



# REGULATIONS ON ASSESSMENT OFFENCES. APPLICABLE FOR ALL STUDENTS

*These Regulations are approved by the Academic Board*

*Last updated: July 2022*

These Regulations apply to all allegations of assessment offences against assessments (as defined by Regulations 9 and 10) submitted to the School from the 2022/23 academic year. All allegations for assessments submitted before this date will be considered under the Assessment Offence Regulations that were in place at the time the assessment was submitted. These regulations should be read in conjunction with the School's [Ethics Code](#) and [Code of Good Conduct](#).

## **Preamble**

Assessment is the means by which the academic standards that students achieve are made known to the School and beyond. It also provides students with impartial feedback on their performance. Assessment forms a significant part of the process by which the School monitors its own standards of teaching and student support. Students who commit academic misconduct in any assessment submitted to the School, either by accident or especially if they deliberately cheat, risk severe sanctions from the School which can impact their academic and future careers.

Further, it is now a criminal offence to provide, or arrange for another person to provide, contract cheating services for students enrolled at a higher education provider in England. Students who are found to engage in contract cheating services risk not only severe sanctions under these regulations but the School's [Disciplinary Procedure](#) as well where it may be determined to refer the matter to the Police.

## **What is academic misconduct?**

1. All work for classes and seminars (which could include, for example, coursework assignments, dissertations/project work, group work, presentations, posters, problem sets, research proposals and any other work submitted to the School) must be the student's own work. Direct quotations from other sources/materials must be placed properly within quotation marks or indented and must be cited fully. All paraphrased material must be clearly acknowledged. Infringing this requirement, whether deliberately or not, or passing off the work of others as the student's own work, whether deliberately or not, is plagiarism.
2. The definition of a student's own work includes work produced by collaboration expressly allowed by the department concerned or, at MPhil/PhD level, allowed under the Regulations for Research Degrees. If the student has not been given permission, such work will be considered to be the product of unauthorised collusion regardless of whether this is with anyone inside or outside LSE and will be considered as an offence under these Regulations.
3. A piece of work may only be submitted for assessment once either to the LSE or elsewhere. Submitting the same work, or part of that work (either formative or summative) twice will be regarded as an offence of 'self-plagiarism' and will be considered under these Regulations. However, earlier summative or formative work may be used as an element of a larger summative assessment, provided that the amount of earlier work used is acceptable to the department and the work is properly referenced. Students wanting to use earlier work must seek clarification from the relevant department.
4. Students must ensure they submit the correct and final version of their summative work to the School. Normally, the department must treat and mark summative work submitted by the student as a genuine attempt even where a student claims to have submitted the incorrect version. It will be open to the department to run all submissions through text matching software (for example Turnitin). For the avoidance of doubt, all work received in connection with summative assessments is subject to the School's assessment Regulations.

5. The School's [Statement on editorial help for students' written work](#) sets out what the School considers to be and not to be permissible by way of editorial help with their written work. Contravention of the statement, whether deliberately or not, is an assessment offence.
6. The following list, although not exhaustive, provides examples of what would be considered exam misconduct. See Regulation 9.3 for the definition of exam under these regulations. Any attempt to commit one of these offences will be considered an offence in itself:
  - 6.1 bringing books, notes, instruments, calculators or other materials however they are stored or transported, which might be used to the student's advantage and are not expressly allowed by the department under Regulation 8, into the exam room or using them during an exam where expressly forbidden from doing so;
  - 6.2 where calculators are permitted, using a model of calculator not expressly permitted by the School;
  - 6.3 any writing in the script without the express permission from the invigilator e.g. writing during "reading time only", writing before the start of the exam or writing after the invigilator has announced the exam has finished;
  - 6.4 communication in any form (e.g. face to face, electronically or by other means) by a student during the exam to another individual or individuals except where expressly allowed by the department;
  - 6.5 during an exam, copying or reading from the work of another student or from another student's books, notes, instruments, computer files or other materials or aids, unless expressly allowed by the department;
  - 6.6 any attempt to tamper with scripts in an exam room before or after submission or tamper with another student's script in any setting;
  - 6.7 removing from an exam room any question papers, scripts (blank or completed) or other materials supplied by the School without express permission to do so;
  - 6.8 offering a bribe of any kind to an invigilator, School professional services staff, examiner or other person connected with an assessment;
  - 6.9 using software or information stored electronically in any form that is not expressly allowed by the department;
  - 6.10 providing or receiving information about the content of an exam before it takes place, except when expressly allowed by the department;
  - 6.11 impersonating or trying to impersonate a candidate, or attempting to procure a third party to impersonate oneself;
  - 6.12 not complying with the reasonable request of an invigilator under these or other regulations and exam procedures;
  - 6.13 any conduct of which the result would be an advantage for the student obtained by subterfuge or action contrary to published rules or regulations;
7. Other examples of assessment offences under these Regulations could include but are not limited to:
  - 7.1 "contract cheating" also sometimes known as 'Ghost Writing', or use of 'Essay Mills' or anything that constitutes commissioning (including buying or paying for) another person to complete an assignment, or part of an assignment which is then submitted as the student's own work. Where a student is found to have committed an offence as a result of contract cheating, they may also be referred to the School's [Disciplinary Procedure for Students](#);
  - 7.2 accessing unauthorised material (as defined by the department) during a "live" assessment which includes the use of third party websites which might contain full or partial answers that match LSE assessments;

