

Academic Policies and Procedures



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CENTRE
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[] South Devon College

HIGHER EDUCATION

EXAMINATION and ACADEMIC OFFENCES PROCEDURE v3.0

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**SOUTH DEVON COLLEGE
HIGHER EDUCATION**

Examination and Academic Offences Procedure

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1. Introduction

- 1.1 This Procedure should be read alongside the Higher Education Assessment Regulation, which sets out detailed requirements for students and staff on Assessment requirements.
- 1.2 These procedures apply to everyone enrolled on a South Devon College undergraduate award.
- 1.3 South Devon College reserves the right to apply these procedures in cases where an examination or academic offence is identified after a student has left the institution (i.e. to individuals who are not currently enrolled). This may lead to a decision by South Devon College to revoke the award made to the former student.
- 1.4 Depending on the nature of the offence, cases will be reviewed under the Academic Offences procedures or the Examination Offences procedures. Where there is doubt as to which procedure is appropriate, advice should be sought from the Complaints and Appeals Office.
- 1.5 A student cannot have credit awarded for the module/CPD activity in question until any allegation relating to an examination or academic offence is resolved.
- 1.6 Students and former students must note that conduct of a nature which would be inappropriate in some professions could require additional disciplinary action. Students whose programme leads to professional registration may be referred to the Fitness to Practise Panels and/or other appropriate professional bodies, and may be required to declare any examination or academic offence to the professional body upon registration.
- 1.7 Students who are alleged to have committed an examination or academic offence are strongly recommended to seek independent advice and support from the HE Faculty Office.
- 1.8 Any dispute as to the interpretation of these procedures shall be referred to the Higher Education Manager, whose decision in the matter shall be final.

2. Examination Offences

2.1 South Devon College reserves the right to refer any case directly to the Vice Principal - Curriculum, Performance & Quality, to decide whether immediate suspension or referral to the Fitness to Study procedure is required. The decision on whether to refer the case to the Vice Principal - Curriculum, Performance & Quality will take into account matters including, but not limited to, the severity of the alleged offence or any potential risk to the student's health or welfare.

2.2 The composition of the University Examination Offences Panel will be as follows:

- Chair, Head of Higher Education and Academic Registrar or designated other
- Two academic members (normally drawn from a pool of 12 academic staff, nominated by the Chair)
- Higher Education Senior Quality Coordinator - Academic Standards (in attendance in an advisory capacity and to take notes) or designated other

The Panel will be considered quorate provided that one academic staff member is present, in addition to the Panel Chair and Higher Education Senior Quality Coordinator.

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.

2.3 The Higher Education Faculty office will provide administrative support for the operation of the Panel.

2.4 A Panel member may not consider the case of a student from their own department, or a student they know. Any conflict of interests should be declared to the Higher Education Faculty Office.

2.5 The Examinations Panel will meet monthly. The dates of all meetings for each academic year will be made available to all potential Panel members by the end of the preceding academic year.

2.6 Where a student is suspected of having committed an offence in a formal examination, the invigilators will follow the process to report the incident.

2.7 Where a student is suspected of having committed an offence in an in-class test the invigilators will complete the incident report copying it to the Higher Education Quality Office within 5 working days of the date of the test.

