

Assessment Offences Policy

Introduction

1. An assessment offence is defined as “an action which could give a candidate an unfair advantage in any element of assessment over other candidates participating in the same assessment”.
2. Assessment offences are categorised as Plagiarism, Examination Offences, Collusion and Other Offences.
3. This policy applies to any piece of work submitted for formal assessment towards a College or University award at Birkbeck, University of London.

Burden of proof

4. It is our responsibility to prove the allegation against you. We will base decisions on the balance of probability so will accept the explanation that is most likely to be true.

Plagiarism

5. Plagiarism is defined as the presentation of another person's thoughts or words or artefacts or other output in such a way that they could be assumed to be your own. It may also include the submission of unattributed work previously produced by the student towards some other assessment, or published in some other forum.
6. A student who knowingly assists another student to plagiarise (for example by willingly giving them their own work to copy from) is committing an assessment offence.

Collusion

7. Collusion is defined as producing a piece of work for formal assessment with the assistance of another person, or persons, when the assignment was to have been undertaken and completed by you working individually. This includes cases where two or more students submit work for assessment that is identical in its entirety or in substantial parts. It also includes cases where you contract third parties to complete an assignment in part or in entirety.
8. Where a Sub-Board of Examiners suspects that an offence of plagiarism or collusion has been committed, that Sub-Board may require you to undergo a ‘viva voce’ examination, to test your knowledge of the subject in relation to the knowledge displayed in the piece of work concerned.
9. A viva voce examination is conducted by two members of academic staff, at least one of whom has not been involved in marking the originally submitted work. A note taker is present for the viva; the report they write may be used by a panel at either

Stage 2 or Stage 3 hearings as described in this policy, as evidence when considering if in their judgement you committed an assessment offence.

Examination Offences

10. An examination offence is defined as any action which could give you an unfair advantage over other students in an examination setting. Examples of examination offences can include, but are not limited to:

- Taking unauthorised material into the examination room
- Removing examination scripts from the examination room
- Communicating with other candidates during the examination
- Copying work from other candidates during the examination
- Assuming a false identity in the examination room
- Adding or amending to examination scripts after the official end of the examination

11. For examination offences, the Academic Registrar or nominee is responsible for deciding the Stage at which any case should be heard. For all other offences, this responsibility lies with the Chair of the relevant Sub-Board of Examiners, or nominee.

Other offences

12. Other offences that may be considered as assessment offences include, but are not limited to:

- The inclusion of unauthorised members in student teams conducting group work assignments
- Being party to any arrangement with, if enacted, would constitute a breach of regulations
- Attempting to unduly influence or intimidate an invigilator or other member of staff supporting the conduct of assessments or examinations.

Stage 1

13. Assessment offences of any type may be dealt with at a departmental level under Stage 1, if it is your first alleged offence. In cases of plagiarism, collusion and other offences where, in the judgement of the marker, the offence is minor and an investigation is not appropriate, they may:

- Take no further action
- Issue a formal warning to you
- Reduce the mark for the element of assessment relative to the scale of the offence
- Award a mark of zero for the element of assessment in question

14. In addition, you may be asked to undertake specific tuition in relation to assessment offences, for example by attending an academic skills session or having a meeting

with a learning development tutor.

15. For minor examination offences, senior Registry staff may issue a formal warning to you, or refer the case to the relevant Sub-Board of Examiners for resolution under Stage 1 or Stage 2 of this policy.

Stage 2

16. Allegations of assessment offences that cannot be dealt with in accordance of paragraphs 13-15 of this policy should be heard under Stage 2, unless the outcome of any action may lead to the termination of your registration.¹ In those cases, the offence should be heard under Stage 3.
17. Where a case is dealt with under Stage 2, an Assistant Dean or nominee will nominate a Panel consisting of a minimum of two academic members of staff² to consider the case. The Panel should not consist of any member of staff associated with the allegation or any previous investigation involving the student concerned.
18. You will be informed of the allegation and investigation, and will receive copies of any evidence to be used to support the allegation. You will then be offered, in writing, the opportunity to make representations to the Panel. You may choose to attend the Panel and speak to them in person, in which case a meeting will be convened.
19. If you admit to the offence, no Panel Hearing will take place. You will be informed of the applied penalty in writing, within 14 calendar days. Possible penalties are listed under point 22 of this policy.
20. If you contest the allegation, a Panel Hearing will take place. If you wish to attend the Hearing, you will be offered a date. If you do not respond within 14 calendar days without good reason, or decline the date, the Panel may decide the outcome of the case in your absence. Where you do not attend at a previously agreed meeting, the investigation will continue and may be concluded in your absence.
21. You may choose to be accompanied by a companion, who should be a member of the College, for example a fellow student, member of staff, or the Student Union Advice Manager. The role of the companion is to provide support to you. Anyone acting in this role is not a member of the Panel and should not be involved in determining the outcome of the investigation. Companions should not contribute to any Hearing unless invited to do so by the Panel.
22. Where the finding is that an offence has been committed, the Panel may choose one of the following penalties:

¹ This includes any alleged offences on the student's final attempt of a module, where a result of failure of the module would be that the student's programme of study would be terminated.