- 7.3 falsification of data, e.g. the presentation of any quantitative or qualitative data, based on work purporting to have been carried out by the student, but which has been bought or invented by the student or altered, copied or obtained by unfair means;
- 7.4 any attempt to solicit answers to an assessment through a third party will be deemed as academic misconduct, even where such an attempt is unsuccessful and/or where there is no evidence of the material from such a third party being used in the assessment in question.
8. Each department will provide instructions to students on the conventions required for the citation and acknowledgement of sources in its discipline, to what level of communication during the assessment is permitted, if allowed at all and any other specific rules regarding an assessment. The department shall also specify such books, notes, instruments, computer files or other materials or aids that are allowed to be used in conjunction with assessment. The School will confirm which calculators are permissible during an exam. The responsibility for learning the proper forms of citation, assessment rules and permitted materials (including permitted calculators) lies with the individual student.
- 8.1 During an exam, or shortly prior to the start, the student must on request surrender to the invigilator any books, notes, instruments, calculators, computer files or other materials or aids introduced into an exam room that the invigilator reasonably believes are not allowed under Regulation 8. The invigilator shall pass such articles to the Student Services Centre, which may make copies of them and may retain the original articles and the copies at its absolute discretion.

#### **Procedure under these Regulations**

9. In these Regulations the following definitions apply:
- 9.1 The Assessment Regulations Team will be referred to as the “ART”;
- 9.2 “work” means summative work of any kind submitted for assessment or opinion by staff of the School, including material submitted for upgrade to PhD status;
- 9.3 “exam” means work undertaken in an invigilated exam room, usually under timed conditions or an on-line exam format, where the department will set explicit rules around whether or not communication with other people is permitted during the assessment window and what sources/materials may be referred to during the assessment window (e.g. if it is considered an open or closed book exam).
- 9.4 “script” means a summative assessment written by hand or using a computer, under exam conditions
- 9.5 all allegations relating to MPhil/PhD work should be referred directly to the PhD Academy. The ART will refer any allegations it receives relating to MPhil/PhD work to the PhD Academy. For allegations relating to MPhil/PhD work all actions described in these Regulations as being undertaken by the ART will be undertaken by the PhD Academy.
- 9.6 “department” means academic department, faculty, or institute responsible for the assessment in which the allegation is being made
- 9.7 “examination board” means the body of examiners that initially considers the work of the student;
- 9.8 “source” means the published primary and secondary material from any source whatsoever (including websites and/or online material), and includes information and opinions gained directly from other people, including students and teachers/lecturers;
- 9.9 “year” means the academic session in which a proven offence was committed.
- 9.10. the Head of the relevant department or institute or their nominated delegate will be referred to as the “departmental representative.”
10. These Regulations apply to allegations of plagiarism, misconduct within an exam room or exam setting or other academic misconduct against any student. Allegations of assessment offences can take place in any work, though these Regulations cover only alleged academic misconduct in summative assessed work submitted in connection with the requirements for an LSE programme or course. Allegations of

academic misconduct against a student that are outside these Regulations, for example in formative work or work submitted in connection with external publications, may be considered under the [Disciplinary Procedure for Students](#).

