PROCEDURE FOR ASSESSMENT IRREGULARITIES

This procedure applies to all assessment irregularity cases during the 2012/13 academic year or later. The assessment irregularity procedure is part of the overarching Student Disciplinary Procedures. In event of any conflict the Student Disciplinary Procedures take precedence.

Implementation of Procedure: September 2012

The principles of this procedure apply to all students regardless of the location of study. On a case by case basis some staff roles may vary from those detailed below.

Impartial advice about these procedures may be sought from the Student Progress Service. Students may also seek advice from the Student Advice Centre of the Students’ Union (www.nusu.co.uk/sac).

Introduction

1. The University is committed to ensuring fairness in assessment and has established this procedure for dealing with assessment irregularities.

2. For the purposes of this procedure, an assessment irregularity involves the use of improper means by a student in the assessment process. This includes, but is not limited to, the following.

   ▪ Any breach of the rules for University examinations (http://www.ncl.ac.uk/students/progress/exams/exams/examrules.htm), including copying from or conferring with other students or using unauthorised material or equipment in an examination room.

   ▪ Impersonating or allowing another to impersonate a student.

   ▪ Introducing examination scripts into the examination process otherwise than in the course of an examination.

   ▪ Permitting another student to copy, verbatim or in substance, formative or summative assessed coursework (this includes providing an opportunity for another student to copy work, even if it was not the explicit intention that the work should be copied). Being party to any act, otherwise than for a bona fide academic reason, allowing the sharing of any such assessed work on a website or in any other medium; the fact that work has already been assessed when it is so copied or shared shall not negate the offence. The Student Disciplinary Procedure should normally be followed if the student subject to the offence has already received a confirmed mark for the work in question by the Board of Examiners at the point of investigation.

   ▪ The falsification (by inclusion or suppression) of research results.

   ▪ Plagiarism. This is defined as the unacknowledged use of another person’s ideas, words or works either verbatim or in substance without specific acknowledgement. For the avoidance of doubt, plagiarism may occur in an examination script as well as in assessed coursework, projects, reports and like work and may involve the use of material downloaded from electronic sources such as the internet. Further, the inclusion of a source in a bibliography is not of itself a sufficient attribution of another’s work.

   ▪ Auto (self) Plagiarism. This applies when work (or similar) has already been submitted for an assessment at Newcastle or elsewhere. This may be considered to be an attempt to gain double credit for the same piece of work and is unfair and
dishonest. This should not apply to draft copies of research work; if you are unsure, please speak to a member of staff for clarity before submitting your work.

- Procuring or attempting to procure assessed work created by another person. Students are expected to produce their own work and therefore any submission of work by another person constitutes improper means. An attempt to procure such work shall be treated as an attempt to use improper means and may be considered as dishonest.

- Dishonesty. Any attempted assessment irregularity including that detected before submission of the work, is considered an attempt to use improper means and may be considered as dishonest. Such dishonesty shall therefore be investigated in accordance with this procedure.

Guidance on avoiding the above is available at http://www.ncl.ac.uk/right-cite/ and further assistance can be sought at the Writing Development Centre http://www.ncl.ac.uk/students/wdc/.

3. The assessment irregularity procedure has two aspects: the academic and the disciplinary. The leading principle guiding the academic response is to disregard that part of a student's work that is produced by improper means and to promote learning by the normal requirement for the work to be re-submitted. The second aspect of the procedure is disciplinary. The University reserves disciplinary power for all cases of misconduct and, in a case involving the use of improper means, the issue of disciplinary proceedings arises in principle.

[See also the University's Guidelines for Research Students, and the University's Notice to Students on Academic Conduct, both available from the Student Progress Service, King's Gate, or at http://www.ncl.ac.uk/students/progress/student-resources/. The procedure for revoking awards applies where an assessment irregularity is discovered after congregation. A finding of an assessment irregularity may also lead to separate proceedings required as a condition of accreditation of a degree under the relevant Fitness to Practise Procedure. This applies for example to the MBBS, BDS, Speech and Language Sciences and Educational Psychology programmes.

Confidentiality

All University staff and students involved in any investigation into an alleged assessment irregularity by a student have a duty of confidentiality to the student to limit disclosure to those who need to know.

