been given on sending the notice and supporting information by recorded delivery to the student's last recorded address. At the discretion of the Panel the case may then be heard whether or not the student attends the meeting.

**F6.2** All proceedings and papers associated with the meeting shall be strictly confidential to those invited to attend.

**F6.3** The student shall have the right to be accompanied by a companion and to submit oral or written evidence to the meeting. Legal representation is not allowed at a Panel meeting.

### F7 Procedure for the Panel of Investigation in session

**F7.1** The Panel of Investigation may not be held in the absence of the Secretary to Academic Board or nominee.

**F7.2** The Chair has discretion to organise the meeting as they see fit in order to achieve the principal aims of a hearing:

**(a)** to clarify evidence as necessary by questioning those who have submitted it;

**(b)** to enable the student to dispute the allegation and/or to present mitigating circumstances;

**(c)** to enable the Panel to come to a decision.

**F7.3** Mechanical, electrical or electronic recording by any means shall be prohibited.

**F7.4** The Panel shall consider its decision in private after the evidence has been heard and shall reach a decision by majority vote, in the light of the evidence presented and beyond reasonable doubt, whether the student infringed assessment regulations. If the votes cast are equal, the Chair shall have a second or casting vote.

**F7.5** The student and their companion shall normally be recalled for the Chair to inform them of the decision of the Panel which will be in the form of a recommendation to the Assessment Board. The recommendation in writing will be sent to the student normally within seven working days of the Panel meeting.

### F8 Decision of the Assessment Board

**F8.1** Where an allegation of academic misconduct is not sustained following investigation, the work shall be assessed on its academic merit, and all record of the alleged misconduct shall be removed from the student's record.

**F8.2** Where an allegation of academic misconduct is sustained, either by admission of the student or following investigation, the Assessment Board shall:

**(a)** receive the recommendation of the Secretary to Academic Board or Panel and decide on a course of action;

**(b)** report its decision to the Secretary to Academic Board for their information.

Should an Assessment Board decide that a student be expelled from the University then the Chair will inform the Secretary to Academic Board. The Secretary to Academic Board will issue the notification of expulsion. Copies of the notification shall be sent to the appropriate Director of Resources, Dean of School and President of the Students' Union.

**F8.3** Any reassessment following the Assessment Board's decision to fail the student in one or more units of assessment shall be at the absolute discretion of the Assessment Board under the programme assessment regulations.

**F8.4** A student may appeal against the decision of the Assessment Board to impose a penalty following the Board's receipt of the report confirming an infringement of assessment regulations. Such an appeal will be made through the established appeal procedures and must be received by the Secretary to Academic Board within 10 working days of the decision being issued. The only subsequent involvement of the Secretary to Academic Board will be to refer the appeal for decision to a Director of Resources other than the one to which the appellant belongs.

Normally an appeal may be made on the following grounds:

**i** That there is new and relevant evidence which the student was demonstrably and for the most exceptional reasons unable to present to

the Secretary to Academic Board or Panel of Investigation meeting. This may include evidence in mitigation.

ii That the procedures were not complied with in such a way that it might cause reasonable doubt as to whether the result would have been different had they been complied with.

iii That there is documented evidence of prejudice or bias on the part of the Secretary to Academic Board or by one or more members of the Panel of Investigation.

iv That the penalty imposed exceeds the maximum penalties listed in F9.4.

## F9 Guidelines for penalties for academic misconduct

**F9.1** The minimum penalty imposed shall normally exceed that which would follow if the student had merely failed the assessment.

**F9.2** All confirmed offences must be recorded on the student's record as grade P. This grade to remain throughout the student's registration at Middlesex University and to be replaced on formal documents by grade 20.

**F9.3** All records of disproved offences must be deleted.

**F9.4** The penalties listed must be taken as indicative of the maximum penalties which may be imposed.

### MINOR OFFENCE

#### Guideline criteria:

When the offence:-

(a) Occurs in FHEQ Levels 3 or 4,

and

(b) will not be counted towards a final classification

or

(c) where the offence occurs at FHEQ level 5 or above, and the component of assessment contributes a relatively small percentage of the overall module assessment

and

(d) is the first and only offence.

#### Standard penalty:

(a) Fail module, grade P

(b) If a first attempt, to resubmit work by a given deadline with maximum grade to be granted for the module of 16

(c) If a second attempt, any retake of this or a replacement module to receive a maximum grade of 16

(d) Written warning that further offences will have serious consequences for the final qualification

(e) The imposition of up to 1 warning point.

### SERIOUS OFFENCE

#### Guideline criteria:

(a) Occurs at any FHEQ level,

and

(b) is a first infringement offence,

with

(c) documented mitigating circumstances

#### Standard penalty:

(a) Fail module, grade P

(b) If a first attempt, to resubmit work by a given deadline with maximum grade to be granted for the module of 16.

(c) If a second attempt, or if external requirements apply, or for substantial plagiarism in a project or dissertation module, to retake the module involved, with re-registration for the module and a new project title (where applicable), with a maximum grade of 16. Should another module be taken instead, the maximum grade for this replacement module will be 16. Where a student is debarred from retaking a module(s), then the alternative specified will be assessed for a maximum grade of 16.