11. The department responsible for the assessment in question will normally be responsible for conducting an investigation into any allegations. The department must determine if the allegation is **major** or **minor** and whether it is appropriate to deal with the allegation at a local level or if it must be referred to an Assessment Misconduct Panel. The department may consult with other representatives from across the School if appropriate when making such decisions. The student has the right to respond to any allegation and seek impartial advice from the Students' Union Advice Team. In all cases the department should normally seek advice from the ART before taking any formal action under these Regulations.
12. The ART can issue a warning note to a student to caution their behaviour without the need to refer the matter to the relevant department. Such a warning will only be issued where a student appears to have breached the rules but has seemingly not done so deliberately and/or has not gained any advantage (e.g. not complying with the instructions from the invigilator). The ART will flag the issue(s) to the student in order to prevent them from committing a serious breach of these regulations in any future assessment.
13. If a student infringes these Regulations they will be liable to action under these Regulations or under the Disciplinary Regulations for Students.
14. All action under these Regulations, whether by the student or by the School, should be conducted promptly.

**Making an allegation in work submitted in connection with the requirements for a programme or course:**

15. Any member of the School (staff or student) or an external examiner may make an allegation to the Head of the department. Where an examiner intends to make an allegation, they should consult any co-examiner(s) of the work concerned before contacting the Head. For exam misconduct; students should flag any concerns to an invigilator, an invigilator or other member of the School should normally make an allegation in writing as part of their report on the exam concerned. This report should be passed to the Student Services Centre in the first instance who will ensure the allegation is passed to the relevant department. If a department identifies an allegation of exam misconduct when marking a script there is no requirement to report this to the ART until a decision has been made about how to proceed under Regulation 21.
16. The Head may delegate to a senior member of the department any actions and decisions within this part of the Regulations. The representative cannot be the student's Academic Advisor, Supervisor or have had any previous involvement with the candidate outside of the anonymous marking procedure.
17. The departmental representative may consult an external examiner. For allegations relating to MPhil/PhD work the external examiner must not have previously examined the work. The departmental representative will also seek such evidence and advice as they may think necessary, which may include interviewing the student(s) concerned. Where practicable, such interviews should be conducted in the presence of an Officer of the Students' Union Advice Team. Where the allegation relates to exam misconduct, a witness may also be invited to attend if deemed appropriate. The department will keep a formal record of the interview which may be referred to by a Panel if one is convened.
18. On the basis of the evidence and advice collected under Regulation 17, the departmental representative will determine whether there is sufficient cause for the student to be required to answer a formal allegation.
19. Where the departmental representative determines there is no case to answer they may dismiss the allegation, in which case no further reference will be made to it and no information about it will be added to the student's file. It is open to the representative to caution the student if deemed appropriate (e.g. to ensure they have carefully read and understood the School and departmental assessment rules when submitting future work).

20. Where the departmental representative determines there is a case to answer, they must also determine whether it is a **minor** or **major** allegation. The severity of the allegation will determine how the matter should be considered under these Regulations. A **minor** allegation can be dealt with at a local level and a **major** allegation must normally be dealt with at a School level. The department must consider the following factors when deciding the level of an allegation:
- 20.1 The extent to which the allegation impacts the assessment as a whole (e.g. the amount of unreferenced source material detected; or, the nature of collusion or the amount of unauthorised material that appears to match the student's submission)
- 20.2 The extent to which key ideas that are central to the assessment appear to not be the student's own work.
- 20.3 The extent to which the use of data that is central to the assessment appears not to be the student's own work (this may include but is not limited to data that appears to be falsified, invented, altered, copied, or obtained by unfair means).
- 20.4 On the balance of probabilities, the extent of a premeditated intention to deceive or otherwise gain advantage through deception or fraudulent means. In the case of plagiarism, the department should consider whether there is any evidence to suggest the student has made an attempt to reference the source material or if the evidence suggests that the student has deliberately attempted to change minor aspects of plagiarised text to give the impression that it is their own work. The department should also consider if it is possible the student has misunderstood the rules or acted unintentionally.
21. Before proceeding under any of the Regulations set out at 24 to 29 the department must inform the ART of all of the details of the case, their opinion on whether it is a **major** or **minor** case and reasons for this decision.
- 21.1 The ART will advise whether or not the allegation should be treated as **major** or **minor** within the context of both the alleged offence itself and past precedent.
- 21.2 Once the department has consulted appropriately with the ART, the departmental representative may present the allegation to the student.

