

# ACADEMIC OFFENCES PROCEDURES

## GUIDANCE FOR ADJUDICATORS AND COMMITTEES

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STUDENT PROGRESS TEAM  
LAST UPDATED NOVEMBER 2020



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## Useful Resources & Print-Outs

The following resources are included at the end of this pack:

[Academic Offences Procedures 2019-20](#)  
including the Guidelines for Penalties for Taught Students

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Appendix 1: Checklist for Departmental Investigations

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Appendix 2: Suggested Academic Offences Meeting Running Order

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Appendix 3: Suggested Academic Offences Committee Running Order

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Appendix 4: Suggested Academic Offences Appeal Committee Running Order

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# INTRODUCTION: THE PRINCIPLES AND OBJECTIVES OF THE ACADEMIC OFFENCES PROCEDURES

The University's **Academic Offences Procedures** set out the University's expectations in relation to academic integrity, that all our members are expected to meet.

The Procedures aim to clearly and transparently outline the fair approach that **Departments, Schools, Centres and Partner Institutions** will take in response to incidents of poor academic practice or cheating by their students when submitting work for assessment.

The Procedures aim to ensure that all allegations of an academic offence are treated consistently and fairly by applying a standardised approach:

- Only Adjudicators appointed by their Faculties and who are familiar with the Academic Offences procedure may issue formal penalties.
- All students have a right to be invited to meet with the Adjudicator when an allegation of an academic offence is made against them, and before a final decision is made. Students must be sent any evidence in advance, and be given at least one week's notice of the meeting.
- Students who are found to have committed an academic offence may be issued with one of the fixed range of penalties given in the Academic Offences procedures only. Students cannot be penalised in any other way.
- Investigations into academic offences should be conducted by the Department in a timely manner – normally 20 working days (4 weeks). If a case is referred to the Faculty or an Academic Offences Committee because it is regarded as serious, the Faculty or Committee case should aim to be resolved within 20 working days from the date of referral.

This guidance outlines how the University supports students in avoiding academic offences, and the steps that should be taken when a student fails to meet the University's expectations in relation to academic integrity.

# INTRODUCTION: WHAT IS AN ACADEMIC OFFENCE?

The University, the Students' Union and the University's Partner Institutions expect all students:

- to behave with honesty and integrity in relation to coursework, examinations and other assessed work;
- to be familiar and act in accordance with the conventions of academic writing including appropriate referencing of sources and acknowledgement of assistance;
- to show understanding of ethical considerations and be compliant with the relevant University Procedures.

All our students at all levels of study are responsible for meeting these expectations, with the support of their tutors. An academic offence is any instance where a student has not met these expectations in submitting work for summative assessment, whether by negligence or by intent.

## Some of the most common types of offences are:

- **plagiarism**, that is, using or copying the work of others (whether written, printed or in any other form) without proper acknowledgement in any assignment, examination or other assessed work;
- **self-plagiarism**, that is, using or copying one's own work that has previously been submitted for assessment, at the University or elsewhere, without proper acknowledgement in any assignment, examination or other assessed work, unless this is explicitly permitted;
- **false authorship or contract cheating**, that is the soliciting of a third party to provide written material that is then submitted for assessment presented as one's own original work;
- **collusion**, that is, submitting work produced collaboratively for individual assessment, unless this is explicitly permitted and acknowledged;
- **falsifying data or evidence**;
- **unethical academic practice**, for example, conducting research without obtaining ethical approval from the University where such approval is required, or the unauthorised use of information that has been confidentially acquired;

## As well as these offences that could occur in an exam (or equivalent):

- introducing, or attempting to introduce, any written, printed or electronically accessible information into an examination, other than material explicitly permitted in the instructions for that examination;
- copying, or attempting to copy, the work of another candidate in an examination;
- communicating, or attempting to communicate, with another person, other than an invigilator, during an examination.
- accessing, or attempting to access, the assessment material (such as an examination paper) prior to it being published, except in cases where it is formally permitted by the University.

**No matter how minor the concern, or whether the student intended to commit an academic offence, all concerns of these expectations not being met should be taken forward under the academic offences procedures.**

There are 2 exceptions to this:

1. The Academic Offences Procedures do not apply to work submitted for formative assessment. However, it is still important that students are still warned in some way and are referred to the relevant support and guidance as appropriate.
2. A student suspected of helping another student commit an academic offence (and not for their own summative assessment) will be penalised separately under the University's [Code of Student Conduct](#), which is an entirely different process. For any questions about this, please email [studentconduct@essex.ac.uk](mailto:studentconduct@essex.ac.uk).

