Code of Practice for Examination Offences

Summary/Description

This Code of Practice specifies the procedures which must be followed where an allegation of an examination offence (including plagiarism) is made against a student. It defines the range of penalties which may be imposed in the event that an allegation is proven, and the right of appeal.

1. Definition

The following shall be regarded as examination offences, although other types of offence or irregularity, which are not prescribed here, may also constitute an offence. The guidance given does not purport to be exhaustive, but is provided for the information of staff and students:

1.1. Plagiarism – (Further information on the definition of plagiarism, why it is wrong and how it can be detected can be found in Annexe 1)

1.2. Conspiring with another or others to have work completed by another including offering work, whether for sale or not, for use by another without acknowledgement;

1.3. Collusion (where the work submitted is the result of the work of more than just the student making the submission but which the student making the submission claims to be his/her own work without acknowledging the contribution of others).

1.4. Research misconduct in relation to original research-based assessment (taught course dissertation, research degree thesis); including plagiarism, fabrication of data, falsifying the results of laboratory, field work or other forms of data collection and analysis.

1.5. Impersonation of another during an examination or other assessment related event.

1.6. Possessing and/or using materials prohibited in the examination room.

1.7. Failure to observe the regulations or instructions for an examination including:
1.7.1. Conduct affecting the security of an examination, including breach of confidentiality e.g. prior
disclosure of questions for an unseen examination
1.7.2. Collusion or conferring with others during an examination
1.7.3. Leaving an examination without permission or supervision and returning to the examination;
1.7.4. Removing a script or other examination stationery from an examination room

1.8. Making false statements or presenting false evidence, in support of an application for extenuating
circumstances, obtaining an assessment extension or in explanation of any form of absence or default.

1 Candidates at any written examination taken under supervision, and at an examination without a
defined time limit, or at any practical, oral or similar examination, are permitted to use only such books,
notes, instruments or other materials or aids as specifically permitted by The Institute for the examination
in question.

2. Procedure

2.1. Cases of suspected academic misconduct should be reported in the first instance to the relevant
Deputy Dean for research degrees or Course Directors for taught courses.

2.2. In cases where research misconduct is suspected (offence 1.4. above), the allegation should
immediately be referred by the Deputy Dean or Course Director to the Named Person under the ICR's
procedure for the investigation of research misconduct, including the involvement if appropriate of the
student's employer. These allegations are handled under that procedure, and for clinical research
students that of the student's employing hospital if appropriate, from this point until the Investigation
Panel produces its final report, whereupon para 2.5 of this procedure should be followed.

2.3. Informal plagiarism investigation (taught courses):

2.3.1. Where an online similarity report indicates potential plagiarism in a piece of coursework, this
will be referred to a Course Director, who may meet with the student to determine whether they
consider that plagiarism may have taken place, rather than, for example, poor academic practice.
2.3.2. Where the Course Director does consider that plagiarism may have taken place, the
process will move forward to the initial investigation stage. If this is following a meeting with a
Course Director, the student will be informed of this in writing.

2.4. Initial Investigation:

2.4.1. In cases other than those where research misconduct is suspected, the Deputy Dean or
Course Director will request that the Assistant Director of Academic Services (Education Policy
and Quality) (or their nominee) conducts an investigation as s/he deems necessary in order to
establish if there is a case to be answered.
2.4.2. If the Assistant Director of Academic Services (Education Policy and Quality) deems that
there is a case to be answered s/he will inform the Academic Dean, presenting the case with all
the evidence received.

2.5. Full Investigation:

2.5.1. The Academic Dean will contact the student in writing providing the particulars of the
allegation being investigated along with a copy of the ICR Academic Regulations and this
procedure.
2.5.2. The student will be asked to complete and return a declaration to the Academic Dean confirming either:

"I admit the allegation as set out on this form. I do not wish a Hearing Committee to be established to consider my case. I wish my case to be dealt with by the Academic Dean, whose decision will be final"*

OR

"I wish a Hearing Committee to be established to consider the allegation as set out on this form".

*If a student admits the allegation they can submit a statement in mitigation or explanation which will be considered by the Academic Dean.

2.5.3. The student will have one month to respond. If they do not respond the case will be dealt with in their absence by the Academic Dean. The decision of the Academic Dean will be final.

2.5.4. A Hearing Committee will also be established if a student admits to only part of the allegation or denies part of the allegation.

2.6. Establishment of a Hearing Committee in respect of all Academic Misconduct offences other than those where research misconduct is suspected.