#### **Dealing with minor allegation(s)**

22. Where the department representative determines the allegation is minor it can be dealt with at a local level.
- 22.1 The department must determine whether to deal with the matter as a disposal or apply a penalty.
- 22.2 The department should not come to a decision about what penalty to apply until all of the evidence has been established and the student has had the opportunity to consider any appropriate evidence and respond to the allegation. In all cases the ART should be consulted before a formal allegation is made.
23. Before proceeding under these Regulations the department should take appropriate steps to check whether or not the student has a declared disability and/or any adjustments. Where this is the case the department must check with the Disability and Wellbeing Service to determine if there are any appropriate adjustments that must be applied before taking any action under Regulations 24 to 29 (e.g. present the allegation face to face and not just in writing and/or allow the student to request extra time to consider and respond to the allegation).
24. The departmental representative (subject to ratification by the relevant Sub-Board Chair, who may consult with other Sub-Board members), or the Doctoral Programme Director in the case of MPhil/PhD students, may take one of the following actions listed below:

#### **Disposal**

- 24.1 If, in the opinion of the departmental representative, the nature of the formal allegation is such that if proved it would result in no, or a very small, amendment to the decision of the examination board for

undergraduate or taught graduate students and there is no other justification for further time being spent on the allegation, then they may invite the student to consent to a disposal.

- 24.2 The departmental representative should present the offer of a disposal formally and in writing to the student. The allegation should be fully explained, specifying the passages of any work thought to be affected and in the case of plagiarism including the suspected sources and any related evidence which will normally include reports generated by text matching software. The student must be given a time limit of not less than five working days to either accept or decline the disposal.
- 24.3 Where the student chooses to accept this offer they must do so formally and in writing. A note will then be placed on their central file held by the Student Services Centre identifying that the offence was alleged and considered. The Academic Advisor or Supervisor may counsel the student as to their future behaviour. The examination board for undergraduate or taught graduate students will be informed of the decision; if the student's overall mark profile is borderline and they have submitted exceptional circumstances, the board will be entitled to take the allegation into account when deciding whether or not to apply the normal application of the classification scheme.
- 24.4 Normally the affected work should have already been marked and that mark should be returned. Where a mark has not yet been agreed, a mark should be determined by excluding any plagiarised material or unauthorised content and assigning a mark only to the non-plagiarised/authorised material. A department will normally use text matching software to determine the plagiarised material to be excluded. A similar approach may be used for exam misconduct, with the examiners excluding any material in the submission that has been identified from unauthorised material used during the exam or unauthorised work written in breach of Regulation 6.3 above). Once marked by internal examiners the external examiner must be consulted. For the avoidance of doubt, where the work has not yet been marked the student must be informed of the way in which the work will be marked and accept the offer of a disposal before a mark is returned.
- 24.5 If the student does not so consent, the allegation will be considered by an Assessment Misconduct Panel.

### **Applying a penalty**

- 25 The departmental representative should present the allegation formally and in writing to the student, specifying the passages of any work thought to be affected and where practicable including the suspected sources and any related evidence which might include reports generated by text matching software or relevant excerpts from an invigilator report.
- 25.1 The departmental representative should invite the student to state whether the allegation is true or false and to provide a statement and/or any evidence or information about their circumstances relevant to the case, giving a time limit of not less than ten working days for them to respond, and
- 25.2 The departmental representative should advise the student they can seek advice from the Students' Union Advice Team and optionally from their Academic Mentor if they are not directly involved in the allegation or (if a research student), from the Supervisor or Doctoral Programme Director.
- 25.3 Once a response has been received from the student the department must consider all of the evidence, the student's explanation and any exceptional circumstances (provided there is appropriate corroborating evidence) provided by the student. It should also consider whether the level of support and information the School and department has provided about the assessment rules to its students was appropriate. The department must then determine whether an assessment offence has occurred.
- 25.4 The department's decision will not be affected by the unwillingness of the student, to reply to questions, either orally or in writing. Before considering whether an assessment offence has occurred in the absence of a response from the student, the department must satisfy itself that it has fulfilled Regulations 25.1 to 25.3 and that the student has had at least two separate opportunities to respond. Where the department determines that the student has had a reasonable opportunity to respond but is unwilling to reply, it may draw reasonable inferences from that refusal.
- 25.5 Where the department determines there is no case to answer they may dismiss the allegation, in which case no further reference will be made to it and no information about it will be added to the student's file.

- 25.6 Where the department determines an offence has been committed it must use its academic judgement to determine the most appropriate penalty to apply listed under the Penalties section below. Each penalty will be subject to the further application of the degree regulations and relevant General Academic Regulations.