Definitions

Chair of Board of Examiners: The Chair of the Board of Examiners for the programme for which the student is registered. In cases of alleged assessment irregularities on the part of postgraduate research students, the relevant Dean of Postgraduate Studies shall be deemed to be the Chair of the Board of Examiners for taught programmes. Exceptionally, the Chair may delegate responsibility for investigating an alleged assessment irregularity on his or her behalf.

Disciplinary Appeals Committee: Where the Disciplinary Convenor decides that a Disciplinary Appeal Committee should determine an appeal from the decision of the Disciplinary Committee, the Convenor shall appoint two persons drawn from the staff members of the Disciplinary Panel (excluding the three panel members who served on the Disciplinary Committee against whose decision the appeal is made) and one person drawn from the student members appointed by the Students’ Union to the Disciplinary
Panel. The Convenor shall specify which of the two staff members shall act as Chair.

**Disciplinary Convenor:**  
A member of academic staff appointed by University Teaching, Learning and Student Experience Committee (UTLSEC) to convene Disciplinary Committees and Disciplinary Appeal Committees.

**Disciplinary Convenor (Deputy):**  
The Disciplinary Convenor is responsible for appointing a Deputy Disciplinary Convenor from the Disciplinary Panel. Each time that the Disciplinary Convenor is mentioned in these procedures, the Deputy Disciplinary Convenor may act in place of the Convenor.

**Disciplinary Panel:**  
The Disciplinary Panel comprises of members of academic or administrative staff appointed by UTLSEC who are qualified by reason of their experience of student welfare matters, and three students appointed by UTLSEC on the nomination of the Students' Union.

**Friend / Supporter:**  
In accordance with all formal University procedures, a student can be accompanied by a friend or supporter of their choice. The friend / supporter cannot act as a representative unless they have permission of the person conducting the proceedings and explicit permission from the student. There are limitations on who the friend / supporter can be in a disciplinary context and anyone who may be involved in the incident is excluded.

**Prima Facie:**  
A Latin term expressing meaning on first appearance, at first sight or on the face of it. It is used within these procedures to denote evidence that is considered sufficient to support the institution of proceedings.

**Progress Panel**  
For research degree programmes, the Annual Review Progress Panel is deemed to be equivalent to that of the Board of Examiners for taught programmes.

**Student Progress Service:**  
The University service appointed by the Academic Registrar to act on the Academic Registrar’s behalf on assessment irregularities.

**Student Disciplinary Committee:**  
A Disciplinary Committee may, on the determination of the Convenor, consist of either three Disciplinary Panel members or a single Disciplinary Panel member, nominated by the Disciplinary Convenor from the Disciplinary Panel. The members of the Committee shall be members of academic staff selected by reason of their experience of student welfare matters.

**Procedures: General**

1. The University shall have the right to investigate any allegation of academic misconduct against a student, and may take disciplinary action where it decides, on the balance of probabilities, that an act of misconduct has been committed.

2. Any investigation into an alleged act of academic misconduct, whether carried out under part I or part II of the procedures, shall normally include in its early stages an interview of the student(s) concerned by the relevant authorised person in accordance with the provisions for the Conduct of Hearings set out in paragraph 4 (part II).
3. Failure to attend an assessment irregularity interview or provide a statement / response to alleged misconduct when requested to do so by the relevant person of authority, may result in the disablement of the student's smartcard by Student Progress Service or in consultation with Student Progress Service by another authorised person. The student shall be notified in writing that they must engage within 7 days or they shall be excluded from their degree programme until they do engage.

4. For cases where a student withdraws from the University whilst an assessment irregularity investigation in ongoing, the case shall be concluded in the student’s absence, if necessary, by Student Progress Service or a Student Disciplinary Committee.

Part I of Procedure (Academic)

1. Action to be taken by the Person Discovering a Suspected Irregularity

a) In an Examination Room

i) Where a suspected irregularity is discovered by an invigilator in an examination room during an examination, the invigilator shall remove the student from the room and inform the student of the nature of the suspicion. The invigilator shall inform the student that the matter will be reported to the Examinations Officer. The invigilator shall make a note of the questions answered in whole or in part at the relevant time and any illicit material in the student's possession shall be confiscated. The student shall be permitted to return to the examination room to complete the rest of the examination. The invigilator shall make a written report to the Examinations Officer.