2.6.1. The Hearing Committee will be established by the Academic Dean and will consist of three members of Institute Senior Faculty and a student representative as nominated by the student president. The Committee members should not have any direct links with the student. One Committee member will be nominated as the Chair, who will have a second, casting vote, in the event of an equal split. The Assistant Director of Academic Services (Education Policy and Quality) (or their nominee) will act as the Committee Secretary. The secretary shall be responsible for providing advice to the committee and keeping the minutes of the proceedings but shall not otherwise participate in the making of decisions by the committee.

2.6.2. All meetings must be minuted and a report produced at the end which should provide sufficient detail in case of an appeal. This should be an impartial record and should be jointly approved by the Hearing Committee and the student.

2.6.3. Notice of the date, time and venue of the Hearing Committee should be provided at least 10 days before the meeting, along with details of the allegation being investigated, any evidence obtained in relation to the allegation and any written statement provided by the student.

2.6.4. The student may be accompanied to the hearing by a friend, relative or student representative. If this is the case the student must inform the Committee Secretary no fewer than 7 days before the Hearing Committee date [name, address and description of the representative friend, relative or student].

2.6.5. If the student fails to attend the Hearing Committee meeting and the steps above have been followed the meeting will go ahead in their absence.

2.6.6. The allegation being investigated will be presented at the start of the meeting by the Registrar. The student will then have an opportunity to respond. Either side may call witnesses but this must be agreed in advance of the meeting. A witness who is a student may be accompanied by a friend or relative while giving evidence.

2.6.7. Once the Committee is satisfied that sufficient evidence has been presented and the student has been given fair and reasonable opportunity to respond, the Committee shall consider its decision in private both as to whether the allegation has been proven and, if proven, the penalty or penalties to be imposed. The student will not be permitted to attend this part of the meeting.

2.6.8. If at any point during the Hearing Committee meeting the student admits to the examination offence the hearing will be stopped. The student will have 3 working days to submit a statement in
mitigation or explanation. The Hearing Committee will then make a decision on the action to be taken.

2.7. If the Hearing Committee agrees that the allegation has been proven, the penalties available to impose in relation to research degree students are:

2.7.1. The student will be required to re-write the section or sections tainted by plagiarism, including properly acknowledging all sources within a time period specified by the Hearing Committee and agreed with the Academic Dean. No re-write of other sections of the thesis will be allowed other than minor (or other examiner required) corrections.
2.7.2. The student will be excluded from the ICR and from any future examinations/assessments and awards at the ICR.

2.8. If the Hearing Committee agrees that the allegation has been proven, the penalties available to impose in relation to taught degree students are:

2.8.1. The student receives a zero mark for the work submitted but retains the right to resubmit the work with a mark limited to a bare pass.
2.8.2. The student receives a mark of zero for the module in which the offence occurs but retains the right to resubmit all elements with the overall module mark limited to a bare pass.
2.8.3. The student is excluded from future examinations/assessments and awards at the Institute. However, this excludes any qualification for which the student had already accumulated sufficient credits confirmed by an Exam Board prior to the date of the offence (unless reasons have arisen to investigate these retrospectively and an offence has been admitted or found to have been committed).

2.9. In exceptional circumstances where it is considered that the offence was a genuine mistake, such that any reasonable person might have made in the circumstances, no action will be taken; the student will receive a warning and will be reminded of the importance of the examination regulations.

2.10. The findings of the Hearing Committee should be sent to the student in writing within 5 working days of the Hearing Committee date. The Academic Dean will also be informed of the outcome.

2.11. Right of Appeal

2.11.1. The student has the right of appeal on grounds of procedural irregularity or against the penalty imposed by the Hearing Committee or on both grounds. The appeal must be submitted to the Hearing Committee Secretary within 10 working days of notification of the outcome of the Hearing Committee. The notification of intention to appeal must state the grounds for appeal and must state the alleged procedural irregularity and/or give reasons for the appeal against the penalty imposed by the Hearing Committee as appropriate. The Chief Executive will be informed of the appeal and will nominate a senior faculty member as his/her representative to consider the appeal.
2.11.2. The nominated representative will be provided with a full report including details of the initial allegation, evidence submitted and the report of the Hearing Committee. If it has not been possible to produce a mutually agreed report, both parties may submit a separate report highlighting the areas they do not agree with.
2.11.3. The nominated representative will call the student to attend an appeal hearing, accompanied by a friend, relative or student representative. The student will receive 10 days’ notice of the meeting. Either party will be allowed to submit new evidence if there is a good reason
it was not available at that time of the first Hearing. This meeting will be minuted by the Assistant Director of Academic Services (Education Policy and Quality). If the appeal is upheld another penalty may be substituted for that of the Hearing Committee, or no penalty imposed, but this cannot be more severe. Otherwise the appeal will be rejected. However the decision of the nominated representative is final.