- 2.8 The alleged offence will be investigated by the Higher Education Quality Office.
- 2.9 If the Higher Education Quality Office completes its investigation and concludes that there is no evidence of an offence being committed, then all records of the allegation will be removed from the student's permanent record.
- 2.10 If the Higher Education Quality Office completes its investigation and concludes that there is evidence of an offence having been committed, the Higher Education Faculty Office will write to the student by recorded delivery (to both term-time and home addresses) and the student's institution email address. The letter will set out the allegation, provide a copy of the evidence that is to be considered and give the student the opportunity to accept or contest the allegation. The student must notify the Higher Education Faculty Office in writing of their intention to accept or contest the alleged offence normally within 5 working days of the date of the letter/email notifying them of the allegation
- 2.11 The Higher Education Quality Office, in liaison with the Higher Education Manager and Academic Registrar will establish if there have been any other substantiated academic or examination offences, or if any other work submitted by the student is currently under investigation. This information will not be disclosed to the Examinations Offences Panel until the student has been deemed to have committed an offence and the Panel is considering the penalty to be applied.
- 2.12 If the student accepts the allegation, all relevant documentation (including information about any other substantiated examination/academic offences) will be circulated, normally via electronic means, to the members of the Panel to determine the outcome. Higher Education Faculty Office will be responsible for notifying the student and the Programme Lead of the Panel's decision.
- 2.13 Where a student confirms in writing their intention to contest the allegation, the Higher Education Faculty Office will write to the student to confirm:
- The time and the date of the Examination Offences Panel meeting, and confirmation that the student has already been sent all of the evidence to be considered by the Panel (as part of the letter described in 2.11 above). The meeting will normally take place in the University Centre, in Paignton. The date of the meeting will be no earlier than 10 working days from the date of the letter from the Higher Education Faculty Office, to allow the student time and opportunity to collate evidence, arrange for the attendance of witnesses, etc.
 - That the student can appear in person. The student may be accompanied by another person of their choosing who may assist the student during the course of the meeting by speaking and asking questions on the student's behalf. They may take a written record on the student's behalf. (The use of electronic audio recording equipment will not normally be allowed).

- A student will not be permitted to bring a legal representative to a formal hearing unless the decision of the Panel or Committee is likely to exclude the student from professional registration permanently, without right to appeal, thereby preventing the student from following his or her intended career.
- Alternatively, the student may submit a statement for the Panel to consider if they do not wish to appear in person.
- That the student may call witnesses if they wish. The responsibility for arranging witnesses' attendance is the student's. Students will be required to confirm the identity of any witnesses they will be calling to the Higher Education Faculty Office in advance of the Panel meeting.
- The identity of any witnesses who will be called by South Devon College.
- The membership of the Panel.

2.14 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 offence 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.

2.15 The Examination Offences Panel will decide as follows:

2.15.1 That the allegation is not substantiated and that no further action is required; in this case, the Higher Education Quality Office, in liaison with the Higher Education Manager and Academic Registrar, will ensure that all records relating to the allegation are removed from the student's permanent record at South Devon College.

or

2.15.2 That the allegation is substantiated and that the appropriate penalty will be applied. At this stage, the Panel will be made aware of any previous substantiated offences committed by the student (reference paragraph 2.11 above).

2.16 The penalty awarded by the Panel in accordance with the tariff shall be binding upon the Award Assessment Board.

2.17 The penalties that can be imposed are set out in the Assessment regulations.

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

- 2.19 Exceptionally, the Panel may conclude that an offence is so serious that it should be referred to the Vice Principal - Curriculum, Performance & Quality, with the recommendation that the student is excluded from South Devon College.
- 2.20 The Secretary to the Panel will report the Panel's decision to the student, Programme Coordinator and Section Head in writing within 5 working days of the date of the Panel's decision.
- 2.21 Substantiated offences will be reported to the Subject Assessment Panel/Award Assessment Board.
- 2.22 A student may appeal against the decision of an Examination Offences Panel, as set out in the academic regulations.

3. Academic Offences Procedures

- 3.1 South Devon College reserves the right to refer any case direct to the Vice Principal - Curriculum, Performance & Quality, to decide whether immediate suspension or referral to the Fitness to Study procedure is required.
- 3.2 The composition of the Academic Offences Panel will be as follows:
- Chair, Higher Education Manager and Academic Registrar
 - Two academic members (normally drawn from a pool of 12 academic staff, nominated by the Chair)
 - Higher Education Senior Quality Coordinator - Academic Standards (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 Higher Education Senior Quality Coordinator.

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.

- 3.3 The Higher Education Faculty will provide administrative support for the operation of the Panel.
- 3.4 The Academic Offences Panel will meet monthly. The dates of all meetings for each academic year will be made available to all potential Panel members by the end of the preceding academic year.
- 3.5 Where a student is suspected of having committed an assessment offence the Higher Education Quality Office will investigate the alleged offence in consultation with the Senior Quality Coordinator - Academic Standards.