ii) If, on the basis of any written statement and any other evidence available, the Examinations Officer determines that there is clear prima facie evidence that an irregularity has occurred, the Examinations Officer shall immediately refer the matter to the Head of the Student Progress Service to determine whether disciplinary procedures should be pursued. The Examinations Officer shall then advise the Chair of the Board of Examiners of the circumstances leading to the referral to Student Progress Service. If disciplinary action is confirmed by Student Progress Service, the Chair of the Board of Examiners shall be asked to apply paragraph 2, sub-paragraphs (h) below.

ii) All other suspected Assessment Irregularities identified in an Examination Room will, on the basis of any written statement and any other evidence available, be referred by the Examinations Officer to the Chair of the Board of Examiners.

b) Outside an Examination Room

Where a suspected irregularity is discovered outside an examination room, for example when an examination script or assessed coursework is being marked, the person who discovers it shall make a written report to the Chair of the Board of Examiners and paragraph 2 should be followed.

2. Action to be taken by the Chair of the Board of Examiners

a) On receipt of a written report of a suspected assessment irregularity, the Chair of the Board of Examiners shall advise the Head of Student Progress Service that an investigation will be initiated, and shall investigate the alleged irregularity. In so doing, the Chair shall invite the student to submit a written statement and may require written statements from witnesses. The student shall be provided with a copy of this procedure, shall be advised of the allegation in writing and where relevant, provided with a copy of the affected work. The student shall be asked to respond in writing.

b) If, on the basis of any written statement and the evidence, the Chair is satisfied that no irregularity has taken place, the student shall be so informed by the Chair in writing and no further action shall be taken.
c) If, on the basis of the evidence, the Chair determines that there is a *prima facie* case that an irregularity has occurred, the student shall be given the opportunity to see the evidence and to be interviewed in the presence of another academic colleague. The student shall be given the opportunity to be accompanied at the interview by a friend/supporter. The Chair of the Board of Examiners shall ensure that a brief written record of the meeting is kept.

d) If following the interview the Chair is satisfied that no irregularity has taken place, the student shall be so informed by the Chair in writing and no further action shall be taken.

e) If following the interview the Chair is satisfied that an irregularity took place but it was negligible\(^1\), the student shall be given a formal written caution setting out the irregularity and of the need to ensure full compliance with University policy in future. The Chair may also instruct the student to complete the online tutorial guide to plagiarism available on the right-cite web pages [http://mbbs-tutorials.ncl.ac.uk/plag](http://mbbs-tutorials.ncl.ac.uk/plag). The student shall be informed that no further action shall be taken but that the fact of the caution may be taken into account should there be a further instance of assessment irregularity.

f) If following the interview the Chair determines that an irregularity has taken place, that the student has admitted the irregularity in writing, has no previous proven record of plagiarism and/or there was no intention to deceive, and that the irregularity is minor\(^1\), or the irregularity major\(^1\) but upon consultation with Student Progress Service it has been agreed that the matter can be concluded at school level, normally the Chair shall:

i) Issue the student with a letter advising that the charge of plagiarism is considered to be upheld, that the letter is to act as a formal warning to the student. The letter shall also advise of any academic consequences which may be applied at the discretion of the Chair of the Board in relation to the plagiarised work, e.g.:
   - a mark of zero for those elements of the assessment/s where plagiarism has been determined, or
   - a mark of zero for the whole assessment.

ii) Require the student to resubmit the assessment (or an alternative determined by the Chair of the Board of Examiners) within timescales determined by the Chair of the Board; a student so required to re-submit may only progress further on the programme if the re-submission achieves at least the minimum standard of a pass.

Subject to meeting the resubmission requirement, the mark returned for the module will be calculated following the decision in i) above. If the module is passed, then the resubmission will not be regarded as a further attempt. If the module is failed, then the resubmission may be regarded as a further attempt, or part of a further attempt, provided that the student has been advised of this possibility in advance.

In the case of final year undergraduate or for students who have already submitted the allowed number of assessments in accordance with programme regulations, the student may be requested to produce an additional piece of work to demonstrate their knowledge of the subject area.

In the case of a research student, a new assessment by the Progress Panel may be required.

iii) Instruct the student to complete the online tutorial guide to plagiarism available on the right-cite web pages [http://mbbs-tutorials.ncl.ac.uk/plag](http://mbbs-tutorials.ncl.ac.uk/plag).

iv) Shall advise the student that an appeal against this outcome can be lodged with the Head of Student Progress Service within 21 calendar days, in accordance with Appendix I of the Procedure.