# INTRODUCTION: STAFF ROLES & RESPONSIBILITIES

All staff are responsible for supporting a culture of academic integrity, but **Departments, Schools and Centres** are especially responsible for ensuring that their students are introduced to the principles of academic integrity, have a full and proper understanding of academic conventions and responsibilities, and are supported appropriately.

**Staff are not permitted to directly penalise students for academic offences unless they have been appointed to an Adjudicator role.**

Each adjudicator role is outlined below:

## Departmental Adjudicators

Each Department and School is required to appoint at least one Departmental Adjudicator. At the start of each academic year, the Student Progress Team asks Departments to confirm their nominations to the role of Departmental Adjudicators.

The Adjudicator's responsibilities are:

- Formally investigating academic offence allegations that arise in the Department. Investigations should be conducted in line with the Academic Offences Procedures, and in a timely manner – normally 20 working days (includes non-term time).
- Meeting with students to discuss the allegation before a reaching a conclusion about the allegation. Adjudicators must ensure students are given due notice of the meeting, access to any evidence that substantiates the concerns in advance, and fully understand the nature of the concern.
- Making a judgement, on the balance of probabilities, on whether an academic offence has occurred, for each individual investigation.
- Deciding upon an outcome from a fixed and limited range of available penalties that are stated in the Academic Offences Procedures, OR referring serious allegations to the Faculty who will consider whether a more severe penalty is appropriate.
- Supporting the Faculty, Academic Offences Committees or Academic Offences Appeals Committees in making decisions on cases that have been referred or appealed against. This includes attending Committee meetings to provide information about the initial investigation.

## Faculty Adjudicators

For University of Essex Faculties, the Faculty Adjudicators are normally the Deputy Deans (Education), Deputy Deans (Postgraduate Research Education) and the Faculty Progress and Assessment Officers. For Partner Institutions, the Faculty Adjudicators are normally the Dean of Partnerships and Deputy Dean of Partnerships.

The Faculty Adjudicator's responsibilities are:

- Considering allegations that have been referred to them by a Department, School or Partner Institution, or by the Exams Office (or partner equivalent) for suspected offences in invigilated exams.

### **Either:**

- Meeting with students to discuss the allegation before a reaching a conclusion about the allegation. Adjudicators must ensure students are given due notice of the meeting, access to any evidence that substantiates the concerns in advance, and fully understand the nature of the concern.
- Making a judgement, on the balance of probabilities, on whether an academic offence has occurred, for each individual investigation, and deciding on an outcome from a fixed range of available penalties that are stated in the Academic Offences Procedures.

### **AND**

- Referring the case to an Academic Offences Committee and chairing the Committee.

## Academic Offences Committees

Academic Offences Committees are convened to consider the most serious academic offence allegations, and have the full range of penalties stated in the Academic Offences Procedures available to them.

- Academic Offences Committees are chaired by the Faculty Adjudicator that the case was referred to.
- The Committee is also made up of 2 other members of staff who have been nominated by their Department to join the pool of Committee Members. The 2 other members of staff will not be from the student's Department, or if different, the Department that the offence took place in.
- The student and the Departmental Adjudicator are also in attendance but are not members of the Committee. The Departmental Adjudicator is required to present their initial findings and provide the Department's view on the case.
- Committees are arranged and administered by the relevant team in **Academic Section** (see below), who ensures the student is given due notice and that everyone is provided with the documentation in advance.
- Committees jointly make a judgement, on the balance of probabilities, on whether an academic offence has occurred, for each individual case, and decide on an outcome from a fixed range of available penalties that are stated in the Academic Offences Procedures, including withdrawal from the University.