### Penalties for minor offences

26. Before presenting the penalty to the candidate the department must consult with the ART and explain the reasons for the proposed penalty. The ART will advise whether or not the proposed penalty is appropriate within the context of both the alleged offence itself and past precedent.
- 26.1 (For all students taking taught courses) That a new mark be determined for the work by excluding the unauthorised content/plagiarised material and assigning marks only to the non-plagiarised/authorised material in accordance with normal assessment criteria. A department will normally use text matching software and/or their academic judgement to determine the plagiarised material to be excluded. Once marked by internal examiners the external examiner should normally be consulted. An agreed mark should be released to the student within an appropriate timescale.
- 26.2 (For all students taking taught courses) That the student's overall mark and grade in the course in which the assessment takes place, be capped at the relevant Pass mark.
- 26.3 (For all students taking taught courses) That the student be awarded a zero mark for the assessed work only, which can include an assessment worth up to 100% of a half or full unit course. The student will have the right to re-submit the work provided they have not run out of attempts to do so and only where this penalty (or their other marks) results in them not being awarded the degree.
- 26.4 (For MPhil/PhD students only) Where a minor offence has occurred in material submitted for upgrade, the student can either revise the work and resubmit for a second attempt at the upgrade (where a second attempt remains), or where the second attempt has already been taken, the Upgrade Panel should determine on the basis of the non-plagiarised material whether or not the student can be upgraded in accordance with the School's regulations.
- 26.5 (For MPhil/PhD students only) Where a minor offence has occurred in the final thesis, the examiners should be made aware of the plagiarised material within the thesis, but the student can be examined in accordance with the School's regulations.

### Accepting a penalty

27. The departmental representative must present the student with the proposed penalty in writing and advise them that they may seek impartial advice from the Students' Union Advice Team. The student must be offered the opportunity to either accept the penalty or to request that this matter proceed to an Assessment Misconduct Panel which will consider the matter afresh. The student must be allowed at least five working days to respond. The student should be informed that an Assessment Misconduct Panel has the authority to dismiss an allegation but that it may apply the same penalties available to the department or more severe sanctions as set out under Regulation 50. The student's results cannot be released until the matter is resolved. Therefore, the department should act swiftly to prevent any possible delay to progression or an award where practically possible.
- 27.1. If the student formally accepts the penalty in writing, a note will be placed on their central file held by the Student Services Centre identifying the allegation, outcome and that the matter was resolved under these Regulations. Where the student does not respond by the deadline, they may be provided one further opportunity to respond or explain why they need more time. If they do not respond the proposed penalty will automatically be applied.
- 27.2 Where a student does not respond within the deadline, it will be open to them to appeal against the penalty up to one calendar month after the Department have informed them of this decision. The appeal can only be made on the basis that the student believes they can present a good reason and evidence to show they were unable to engage with the Department at the time. In order to appeal the student must email the Student Regulations Team via [ssc.plagiarism@lse.ac.uk](mailto:ssc.plagiarism@lse.ac.uk) within one calendar month of the Department's last correspondence confirming the penalty. The student should clearly explain why they were unable to engage and provide contemporaneous supporting evidence. The Head of the Student Regulations Team or their delegated representative will determine whether or not the appeal is valid. Where it is valid the student will be permitted to formally respond to the allegation and proposed

penalty. Where it is determined the appeal is not valid the penalty will stand and this is the end of the matter.

- 27.3. Where a student requests the allegation to be considered by an Assessment Misconduct Panel, the department representative will follow the instructions at Regulation 30. Whilst every effort will be made to arrange a Panel as soon as possible, it is likely that opting for a Panel hearing will delay graduation, prevent a student from utilising an in-year resit period and/or could possibly delay progression.

### Escalating a minor allegation to a major allegation

28. If a second allegation occurs after a candidate has had a previous allegation resolved under these Regulations the second allegation must normally be considered by an Assessment Misconduct Panel.
29. If, during the course of an investigation, a departmental representative establishes new evidence or aggravating factors, which can include any information received from the student as part of their response to the allegation, the allegation can be considered by an Assessment Misconduct Panel.

### Dealing with major allegations

30. All major allegations must be considered by an Assessment Misconduct Panel. The student will have the right to be presented with the allegation and formally respond in writing before the Panel convenes and at the Panel meeting itself. A departmental representative must normally attend this meeting to present the allegation to the Panel.
- 30.1 Before an allegation can be considered by a Panel the departmental representative must present the allegation formally and in writing to the student, specifying the passages of any work thought to be affected and where practicable including the suspected sources and any related evidence which may include an invigilator report or reports generated by text matching software. The departmental representative should advise the student that a member of the ART will contact them separately to inform them about the procedure.
- 30.2 The departmental representative must pass a copy of all of the case papers to the ART. The ART will make arrangements to convene an Assessment Misconduct Panel and will request a statement from the student and advise them of the procedure.
- 30.3 All students presented with a major allegation will have their results withheld until the allegation has been formally concluded under these Regulations. This may mean the student will not be permitted to attend the graduation ceremony if this matter has not been fully concluded when the ceremony takes place.

