

ACADEMIC CONDUCT AND PRACTICE HANDBOOK

Chapter 5 – Procedures for Examination Offences

1. Managing Academic Misconduct in Examinations

- 1.1 The procedures set out in this chapter apply to both formal invigilated examinations that are completed in examination venues under timed restrictions, and in class tests which are run by Faculties (or delegated Schools) under invigilated examination conditions. For offences identified in non-invigilated examinations (typically taken remotely and submitted online), please refer to Chapter 4 of this Handbook for the relevant procedures.
- 1.2 Where suspected examination misconduct is discovered under formal invigilated examination conditions, the Invigilator **should** complete a report to be countersigned by all other invigilators who were witness to the suspected examination misconduct.
- 1.3 This report, together with any accompanying evidence, **should** be sent without delay to the University Cases Office who will inform the student in writing that they have been reported for suspected examination misconduct. The University Cases Office shall copy the Invigilator's report to the Faculty (or delegated School) responsible for the module being examined.
- 1.4 In cases where unauthorised materials were found on the student or connected with the student, then the University Cases Office will ask the Faculty (or delegated School) to complete a report to state whether the material was relevant to the examination in question and what (if any) advantage could have been gained by the student. Once the University Cases Office receives the report they will ensure it is provided to the student.
- 1.5 If it becomes apparent after an invigilated examination has finished (for instance, when the work is being marked) that a Student may have committed an offence during that examination, then the same procedures are to be followed as above. In such cases the report shall be submitted by the Faculty (or delegated School) responsible for the module being examined to the University Cases Office.

- 1.6 In any case where a meeting of a Programme/Department Assessment, Progression and Awarding Committee (P/DAPAC) is imminent, the Faculty (or delegated School) shall ensure that the Chair of the Committee receives a copy of the report which was sent to the University Cases Office. P/DAPAC shall consider the examinee's programme assessment profile purely on the marks available to it. Once the P/DAPAC has reached its decision the Chair shall then inform the Committee of the receipt of a report regarding suspected examination misconduct for that candidate. The P/DAPAC shall not include the name(s) of any candidate(s) in respect of whom it has received such a report, on any class or pass list until the Chair of the Committee is notified of the outcome of the case.
- 1.7 Upon receipt of a report of a case of alleged examination misconduct the University Cases Office shall appoint a nominee for the Divisional Director of Education and Academic Services as an Investigating Officer. If the Investigating Officer determines that the offence constitutes Minor Examination Misconduct, as set out in the Tariff of Penalties in Section 3 below, the University Cases Office will send a warning letter to the Student, which will be copied to the Faculty (or delegated School). This letter will also be copied to Student Records where a note will be made on the student's electronic record. Where a warning letter will count as examination misconduct and as such, a first offence.
- 1.8 If the Investigating Officer determines that there is a suspected case of:
- a. Repeated Minor Exam Misconduct;
 - b. Exam Misconduct; or
 - c. Severe Examination Misconduct;
- Then the University Cases Office will complete Part 1 of the Student Allegation Form, setting out the nature of the alleged offence.
- 1.9 The Student Allegation Form will be sent to the Student for Part 2 of the form to be completed. They will also be sent a link to the Assessment Progression and Awarding: Taught Programmes Handbook, a copy of the Invigilator's report, and a copy of any supporting evidence. The Student will be invited to complete Part 2 of the form, including an opportunity to provide a statement of their version of the events plus details of any circumstances they believe to be relevant to the consideration of the alleged offence.

The form **should** be returned to the University Cases Office within five working days of the date on the accompanying letter.

- 1.10 A Review Panel will then be established. If the Student fails to return the form within the five working day period without good reason, the Review Panel will proceed to consider the case.

2. Establishment of a Review Panel for Examination Offences

- 2.1 A Review Panel should comprise the Investigating Officer (as nominee for the Divisional Director of Education and Academic Services), the Students' Guild, Education and Employability Officer or nominee, and the relevant Dean (this will be the Dean for Taught Students or nominee, or the Dean of Dean of Postgraduate Research and of the Doctoral College where the offence relates to an examination for a taught module on a Postgraduate Research programme). The Review Panel will consider the evidence and agree on an appropriate outcome according to the Tariff of Penalties set out in section 3 of this Chapter.
- 2.2 The Review Panel will only consider written evidence. There will be no right of attendance for either the Student concerned or for any other member of University staff. The Review Panel therefore **may** agree to meet virtually to decide the outcome.
- 2.3 The Review Panel will address a case as being a strict liability offence. This means that where a Student is found to have taken unauthorised materials or an electronic device to their desk, the Student is guilty of an offence, irrespective of that Student's intent either to deceive or gain an advantage. Where alleged intent to gain advantage is also presented, this will be considered in addition to the strict liability offence.
- 2.4 The tariff sets a default penalty and if, for any reason, the Review Panel wishes to impose a different penalty, clear reasons for this decision **should** be specified in the written decision which is issued to the relevant parties. Further penalties **may** be given in addition to the default penalty if it is felt necessary, e.g. undertaking remedial work, taking a module on academic honesty.
- 2.5 The Investigating Officer will ensure that a written record is kept of the deliberations and the decisions reached by the Review Panel.