(d) The imposition of up to 2 warning points except where the offence is one of:

- substantial copying from work previously published or submitted by another student
- use of unauthorised material in an examination
- a simultaneous first offence at FHEQ level 5 or above where up to 3 points may be imposed.

### GRAVE OFFENCE

#### Guideline criteria:

(a) May occur at any FHEQ level

(b) No documented mitigating circumstances

(c) Includes offences such as: impersonation in examinations, a second or subsequent offence, substantial plagiarism in a postgraduate dissertation (**please note, this list is not exhaustive**).

#### Standard penalty:

(a) The reduction of a degree by a class and/or award a lower level qualification;

or

(b) repeat of year;

or

(c) Expulsion from the University, which may incorporate failure of any and all assessment taken that academic year.

(d) The imposition of up to 4 warning points.

**Please note:** The member of staff associated with the student must exercise extreme caution in any further dealings or correspondence (eg, reference requests) and should contact the Dean of School or Secretary to Academic Board for advice before taking action.

### GUIDELINE ADDITIONAL ACTION BY THE ASSESSMENT BOARD

(a) Attend viva voce examination with regard to this work

(b) Submit a different piece of work

(c) Be reassessed under supervision

## F10 General

The Secretary to Academic Board shall report annually to Academic Board on the number, distribution, grounds and outcome of cases of academic misconduct and the Board shall undertake any necessary review of the process.

## F11 Fast-track Procedures for FHEQ level 3/4 cases of Academic Misconduct

### F11.1 Scope

That prima facie Minor Offence allegations of academic misconduct at FHEQ level 3 and FHEQ level 4 may be processed through the School to which the subject belongs by this fast-track procedure within the limits defined in section F3 to deal with straightforward and uncontested cases. Adoption of this procedure by schools is not mandatory, and schools may continue to refer cases to Academic Registry under current procedures. (Refer to Regulation F4.1b).

### F11.2 Purpose

- To streamline the system due to expected increase in detection.
- To reduce bureaucracy and the time taken to process cases.

### F11.3 Definition of cases to be initially dealt with in this way

Must include all four criteria:

- 1 Is the first and only offence;
- 2 Occurs at FHEQ level 3 or Level 4;
- 3 Will not be counted towards a final qualification;
- 4 Comes within any of the following categories:

- Plagiarism
- Apparent unauthorised collusion
- Inclusion of material for assessment which has previously been assessed (at MU or elsewhere).

**Please note:** Infringements of examination room rules will still be dealt with by the Academic Registry.

### F11.4 Standardised penalties to be used

In coursework where less than 20 percent of the total piece of work is plagiarised or unclearly referenced, and this is not the core content of the work:

#### Mark down as over-derivative

#### Written warning.

Penalty for all other confirmed offences (this penalty to be recorded as Assessment Notes):

1 For plagiarism and/or collusion: Fail coursework component;

2 Fail module, grade P (grade P is the penalty and is automatically replaced by grade 20 on the final Diploma Supplement);

3 If first attempt – to resubmit work by a given deadline for maximum grade 16.

If second attempt – to be allowed to repeat module (with attendance) for maximum grade 16 (with right of reassessment). If it is agreed by the Chair

## Section F

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that a module may be replaced, the identified replacement module is to have a maximum grade of 16 (this is to be noted on Assessment Notes).

4 Written warning.

### **F11.5 Procedure**

1 The incident is reported to the Chair of the Subject Assessment Board.

2 The incident occurred within the present assessment period. Where it does not, any plagiarised work may be assessed as over derivative, but no other penalty may be exacted unless there are likely to be serious professional consequences.

3 Chair agrees there is a case to answer and reports to Academic Registry that the case is being progressed under the 'fast-track' procedures.

4 The module is temporarily graded U.

5 The student's record is checked for previous or concurrent cases.

If there is a previous or concurrent case, the case file is forwarded to the Academic Registry.

6 The student is advised in writing or in person by the School:

- that there is no case to answer;
- of the details of the allegation;
- of the proposed penalty with reason for this decision (which can save time in future);
- that lack of response will be inter-pretred as acceptance of the allegation;
- that the student may respond in one of two ways, using a signed proforma:

#### **either**

accepting the allegation and proposed penalty

#### **or**

not accepting the allegation, or not accepting the proposed penalty – which entails the case being referred to the Academic Registry.

- enclosing 'Notes for Guidance' which explain their rights, options, outcomes and consequences.

7 The outcome of the process is notified to Academic Registry.

8 The student's record is updated.

9 The student has a right to appeal under the current regulations if, upon reflection, they believe the process or outcome has been unfair.

### **F12 Principles**

- There must be consistency across the University in procedure and penalties imposed.
- It must be agreed whether such offences need reporting to relevant professional bodies.
- Monitoring and reporting of outcomes is carried out by Academic Registry.
- Procedures must be adhered to.
- Records must be kept.
- Written warnings will be given in all cases of proven academic misconduct.

### **F13**

- Administration charge – The University reserves the right to make a charge for administration of all cases of academic misconduct which are upheld. In 2011/12 this charge will be £100.