### The Assessment Misconduct Panels

31. An Assessment Misconduct Panel will normally comprise four members. The Assessment Misconduct Panel Chair or for Mphil/PhD level cases the Chair of the Research Degrees Sub-Committee, as appropriate, will normally chair the Panel unless excluded from membership because of previous connection with the assessment in question or with the allegation, in which case a deputy Chair will chair it. Two academic members from the Undergraduate Studies Sub-Committee (USSC) and/or the Graduate Studies and a sabbatical officer of the Students' Union will also serve on the Panel as members.
- 31.1 No person directly involved with the assessment in question or connected in any way with the allegation, investigation or the student will serve as a member when the Panel considers a case. This means a member belonging to the same faculty of the student or assessment in question will normally be excluded from being on the Panel. A member of the ART will act as secretary to the Panel. All relevant documentation will be placed before the Panel.
32. The role of the Panel is:
- 32.1 to decide whether the allegation(s) as determined by Regulations 1-7 above, has been proved to the satisfaction of a majority of Panel members, on the balance of the evidence presented to them, and



32.2 where the allegation is found proved, to apply a penalty from the list set out at Regulation 26 or 50.

33. The Panel is quorate when three of its members are present, one of whom must be the Chair.

#### **Preparation for an assessment misconduct Panel hearing**

34. Any actions under Regulation 24 onwards, including for the avoidance of doubt notifying the student of the allegation, will normally be delayed if the student is undergoing assessments during any of the School's main exam periods. In such cases the allegation will normally be delayed until after their last assessment in this period. This Regulation does not exclude the possibility of interviewing a student at this time, or treating this matter as a Disposal.

34.1 A candidate may be notified of the allegation within this time frame if it is deemed to be in their best interests to know about the allegation (e.g. to prevent them from committing any further possible misconduct in their future work). The Panel hearing itself will normally be held in abeyance until after the exam or essay has been submitted. The Student retains the right to request the Panel meeting as soon as possible.

35. The secretary to the Panel will:

35.1 send the student a copy of the allegation and any relevant documents that provide evidence in support of it, a copy of these procedures and a proposed timetable for progressing the matter, and

35.2 invite the student to state whether the allegation is true or false and to provide a statement and/or any evidence or information about their circumstances relevant to the case, giving a time limit of not less than ten working days for them to respond, and

35.3 advise the student to seek advice from the Students' Union Advice Team and optionally from their Academic Advisor if they are not directly involved in the allegation or, if a research student, from the Supervisor or Doctoral Programme Director.

36. The secretary to the Panel will pass the student's submissions to the departmental representative who may provide a written response within five working days for consideration by the Panel.

37. All submissions received within the time frames set out above will be made available to the Panel.

38. A meeting of the Panel will normally be called to consider the allegation. The only exception to this requirement will be where a student submits medical evidence indicating that participation in a formal hearing would clearly be detrimental to their health and wellbeing. On the basis of this evidence the Chair of the relevant Sub-Committee, in consultation with the Disability and Wellbeing Service, will determine whether or not it is appropriate to convene a Panel hearing. Where it is determined a Panel hearing is not appropriate, the ART, the department and the Panel Chair must all agree to an appropriate outcome; namely, to either dismiss the allegation or to apply a penalty as set out at Regulation 26 or 50. The student has the right to appeal this decision.

39. The secretary to the Panel will:

39.1 inform the student of the date on which the hearing is to take place at least five working days beforehand (though the student is entitled to waive this period of notice), of the membership of the Panel, the department representative(s) who will attend and of any witnesses who will attend, and of their right to call witnesses;

39.2 provide the student with a copy of any response received under Regulation 36 and any other material that the Panel will consider;

39.3 invite the student to attend the hearing of the allegation and to make representations, present evidence and question any witnesses;

39.4 inform the student that they may be accompanied or represented according to the conditions set out in Regulation 41; and

- 39.5 inform the student that they may submit additional written submissions and other forms of evidence to the Panel as long as these are received by the secretary at least two working days before the Panel hearing. Evidence submitted later will only be considered by agreement of the Panel Chair.
- 39.6 The meeting may take place in person, virtually or by hybrid. Where the meeting takes place in person or by hybrid, it will normally be possible for the student to participate remotely as long as they have informed the secretary at least three days in advance of the hearing. The Panel recognises that students may not be located in the UK at the time of the hearing and it will not draw any inferences if a candidate cannot participate in person.