\(^1\) Thresholds relating to ‘negligible’, ‘minor’ and ‘major’ are matters of judgement for the Chair of the Board of Examiners
v) Send a copy of the outcome letter to the Head of Student Progress Service to be held on the student’s record for the duration of the student’s studies.

vi) Instruct those marking the assessment(s) in question that a mark of zero should be returned for the plagiarised element/whole of the assessment.

g) If following the interview the Chair determines that an irregularity has taken place and that paragraph f) does not apply, the Chair shall:

i) Inform the student in writing that a report on the matter will be made to the Head of Student Progress Service.

ii) Make a written report on the matter to the Head of Student Progress Service and:

- attach all written evidence gathered during the investigation
- describe how the academic mark(s) for the assessment(s) in question have been determined
- include the credit rating of the affected module(s) and the assessment percentage of the affected assignment(s),
- advise on the extent of the possible irregularity
- detail the academic consequences for the student if a mark of zero is returned for the element/whole of the assessed work
- provide details of the arrangements the School has taken to disseminate rules and policies on plagiarism (e.g. a copy of degree programme handbook, referencing guidance, etc)
- note any mitigation raised by the student
- provide a copy of the notes of the meeting with the student and any other relevant documentation
- include a recommendation as to possible academic sanctions if the allegation of plagiarism is upheld.

h) The Chair shall inform the Board of Examiners when it meets of the following:

i) The academic consequences of the irregularity dealt with under regulation e) or f).

ii) The status of the student if disciplinary procedures under regulation e) or regulation f) have not yet been completed. (In such cases, the Board of Examiners will be unable to consider the progress of the student, as there may be academic consequences if the case is found to be proven.)

iii) Where a Student Disciplinary Committee\(^2\) has determined the case, any academic sanctions that have been imposed. In such a case, the Chair shall ensure that the academic sanctions imposed by the Student Disciplinary Committee\(^2\) are applied by the Board and that the Minutes of the meeting of the Board record the decision of the Student Disciplinary Committee\(^2\).

iv) Where a disciplinary hearing is pending, ensure that the mark sheets and minutes of the meeting of the Board of Examiners returned to the Examinations Office make it clear that the results of the student are provisional and shall not be published as long as a disciplinary hearing is pending.

[Note: if, as a result of the time the investigation into the alleged irregularity takes, the student's results cannot be published in time for the graduation ceremony, that is a consequence the student must accept.]

i) Where a Student Disciplinary Committee is established to consider the case, advise the Committee on the consequences of any academic sanctions which it might be considering.

See also Assessment Irregularity Supplementary Guidance available at http://www.ncl.ac.uk/students/progress/staff-resources/examiners/.

\(^2\) Or Student Progress Service
Part II of Procedure (Disciplinary)

1. **Action to be taken by Student Progress Service**

a) On receipt of a report from the Chair of a Board of Examiners or the Examinations Officer, Student Progress Service shall determine whether there is a disciplinary case to answer. In order to do this, the student shall be invited to submit a further written statement and the Student Progress Service shall gather such further written evidence as is deemed necessary.

b) If, on the basis of any further written statement and the evidence, the Student Progress Service is satisfied that there is no disciplinary case to answer, the student and the Chair of the Board of Examiners will be so informed in writing and no further action shall be taken.

c) If, on the basis of any further written statement and the evidence, the Student Progress Service determines that there is a *prima facie* case of misconduct established, the student shall be given the opportunity to be interviewed in the presence of a colleague. The student shall be given the opportunity to be accompanied at the interview by a student friend / supporter.

d) If following the interview the Student Progress Service is satisfied that there is no disciplinary case to answer, the student and the Chair of the Board of Examiners shall be informed by the Student Progress Service in writing and no further action shall be taken.

e) If following the interview the Student Progress Service determines that there is a disciplinary case to answer, the Student Progress Service shall:

EITHER

i) In the case of a finding that the irregularity is negligible, issue a formal caution to the student as to future conduct in complying with University policy on assessment irregularities. The student shall be informed that no further action will be taken but that the fact of the caution may be taken into account should there be a finding of a subsequent assessment irregularity.