- 3.7 If the Higher Education Quality Office completes the investigation and concludes that there is no evidence of an offence being committed, then all records of the allegation will be removed from the student's permanent record.
- 3.8 If the Higher Education Quality Office completes its investigation and concludes that there is evidence of an offence having been committed, the Higher Education Faculty Office will write to the student by recorded delivery (to both term-time and home addresses) and the student's institution email address. The letter will set out the allegation, provide a copy of the evidence that is to be considered and give the student the opportunity to accept or contest the allegation. The student should notify Higher Education Faculty Office in writing of their intention to accept or contest the alleged offence normally within 5 working days of the date of the letter/email notifying them of the allegation.
- 3.9 If the student accepts the allegation, all relevant documentation (including information about any other substantiated examination/academic offences) will be circulated, normally via electronic means, to the members of the Panel to determine the outcome of the case. A formal meeting of the Panel will not normally be held. The Senior Quality Coordinator - Academic Standards will write to the student to confirm the Panel's decision and will report the outcome and penalty imposed to the Higher Education Faculty Office.
- 3.10 Where a student confirms in writing their intention to contest the allegation, the Higher Education Quality Office will write to the student to confirm:
- The time and the date of the Academic Offences Panel meeting and confirmation that the student has already been sent all of the evidence to be considered by the Panel (as part of the letter described in 3.8 above). The meeting will normally take place at University Centre, in Paignton. The date of the meeting will be no earlier than 10 working days from the date of the letter from the Higher Education Faculty Office, to allow the student time and opportunity to collate evidence, arrange for the attendance of witnesses, etc.
 - That the student can appear in person. The student may be accompanied by another person of their choosing who may assist the student during the course of the meeting by speaking and asking questions on the student's behalf. They may take a written record on the student's behalf. (The use of electronic audio recording equipment will not normally be allowed).
 - A student will not be permitted to bring a legal representative to a formal hearing unless the decision of the Panel or Committee is likely to exclude the student from professional registration permanently, without right to appeal, thereby preventing the student from following his or her intended career.

- Alternatively, the student may submit a statement for the Panel to consider if they do not wish to appear in person.
- That the student may call witnesses if they wish. The responsibility for arranging witnesses' attendance is the student's. Students will be required to confirm the identity of any witnesses they will be calling to the Higher Education Faculty Office in advance of the Panel meeting.
- The identity of any witnesses who will be called by the University.
- The membership of the Panel.

3.11 The Higher Education Quality Office, in liaison with the Head of Higher Education and Academic Registrar will establish if there have been any other substantiated academic or examination offences, or if any other work submitted by the student is currently under investigation. This information will not be disclosed to the Examinations Offences Panel until the student has been deemed to have committed an offence and the Panel is considering the penalty to be applied.

3.12 Written statements will be submitted to the Higher Education Quality Office by the student and any other relevant parties. These papers together with any additional information will be circulated to the Academic Offences Panel, and the student no later than 5 working days before the Panel meeting.

3.13 During the meeting, the student will have the opportunity to present their case. The student's representative may also speak on their behalf.

3.14 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 offence 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.

3.15 The Module Leader should be available at the time of the Panel meeting, should the Panel require clarification on any points of fact.

3.16 The Academic Offences Panel will decide as follows:

3.16.1 That the allegation is not substantiated and that no further action is required; in this case, the Higher Education Quality Office, in liaison with the Higher Education Manager and Academic Registrar, will ensure that all records relating to the allegation are removed from the student's permanent record at South Devon College.

or

3.16.2 That the allegation is substantiated and that one of the following penalties (3.17 - 3.18) will be applied. At this stage, the Panel will

be made aware of any previous proven offences committed by the student.

- 3.17 The penalties that can be imposed are set out in the [academic regulations](#).
- 3.18 A student on a programme leading to registration with a professional body is likely to be required to declare any substantiated offence with that professional body upon registration. South Devon College may also inform the professional body about the offence.
- 3.19 Exceptionally, the Panel may conclude that an offence is so serious that it should be referred to the Vice Principal - Curriculum, Performance & Quality, with the recommendation that the student is excluded from South Devon College.
- 3.20 The Secretary to the Panel will report the Panel's decision to the student, Programme Coordinator and Section Head in writing within 5 working days of the date of the Panel's decision.
- 3.21 A student may appeal against the decision of an Academic Offences Panel, as set out in section of the academic regulations.