² Which may include sessional lecturers or Learning Development Tutors

- Take no further action
 - Issue a formal warning to the student
 - Reduce the mark for the element of assessment relative to the scale of the offence
 - Award a mark of zero for the element of assessment in question
 - Award a mark of zero for the module in question with any reassessment capped at element level (for the element under investigation)
 - Award a mark of zero for the module in question with any reassessment capped at module level. Where the module in question is an option module, the cap should then be applied to any optional module attempted by the student as a substitute
23. The Panel will inform you of its decision within 14 calendar days. In addition you may be asked to undertake specific tuition in relation to assessment offences.
24. Where the Panel are unable to come to a clear decision or consider that the offence potentially merits a more severe penalty than that which can be authorised under Stage 2 of this policy, then the alleged offence will be referred to Stage 3 of this policy.

Stage 3

25. When an alleged offence (including a first or second offence) is of such a serious nature that it may lead to the termination of your registration, then a written request for Stage 3 proceedings should be made by the Sub-Board to the Academic Registrar or nominee. Such a request should also be made where it is your third or more offence.
26. Where a case is dealt with under Stage 3, the Academic Registrar or nominee will nominate a Panel consisting of two senior members of academic staff³ and a representative from the Students' Union to consider the case. The Panel will not consist of any member of staff or student from the same School as the student concerned.
27. You will be informed of the allegation and investigation, and will receive copies of any evidence to be used to support the allegation. You will then be offered, in writing, the opportunity to make representations to the Panel. You may choose to attend the Panel and speak to them in person, in which case a meeting will be convened.
28. If you admit to the offence, no Panel Hearing will take place. You will be informed of the applied penalty in writing, within 14 calendar days. Possible penalties are listed under point 31 of this policy.

³ Of senior lecturer level or above

29. If you contest the allegation, a Panel Hearing will take place. If you wish to attend the Hearing, you will be offered a date. If you do not respond within 14 calendar days without good reason, or decline the dates, the panel may decide the outcome of the case in your absence. Where you do not attend at a previously agreed meeting, the investigation will continue and may be concluded in your absence.
30. You may choose to be accompanied by a companion, who should be a member of the College. The role of the companion is to provide support to you. Anyone acting in this role is not a member of the Panel and should not be involved in determining the outcome of the investigation. Companions should not contribute to any Hearing unless invited to do so by the Panel.
31. Where the finding is that an offence has been committed, the Panel may choose one of the following penalties:
- Take no further action
 - Issue a formal warning to the student
 - Reduce the mark for the element of assessment relative to the scale of the offence
 - Award a mark of zero for the element of assessment in question
 - Award a mark of zero for the module in question with any reassessment capped at element level (for the element under investigation)
 - Award a mark of zero for the module in question with any reassessment capped at module level. Where the module in question is an option module, the cap should then be applied to any optional module attempted by the student as a substitute
 - That your registration and enrolment on the programme of study be terminated immediately but that an intermediate award may be made, provided you have satisfied the requirements for that award
 - That your registration and enrolment be terminated immediately and you are not awarded any intermediate award that you would otherwise have been entitled to
 - That your registration and enrolment be terminated immediately and that some or all previously awarded credit on your current programme of study be rescinded
 - That any award that has been awarded to you by the College, is revoked
32. The Panel will inform you of its decision, and provide you with a panel report, within 14 calendar days.

Appeal

33. You can make an appeal against decisions made under Stage 1 of this Policy via the College's [Appeals Policy and Procedure \(Taught\)](#). You can appeal decisions made

under Stage 2 or 3 of this policy to the Academic Registrar within 14 calendar days of receipt of the Panel decision. Appeals should be made on one or more of the following grounds:

- i. That the penalty imposed was excessive or inappropriate
- ii. That the process applied or the decision reached by the Panel is not in accordance with this policy
- iii. That the conclusions of the Panel cannot, given the evidence, be reasonably sustained

34. If the case is to be re-heard, the Panel will consist of new members with no prior involvement in the case.
35. The Academic Registrar or nominee's decision on the appeal shall be communicated to you within 14 calendar days of receipt of the appeal, and the decision shall mark the conclusion of the College's internal appeal process.
36. Students who have exhausted the College's internal procedures for appeals may bring their appeal to the Office of the Independent Adjudicator for Higher Education (OIAHE) within one calendar year of receiving a Completion of Procedures letter. The OIAHE's website (at www.oiahe.org.uk) contains full information, and the OIAHE can also be contacted at: OIA, Second Floor, Abbey Gate, 57-75 Kings Road, Reading, RG1 3AB, tel: 0118 959 9813, email: enquiries@oiahe.org.uk. Anyone wishing to pursue a complaint through the OIAHE must complete a special Scheme Application Form, copies of which are downloadable from the website.

Reporting of Offences

37. Where an allegation of an assessment offence has been made and the case is being investigated, the relevant Board of Examiners should defer a decision on your progression or classification until the investigation is completed.
38. Written records are kept of all stage 2 and stage 3 assessment offence investigations and outcomes.
39. Your academic transcript does not include reference to assessment offences, whether proven or otherwise; transcripts solely provide details on the final marks awarded for modules taken, together with the class of award made (where appropriate).

Assessment offence after a mark of module result has been assigned or an award has been made

40. If evidence of an assessment offence is produced after a mark has been awarded, the mark, module result or an entire award can be revoked.

41. Consideration of whether to revoke a mark, module or degree result as a result of an assessment offence should be dealt with in accordance of Stage 2 or Stage 3 of this policy. The result of any hearing should be communicated to the relevant Sub-Board Chair; where a decision is made to revoke a degree the Chair of the relevant College Board of Examiners will also be informed.

Academic Board
June 2016