In the case of a finding that the irregularity is not negligible, issue a written warning to the student about future conduct in relation to academic assessment. Following consultation with the Chair of the Board of Examiners, the letter shall also advise of any academic consequences which may be applied in relation to the plagiarised work, e.g.:

- a mark of zero for those elements of the assessment/s where plagiarism has been determined, or
- a mark of zero for the whole assessment, or
- a mark of zero for the whole module/s.

The student may also be required to resubmit the assessment (or an alternative determined by the Chair of the Board of Examiners) within timescales determined by the Chair of the Board, and passing the piece of work will be a condition of future progress on the programme.

Subject to meeting the resubmission requirement, the mark returned for the module will be calculated following the decision in i) above. If the module is passed, then the resubmission will not be regarded as a further attempt. If the module is failed, then the resubmission may be regarded as a further attempt, or part of a further...
attempt, provided that the student has been advised of this possibility in advance. In some instances it might also be appropriate to require the student to resubmit and pass, but record the mark of 0 for the future calculation of degree classifications etc.

In the case of final year undergraduate and postgraduate students or for students who have already submitted the allowed number of assessments in accordance with programme regulations, the student may be requested to produce an additional piece of work to demonstrate their knowledge of the subject area.

In the case of a research student, either a new assessment as directed by the Progress Panel or, if the thesis has been submitted for examination, a twelve month resubmission may be required in accordance with the University examination conventions.

In addition, the student may be instructed to complete the online tutorial guide to plagiarism available on the right-cite web pages http://mbbs-tutorials.ncl.ac.uk/plag.

OR

ii) Refer the case to the Student Disciplinary Committee for a disciplinary hearing and inform the student and Chair of the Board of Examiners in writing that a disciplinary hearing is to be held. Pending the hearing, the Student Progress Service may temporarily exclude a student from the University or from such facilities as the Student Progress Service shall determine. In such a case, the decision to exclude a student shall be reviewed by the Student Progress Service after every two week interval, and the Committee shall hear the case, where reasonably practicable, within six weeks.

2. Student Disciplinary Committee

a) The Disciplinary Convenor, appointed by UTLSEC from time to time, shall determine whether the case shall be heard by a Disciplinary Committee of three Disciplinary Panel members or by a single Disciplinary Panel member. The Disciplinary Convenor shall nominate the members and Chair of the Committee or the single Panel member. The members of the Committee shall be members of academic staff selected by reason of their experience of examining. The Student Progress Service shall provide such secretarial and administrative support as is reasonably necessary.

b) Student Progress Service staff shall not be a member of any Disciplinary Committee, but shall be responsible for the preparation and presentation of the charge or charges before the Committee except that in the case of assessment irregularities reported to the Student Progress Service by the Examinations Officer, the Examinations Officer may present the charge(s). Student Progress Service shall inform the student(s) concerned in writing of the allegations and shall inform the student(s) that the case is to be heard by a Disciplinary Committee or single Disciplinary Panel Member, as determined by the Disciplinary Convenor. A member of administrative staff who has had no involvement in the case shall be appointed as secretary to the hearing and shall be responsible for sending the student(s) any relevant documents, the summoning of witnesses, and generally for the proper presentation of the case.

c) If the Committee is satisfied that the assessment irregularity does not amount to misconduct, no further action shall be taken against the student but the academic consequence of the assessment irregularity shall not be affected.

d) If the Committee is satisfied that the student committed an act of misconduct, one or more of the following sanctions may be imposed:

i) A warning, orally and in writing, about future conduct. Where a student has previously received a warning, or where the Committee deems it appropriate, the student may receive a final warning.
ii) Notwithstanding the academic consequence of an assessment irregularity, such academic sanction as is deemed appropriate by the Committee. In determining whether or not an academic sanction is appropriate, the Committee may, in order to inform its decision, call for such evidence as is necessary to determine the possible academic and progress consequences of such a sanction. Where an academic sanction is under consideration, marks returned to the Board of Examiners shall be disclosed to the student and the Committee.

Academic Sanctions may include, for example:

- a mark of zero for the whole of the assessment/s.
- The requirement to resubmit the assessment (or an alternative determined by the Chair of the Board of Examiners) within timescales determined by the Chair of the Board and also pass the piece of work in order to progress on the programme.
- In the case of final year undergraduate and postgraduate students or for students who have already submitted the allowed number of assessments in accordance with programme regulations, the student may be requested to produce an additional piece of work to demonstrate their knowledge of the subject area.