2.11.4. If the student does not attend the appeal hearing a decision will be made in their absence.

2.11.5. The findings of the appeal hearing will be sent to the student within 5 days of the meeting. The Academic Dean will be informed of the outcome.

2.11.6. Where an appeal is upheld and the allegation dropped, no record will be kept on the student's file.

2.11.7. Where an appeal is upheld but only part of the allegation is dropped only the records pertaining to the part of the allegation which is upheld will be retained on record. Any appeal where the allegation is upheld in full shall be retained on the file.

3. Establishment of a Hearing Committee in respect of an Examination Offence where research misconduct in relation to an original research-based dissertation is suspected

3.1. When an Investigation Panel has been convened under the ICR's Procedure for the Investigation of Misconduct in Research, in relation to an allegation in respect of an original research-based dissertation, its final report under paragraph (37) shall be referred to a Hearing Committee if it concludes that an allegation of research misconduct has been upheld in whole or in part. The provision in paragraph (38) for the matter to be referred to the ICR's Disciplinary Process for staff does not apply, though this does not prevent the Investigatory Panel making a referral in respect of its own Disciplinary Process so far as the student's status as an employee is concerned.

3.2. Where the Named Person, Screening Panel or Investigation Panel upholds no part of an allegation, this will be recorded by the Registrar and no further action will be taken. No records will be stored on the student's file. A formal letter to this effect will be sent to the student and held centrally by the Registrar.

3.3. Where the Investigation Panel has concluded that an allegation has been upheld in whole or in part, then the Examination Offences process should be initiated from para. 2.5 of this Code noting that:

3.3.1. The Hearing Committee does not have the power to question or overturn the Investigation Panel's final report. Its sole function is to determine the penalty.

3.3.2. The Investigation Panel's final report will be presented to the Hearing Committee by the Registrar. The student will then have an opportunity to respond formally to admit or deny the offence.

3.3.3. The penalties available to the Committee are those relevant to research degrees and research based dissertations.

3.3.4. The right of appeal remains the same as outlined under para. 2.10 of this Code.

4. Completion of Procedures and Final Redress

4.1. The outcome of an appeal concludes the ICR's internal procedures with regards to this process, and therefore a Completion of Procedures letter will be issued to the student. In any case where the student is not satisfied with the outcome of the process followed under the procedures of the Institute of Cancer Research, there may be recourse to review by the Office of the Independent Adjudicator for Higher Education (OIAHE) within one calendar year of the date of issue of the Completion of Procedures letter. The OIAHE provides an independent scheme for the review of student complaints about a final decision.
of a higher education institution's disciplinary or appeal bodies.

4.2. Full details of the OIAHE scheme are available from the Registry or on the OIAHE website: http://www.oiahe.org.uk.

The postal address is:

OIA  
Second Floor  
Abbey Gate  
57 – 75 Kings Road  
READING, RG1 3AB;

Telephone: 0118 959 9813

ANNEXE 1 - Plagiarism Guidance

ANNEXE 2 - Hearing Committee Guidance on the Application of Penalties

**Research Degree Penalties**

**Penalty**

The candidate will be required to re-write the section(s) tainted by plagiarism, including properly acknowledging all sources within a time period specified by the Hearing Committee and agreed with the Academic Dean. No re-write of other sections of the thesis will be allowed other than minor (or other examiner required) corrections.

A candidate will be excluded from the ICR and from any future examinations/assessments and awards at the ICR.

**Application**

Where there is evidence of minimal or moderate plagiarism or collusion

Where there is evidence of substantial plagiarism or collusion

**Taught Degree Penalties**

**Penalty**

The student receives a zero mark for the work submitted but retains the right to resubmit the work with a mark limited to a bare pass.

**Application**

Typically applied to minor cases where plagiarism is:

1. Minimal (i.e. <30% and there is evidence of independent argument)
2. Minimal and simultaneous offences have occurred early in the programme
The student receives a mark of zero for the module in which the offence occurs but retains the right to resubmit all elements with the overall module mark limited to a bare pass.

The student is excluded from future examinations/assessments and awards at the Institute. However, this excludes any qualification for which the student had already accumulated sufficient credits confirmed by an Exam Board prior to the date of the offence (unless reasons have arisen to investigate these retrospectively and an offence has been admitted or found to have been committed).

Should be applied when plagiarism is:

1. Minimal (<30%) and previous offences have occurred; or
2. Moderate (>30%)

Should be applied when plagiarism is:

1. Moderate and previous offences have occurred; or
2. Substantial (>90% or purchasing an entire piece of work/soliciting to do so).