3. Outcomes from a Review Panel for Examination Offences

- 3.1 The Review Panel has the power to impose any of the penalties from A to G from the Tariff of Penalties below.
- 3.2 A record **will** be held within the University Cases Office where a penalty is imposed.
- 3.3 If an allegation is proven, one of the penalties set out in the Tariff of Penalties below will be applied. The Review Panel **should** consider the impact of the penalty and ensure that the outcome is not disproportionate to the offence committed. Panels should also take into account any mitigating factors that have been presented and record in the notes of the meeting how consideration of mitigating factors have influenced any penalty being applied.
- 3.4 The Student shall have the right to appeal any decision taken by a Review Panel as set out in Chapter 6 of this Handbook.

3.5 Tariff of Penalties for Examination Misconduct:

Tariff	Description of Offence	Penalty to be imposed for offences identified in invigilated examinations (sat in invigilated examination halls)
A	Minor Exam Misconduct	A warning letter will be issued to the Student. This warning letter will remain on file. Action (e.g. taking a module on Academic Honesty) may also be recommended.
B	ted Minor Exam Misconduct	When the examination was the student's first attempt: The Student will be formally reprimanded and a mark of zero will be recorded for the examination in question. The Student will have a right of deferral and the mark for the deferred attempt will not be capped at the pass mark. However, the Student is not permitted to attain a mark higher than that achieved at the first attempt – this is to prevent the

		Student from gaining advantage from committing an exam misconduct offence. When the examination was a referral attempt: The student will be formally reprimanded with a mark of zero being recorded for the submission. However, the student's module mark should be capped as per the rules for referred assessments. The Student will have a right of deferral for their referral attempt, and the mark will be capped at the pass mark. However, the Student is not permitted to attain a mark higher than that achieved at the previous attempt – this is to prevent the Student from gaining advantage from committing an exam misconduct offence.
C	Exam Misconduct, where the student has breached the guid Cance for candidates, but it is deemed they have not gained an advantage	When the examination was the student's first attempt: The Student will be formally reprimanded and a mark of zero will be recorded for the examination in question. The candidate will have the right of referral but the mark will be capped at the pass mark, or at the mark achieved at the first attempt, whichever is the lower of the two marks – this is to prevent a Student from gaining advantage from committing an exam misconduct offence. When the examination was a referral attempt: The student will be formally reprimanded with a mark of zero being recorded for the examination. There will be no further right of referral.

D	Severe Exam Misconduct, where the student has breached the guidance for candidates, and it is deemed they have gained, or had the opportunity to gain, an advantage.	D1 The Student will be formally reprimanded. The Student will be given a mark of zero for the piece of work concerned. There will be no right of referral for this piece of work. (This will not affect the Student's right to reassessment of the module where the module is reassessed by way of one 100% examination; however the Student will only be able to be awarded the marks equal to the component where no misconduct was detected i.e. where a Student has received a mark of zero in one essay worth 40% of the module, therefore would be entitled to 60% of the marks from any reassessment of the entire module). Or D2 The module concerned will be given a mark of zero, and the Student has a right of referral for the pass mark.
E	Severe Exam Misconduct, where the student has breached the guidance for candidates, and it is deemed they have gained, or had the opportunity to gain, a clear advantage.	E1 The module concerned will be given a mark of zero with no right of referral. Or E2 A mark of zero will be given for the stage concerned with a right of referral, with referrals being capped at the pass mark.
F	Severe Exam Misconduct, where the student has breached the guidance for candidates, and it is deemed they have gained,	F1 A mark of zero will be recorded for the module(s) in which the misconduct offence(s) occurred. The Student will also not be permitted to be awarded for the degree upon which they are registered but may be awarded a lesser award in line with the credits

	or had the opportunity to gain, a significant advantage.	which they have achieved. Or F2 A mark of zero will be given for the stage concerned with no right of referral. Credits gained from previous years are unaffected, and as such may be counted towards an award from the University.
G	Severe Exam Misconduct such as impersonation.	Expulsion from the University with no credit received.