In the case of a research student, either a new assessment as directed by the Progress Panel or, if the thesis has been submitted for examination, a twelve month resubmission may be required in accordance with the University examination conventions.

- a mark of zero for the whole of the module/s.
- a mark of zero for the whole of the assessment/s.
- being deemed to fail the whole academic year and required to pass the module/stage before being permitted to proceed.

In addition, the Committee may instruct the student to complete the online tutorial guide to plagiarism available on the right-cite web pages http://mbbs-tutorials.ncl.ac.uk/plag.

iii) Suspended exclusion from the University. This means that exclusion has been determined in principle to be an appropriate sanction but that the sanction be suspended. Should the student be found to have committed further misconduct the student shall normally be excluded or expelled from the University.

iii) Exclusion from the University or such part as may be specified for a determined period of time.

iv) Suspended expulsion from the University. This means that expulsion has been determined in principle to be an appropriate sanction but that the sanction has been suspended. Should the student be found to have committed further misconduct the student shall normally be expelled from the University.

v) Expulsion from the University with immediate effect. A student so expelled shall not be eligible for an exit award and thus, relevant Boards of Examiners may not consider an award unless instructed to do so by the Student Disciplinary Committee.

e) Notwithstanding paragraph f), the Committee may impose such other sanctions as are appropriate in all of the circumstances.

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5 The Student Progress Service, or a Student Disciplinary Committee, will take into account any academic sanctions recommended by the Chair of the Board of Examiners, but will not be bound by them.
f) A student excluded or expelled as a result of disciplinary proceedings shall have no right to a refund of fees.

g) The Secretary to the Student Disciplinary Committee shall inform the student and the Chair of the Board of Examiners in writing of the Committee’s decision.

3. Appeals Against the Decision of the Student Disciplinary Committee

A student wishing to appeal against a decision made under these procedures shall follow the appeals procedure set out in Appendix I.

4. General Provision for the Conduct of Hearings

In all proceedings before an authorised person, Disciplinary Panel member, Disciplinary Committee or Disciplinary Appeal Committee, such a person or Committee shall take evidence and receive submissions, either in writing or in person, and consider the allegation and all other circumstances which appear to them to be relevant. The person or Committee may take evidence from such other persons as they think fit in order to reach a decision. In cases in which a student is appealing against the decision of the Student Progress Service or a Disciplinary Committee, the Student Progress Service Officer responsible for the presentation of the original case shall attend to outline the case. The student shall, in all cases, be invited to attend and present their case, and to be present and be heard during the hearing. Students may waive their right to attend; the hearing shall proceed in their absence. The hearing shall also proceed if the student fails to attend the hearing or give any advance notification of absence for the Chair of the Committee to assess whether there is good cause for an adjournment of the hearing to a later date. All students shall be informed of the allegation against them and given an opportunity to make a written statement. The student may be accompanied by a friend/supporter and shall have the right to be informed of all of the evidence. In all other respects, the conduct of the hearing shall be a matter for the authorised person or the Chair to determine. The student and any other persons present, except, where appropriate, the Secretary to the Committee, shall withdraw whilst the decision is reached. A written record (not verbatim) of the hearing shall be made by the Secretary.

6 If the original Officer is unavailable, the Head of Student Progress Service may appoint an alternate Case Presenter.
APPENDIX I:
PROCEDURE FOR ASSESSMENT IRREGULARITIES - APPEALS / REQUEST FOR REVIEW

A student wishing to appeal against a decision under the Assessment Irregularities Procedure shall follow the procedure set out below. Where the decision against which a student is appealing involves partial or full exclusion or expulsion, the student shall not, subject to this paragraph, be permitted to attend that part or all of the University, as appropriate, while the appeal is being determined. Students may apply for permission to attend if they can demonstrate that it would be unreasonable to debar them from attending their programme of study pending the appeal. Grounds for such an appeal may include, but are not limited to, a change in circumstances since the disciplinary hearing or the fact that the timing of an appeal hearing means that a successful appellant will be prevented from returning to study immediately because of the University's General Regulations governing registration. Applications shall be made to the Head of the Student Progress Service who may refuse or grant permission to attend the University and may, if granting permission to attend, limit attendance to specific locations and/or times.

a) An appeal shall be lodged within 21 calendar days of the decision to the Head of the Student Progress Service. The Appeal shall be in writing and shall specify the grounds of appeal which may only be one or more of the following:

   i) That fresh material evidence is available, which was not available on reasonable enquiry or application at the time of the original hearing;

   ii) Procedural Irregularity;

   iii) Bias or Prejudice;

   iv) Excessive or Inappropriate punishment;

   v) That the decision reached was perverse in that it was one which no reasonable person could have reached on the available evidence.