### **Assessment Misconduct Panel hearings**

40. The departmental representative is normally responsible for attending the hearing and presenting the case against the student. They will have the right to submit documents and other forms of evidence to the Panel (subject to the timeframe and terms set out in Regulation 39.5), to see or to listen to, as appropriate, all evidence given, to question the student and other witnesses appearing before the Panel, and to challenge evidence submitted by the student.
41. The student may be accompanied by a representative. This should normally be an officer of the Students' Union Advice Team. If not a member of the Students' Union Advice Team, the student must inform the secretary to the Panel of the background and professional qualifications of the representative at least five working days before the date set for the hearing. The student is expected to answer questions directly. The representative may speak only to clarify something the student may have said or to ask a question/clarification if they think the student has not understood a question.
42. Where the student has indicated that they will be accompanied by a legal representative the School reserves the right to recruit a legal representative to assist with the case.
43. If the student has a declared disability with the School then they may be entitled to adjustments (e.g. rest breaks during the Panel meeting). It is the student's responsibility to request adjustments at least five working days in advance of the hearing if they think they are eligible. The secretary will discuss all requests with the Disability and Wellbeing Service.
44. The student will have the right to submit documents and other forms of evidence to the Panel (subject to Regulation 39.5), to see or to listen to, as appropriate, all evidence given, to question the person presenting the case and other witnesses appearing before the Panel, and to challenge evidence. The student's friend or representative may attend the meeting to accompany the student but the student is expected to respond to the allegation directly in the first instance.
45. In exceptional circumstances, the Panel may adjourn the hearing to seek other evidence to help it in reaching its decision. Independent expert evidence may be obtained and introduced by either party, as long as it is received by the secretary at least five working days before the Panel reconvenes. Any evidence requested by the Panel will be disclosed to the student and their representative as well as the departmental representative, who will each be given the opportunity to comment upon it. Where a hearing has reconvened, its membership will be as originally appointed; no replacements will be allowed except in exceptional circumstances.
46. Any person who attended the initial hearing is entitled to attend the reconvened hearing. The student and the departmental representative are also entitled to serve further evidence and/or written submissions in response to any new evidence to be considered by the Panel, as long as these are received by the secretary at least two working days before the re-start of the hearing.
47. The validity of the proceedings of the Panel will not be affected by the unwillingness of the student, or other person acting with or for them, to reply to questions, orally or in writing, or to appear before the Panel.

- 47.1 Before considering an allegation in the absence of the student, the Panel must satisfy itself that the secretary to the Panel has fulfilled Regulations 35 to 39 and that the student has had a reasonable opportunity to respond. Where the Panel concludes that the student is unwilling to reply to a question or questions, it may draw reasonable inferences from that refusal.
- 47.2 If the student cannot attend because of a disability they must inform the secretary straight away. The secretary may be able to arrange adjustments in accordance with Regulation 43.
48. The Panel may meet in private, with its secretary in attendance, when it wishes, provided that in such meetings it does not hear evidence. When all evidence has been heard the Panel will meet in private, with its secretary in attendance, to make its decision. The Panel will then determine what penalty listed at either Regulation 26 or 50 it is appropriate to apply. The Panel may seek advice from the secretary regarding the School regulations, procedures and case precedent.