The appeal shall be accompanied by supporting documentation that shall be relied upon in the event of a hearing. It shall be for the Disciplinary Convenor to decide whether a late appeal shall be allowed.

b) The appeal shall be to the following:

   i) In a case determined by the Chair of a Board of Examiners or the Student Progress Service, the appeal shall be to a member of the Disciplinary Panel nominated by the Disciplinary Convenor. Initially, it shall be presented to the Disciplinary Convenor, who may dismiss an appeal which does not provide a prima facie case under the specified grounds.

   ii) In a case determined by a Disciplinary Committee or single Disciplinary Panel member, the appeal shall be considered by a Disciplinary Appeal Committee. Initially, it shall be presented to the Disciplinary Convenor, who may dismiss an appeal wholly or in part where there is no prima facie case under the specified grounds.

   iii) If the Disciplinary Convenor decides that a Disciplinary Appeal Committee should proceed, he or she shall appoint the Committee which shall consist of the following persons:
a) two persons drawn from the staff members of a Disciplinary Panel from time to time appointed by Senate, excluding the three panel members who served on the Disciplinary Committee which considered the case. The Convenor shall specify which of the two members shall act as Chair;

b) one person drawn from the student members appointed by the Students’ Union to the Disciplinary Panel from time to time appointed by Senate.

c) The Disciplinary Panel member or Disciplinary Appeal Committee may, in determining the appeal, confirm or vary or quash the original decision. If a student is reinstated to the University on an appeal against exclusion or expulsion, he or she shall not suffer any loss of time counted towards residence qualifications for a particular course. The student, nevertheless, shall be required to pay appropriate fees, notwithstanding temporary loss of tuition and other facilities in the University.

d) Where the Disciplinary Convenor dismisses an appeal wholly or in part or the nominated Disciplinary Panel member or Disciplinary Appeal Committee confirms the decision appealed against, there shall be no further appeal within the University. Provision for independent external review is made through the existence of the Office of the Independent Adjudicator. The Independent Adjudicator’s role is to review the application by the University of its own internal procedures. Further information about the Adjudicator’s role is available from www.oiahe.org.uk.
APPENDIX II:
ASSESSMENT IRREGULARITY
SUPPLEMENTARY GUIDANCE NOTES
AND INFORMATION FOR STUDENTS

Note 1 – What is Good Academic Conduct?

At Newcastle we value high standards of academic conduct from our staff and students. Conduct is an important part of maintaining and developing our reputation.

Good academic conduct reflects the values which underpin academic life, such as honesty, integrity, a shared community of ideas and respect for others’ work.

The Right-Cite for Good Academic Conduct (http://www.ncl.ac.uk/right-cite/) pages give a detailed account of the issues governing academic conduct and provide access to a range of resources for staff and students.

Note 2 – I have been asked to attend an Assessment Irregularity meeting

If you have been asked to attend a meeting with your school or Student Progress Service, the letter you receive should indicate what the alleged assessment irregularity is. You may also receive further documentation such as a marked up version of your assignment indicating what has been identified or a Turnitin report showing matches to unattributed material online. If the letter does not include any information identifying what the irregularity is, you can request clarity from the sender before you attend the meeting. If you do not receive a copy of the evidence such as the affected work or report in advance, you will be shown this at the meeting. You will also be asked to provide a written statement in advance of the meeting.

You can take someone with you to the meeting for support but it is expected, unless there are exceptional circumstances, that you will answer questions yourself and not the person you bring with you. You are advised to be honest in your responses to assist with the investigation. Anyone found to be deceitful in an attempt to avoid repercussions will be dealt with more severely. If you have encountered any extenuating circumstances that may be relevant to why the assessment irregularity has occurred, you should highlight these, in your statement and at the meeting, to be considered also.

Note 3 – What will happen next?