### **The Assessment Misconduct Panel's decision and subsequent action**

49. Having conducted the hearing:
- 49.1 if the Panel decides that the allegation has not been proved, it will direct that no further action be taken, and no record of the allegation or the proceedings be included on the student's record. It is open to the Panel to refer the student to their Academic Advisor to ensure they do not make the same mistakes in future work. The secretary will confirm the decision to dismiss the allegation and any informal caution in writing;
- 49.2 if the Panel decides that an offence against these Regulations has been committed by the student, it will apply one of the penalties listed at Regulation 26 or 50, with a formal admonition to the student and a note being placed on their record. In doing so it will seek to reflect the seriousness of the offence, and may take into account any previous assessment offences committed by the student. In reaching its decision the Panel will be mindful of the need of the School to assure the highest standards among its students.
50. The penalties available to the Panel are any of those listed at Regulations 26 or as set out below:
- 50.1 (for all students taking taught courses) that, despite the allegation being upheld, a mark be returned for the work in question. A new mark should be determined according to Regulation 26.1, or
- 50.2 (For MPhil/PhD students only) where the offence has occurred in work submitted for an upgrade, the Upgrade Panel should determine whether or not the student should be upgraded in accordance with the School's regulations, or
- 50.3 (For MPhil/PhD students only) where the offence has occurred in a final thesis, the examiners will examine the student in accordance with the School's regulations, or
- 50.4 (For all students taking taught courses) that the student be awarded a zero mark, either for the assessed work or for the course as a whole. The student will have the right to re-submit the work at the next available opportunity provided they have not run out of attempts to do so and only where this penalty (or their other marks) results in them not being awarded the degree, or (for MPhil/PhD students only) results in them not being allowed to progress or be upgraded. Or
- 50.5 (For all students taking taught courses) that the student be awarded a zero mark for the work or course as a whole and in addition, a zero mark for one or more other pieces of assessed work or whole courses taken that year. The Panel will use its academic judgement to determine which other work and/or courses should be penalised. The student will have the right to re-submit the work or courses at the next available opportunity provided they have not run out of attempts to do so and only where this penalty (or their other marks) results in them not being awarded the degree, or (for MPhil/PhD students only) results in them not being allowed to progress or be upgraded. Or
- 50.6 (For all students taking taught courses) except where it may result in a postgraduate student receiving a Bad Fail mark, they be awarded a zero mark either for the assessed work or for the course as a whole and be denied the right to re-sit it or an equivalent course;

- 50.7 (For all students taking taught courses) that the student be awarded a zero mark for all courses taken that year, or for all courses taken that year and all previous years, and also be expelled from the School, or
- 50.8 (For all students taking taught courses) that the student's overall award classification shall drop one class. This penalty will be applied at the point the overall award classification is known. The classification will remain unchanged in the event the student can only achieve a Pass degree on the basis of their non penalised results. This penalty can be applied in its own right or in addition to the penalties listed above.
- 50.9 (PhD students only) that the student only be examined for an MPhil award in accordance with the School's regulations.
- 50.10 (For MPhil/PhD students only) that the student not be awarded any degree, and that they be denied the right of resubmission or right of appeal under these Regulations, and that they also be expelled from the School.
51. Any penalty applied by the Panel will be subject to the further application of the relevant classification scheme and General Academic Regulations.
52. If an assessment offence allegation is discovered after graduation, the student will be subject to the procedure set out in these Regulations which could result in their overall classification being lowered or the award being revoked.
53. Where practicable the decisions of the Panel will be given to the student orally by the Chair of the Panel and will be conveyed to the student in writing by the secretary to the Panel. The secretary to the Panel will also send the student a formal record of the hearing.
54. Where a Panel has decided that an offence against these Regulations has been committed by the student, the student will have the right to appeal against that decision on one or more of the following grounds:
- 54.1 that the Panel was constituted in such a way that it was not impartial.
- 54.2 that there has been a material breach of these procedures that affected the fairness of the Panel's decision.
- 54.3 that relevant fresh evidence has been received that might have caused a different decision to have been made, provided the student can show that it was neither reasonable nor practical to have presented the evidence to the Panel before its decision.
- 54.4 Any such appeal must be received by the secretary within ten working days of the date of the written confirmation of the Panel's decision sent under Regulation 53.
55. A Pro-Director or their delegated representative will have the sole right of determining whether the student has presented sufficient grounds to warrant reopening the hearing. It will be open to a Pro-Director considering an appeal to consult the Panel Chair who heard the case in question. It will be open to the Pro Director (or representative) either:
- 55.1 to change the penalty decided by the Panel to one which in their opinion is less serious, or
- 55.2 to direct a rehearing by a different Panel, or
- 55.3 to reject the appeal on the basis that the student has not presented sufficient grounds to warrant reopening the hearing, which can include dismissing the submission of new evidence.
56. If the student does not appeal, they will receive final confirmation of the penalty and an explanation about its impact on their status with the School in a letter from the secretary on behalf of the Academic Registrar.



57. The consideration and conclusion of an appeal against the decision of a Panel under these Regulations will complete the procedures open to the student within the School. The appeal outcome will be confirmed in writing in a completion of procedures letter issued on behalf of the Academic Registrar. This letter will inform the student of their right to make a complaint to the [Office of the Independent Adjudicator for Higher Education](#).
58. Upon the conclusion of a misconduct case the student's results will be released, subject to ratification from the relevant examination boards.

See the [Calendar](#) for further information about Programme Regulations, Course Guides, School and academic Regulations.