Once all evidence has been considered, including your written statement and verbal evidence at the meeting, a decision shall be made on a suitable outcome. A number of factors shall be taken into consideration on your case. These may include:

- What is the credit rating of the affected module?
- What percentage of the module is the affected assignment / exam?
- What is the extent of plagiarism within the work –eg 50%?
- Was there intent to deceive the examiners and gain an unfair advantage over other students?
- Are there any extenuating circumstances that have attributed to the assessment irregularity occurring?
- What guidance were you given in advance – via degree programme handbooks, lectures, etc?
Have you admitted what you have done?
You have not admitted any attempt to deceive the examiners but it is believed that you have.
Did you understand the referencing conventions and if not, why?
Did you know what plagiarism is and if not, why?
What affect will the sanctions have on you academically?

For cases considered to be negligible and minor, your school will issue sanctions in accordance with the assessment irregularity procedure such as a formal caution or formal written warning, a mark of ‘0’ may be recorded for the affected work / exam / module or the work / exam may be marked discounting the affected sections. You may also be requested to redo the work / exam to achieve a capped mark as a further attempt or to demonstrate your understanding of the subject area with a ‘0’ mark recorded.

If your school believes that a serious assessment irregularity has occurred, it is likely that they shall refer the case onto Student Progress Service for further investigation. Student Progress Service can also issue sanctions in accordance with the assessment irregularity procedure such as the examples given above as well as a final written warning.

If Student Progress Service believes that a major assessment irregularity has occurred, it is likely that they shall refer the case onto a Student Disciplinary Committee to consider the full sanctions available under the Procedure including suspended exclusion, exclusion, suspended expulsion and expulsion from the University.

Please refer to the Assessment Procedure for full details of possible sanctions that may be imposed.

**Note 4 – What does the outcome mean?**

The outcome of an assessment irregularity shall be taken into consideration by the Board of Examiners when considering your profile for progression or award of qualification. A period of exclusion from the University will mean that you are not entitled to continue with your degree programme until the exclusion is completed. A suspended exclusion / expulsion is imposed to reflect the seriousness of the case and also indicates that exclusion / expulsion from the University has been considered; any further misconduct (dependent on the details of the sanction) occurring once this sanction has been imposed is likely to result in immediate exclusion / expulsion from the University. Expulsion shall normally mean that you must leave the University with immediate effect and you will not receive any qualification from the University or have any further association with the University – no references will be given and you cannot join the Alumni Association. A formal warning will be recorded on your academic record to reflect the gravity of misconduct.

Outcomes of assessment irregularity cases may be reported to professional bodies on certain degree programmes and may also be disclosed in reference requests.

**Note 5 – Do I need to do anything after the outcome is given?**

Please read the outcome carefully as there may be instructions given to redo work etc. You must comply with the full outcome and if you are unsure about anything, it is your responsibility to ask for clarity. Note that if you are required to resubmit work or you resubmit but fail to reach the required level, you will not be able to continue with your studies.

You must also ensure that you do everything possible to ensure that an irregularity does not happen again. For example, if your work was not correctly referenced, you must ensure that you seek assistance on this before submitting any further work to the University.
Note 6 – Can I appeal against the outcome?

Yes, you can appeal and full information on appealing is available under Appendix I of the Procedure.

Please note that you must submit your appeal in writing within 21 calendar days of your receipt of the outcome. The Disciplinary Convenor will decide if a late appeal may be accepted.

It is important that you detail your reason(s), referred to as ground(s), for your appeal. There is a list of grounds for you to choose from. If more than one ground applies, please detail this in your letter of appeal:

i) That fresh material evidence is available, which was not available for good reason prior to the outcome being determined;

ii) Procedural Irregularity;

iii) Bias or Prejudice;

iv) Excessive or Inappropriate punishment;

v) That the decision reached (that you committed an assessment irregularity) was perverse in that it was one which no reasonable person could have reached on the available evidence.

You must ensure that you include a full explanation of your reasons for appealing and it is expected that you shall be able to provide evidence to support your case. It is unlikely that your appeal will be successful without good evidence to support your claims.

If you are unsure whether to include something as evidence or not, please include it and allow the Disciplinary Convenor to determine the relevance. There will not be a further opportunity for your case to be considered by the University and therefore it is important that you disclose everything at the earliest opportunity.

You are advised to read the full Assessment Irregularity procedure available with this guidance or at:
http://www.ncl.ac.uk/students/progress/Regulations/SPS/assessment.htm