## Academic Offences Appeals

Students have the right to submit an appeal against a penalty issued by an Adjudicator or Academic Offences Committee. Additional roles exist in the appeals process:

- The **Initial Adjudicator** who initially issued the penalty is asked to respond to the appeal in writing.
- An **Appointed Dean** (normally an alternative Faculty Adjudicator) considers the appeal and the Initial Adjudicator's response to decide if the appeal has grounds.
- An **Academic Offences Appeal Committee** is convened if the appeal is deemed to have grounds. It is chaired by the Appointed Dean, who is joined by 2 members from the Academic Offences Committee pool. The student can attend, and the Initial Adjudicator is required to attend (but is not a member of the Committee). Appeal Committees can rescind or amend a penalty, or uphold the original decision.
- The **Pro-Vice Chancellor (Education)** considers any claims by a student that the University did not follow the appeal procedures properly.

## Academic Section:

The **Academic Registrar** is responsible for ensuring appropriate procedures are in place that allow the University to respond to concerns about individual allegations of academic offences in a fair and transparent manner.

Various Teams in Academic Section provide advice and guidance on the Academic Offences Procedures, administer all referred/escalated cases and appeals, and also keep the central record of all formal academic offence investigations that are passed on to Exam Boards and Examiners:

- The **Student Progress Team** provide general advice and guidance to all stakeholders, and also administer all Faculty cases, Academic Offences Committees or appeals relating to taught students.
- The **Postgraduate Research Education Team** provide advice and guidance in relation to how the procedures may be applied to postgraduate research students, and administer all Faculty cases, Academic Offences Committees or appeals relating to research students.
- The **Partnerships Team** provide advice and guidance in relation to how the procedures may be applied to students studying at one of the University's partner institutions, and administer all cases referred by, or appeals relevant to, partner institutions.

**Exam Boards (UG and PGT)** and **Examiners (PGR)** are required to apply academic offence penalties when making formal decisions about a student's progress towards an award and cannot overturn penalties applied by individual adjudicators or Academic Offences Committees.

## Supporting Students:

**Skills for Success** and the **Library** provide students with a range of academic support, such as online guidance and resources, Moodle courses and workshops. Skills for Success also provide Academic Integrity Tutorials for students that have previously committed an academic offence and need further guidance.

The **Students' Union** provide students with independent, free and confidential advice via [SU Advice](#), and can support students that are subject to an investigation. Students have a right to be accompanied by a fellow member of the University or Students' Union throughout the investigation.

The **Student Wellbeing and Inclusivity Service (SWIS)** are able to support students who are experiencing any stress or difficult emotions from being subject to the academic offences procedures, and/or any students that have a disability and may need additional support, or may need to request reasonable adjustments to the procedures.

# PREVENTING & IDENTIFYING ACADEMIC OFFENCES

## Supporting Students to Avoid Academic Offences:

Departments, Schools and Partner Institutions are responsible for preparing students for their coursework and exams and ensuring that they are fully aware of the University's expectations in relation to academic integrity and what may be constituted as an academic offence.

### Departments should ensure that:

- All students at all levels of study are introduced to the conventions for academic writing and referencing, with advice about the potential repercussions should they fail to adhere to the University's expectations relating to academic integrity.
- All teaching staff, but especially Personal Tutors, are made aware of the support that is available to students in relation to academic writing and academic integrity, both within the Department and elsewhere (Skills for Success, Library etc.).
- Student Handbooks are published with information about referencing, the academic offences procedures and the academic support available, both within the Department and elsewhere.
- Suitable invigilation and announcements are made for class tests (or equivalent) in order to prevent the risk of cheating in the class test.

### Departments should consider:

- Including regular guidance and warnings in the coursework instructions for all modules and assignments, which is particularly useful for students that are studying modules as an outside option or have returned from a period of intermission.
- Having some form of formative assessment in the early stages of the curriculum for all courses, particularly for undergraduate students, but also for postgraduate students too, allowing an opportunity for informal feedback about academic conventions.
- Giving students one-off access to one of the University subscribed Plagiarism Checker before they submit their work for a particular unit of assessment. This could be for a formative or summative assessment that is early on in the student's study for each course.

### The University will also ensure that:

- All students submitting work via FASER or undertaking formal exams are given appropriate warnings about academic offences.
- Guidance about the [Academic Offences Procedures](#) and the [Proofreading Policy](#) is available for students on the website.
- Advice and guidance that supplements the Departmental support is available to all students, such as:
  - The Library provides a [Guide to Referencing Style](#) and [Subject Level Guides](#), tailored for each academic discipline.
  - Skills for Success provide students with a range of [Workshops](#) and [online guides](#) on academic writing and referencing, including specific guidance for [postgraduate writing](#).
  - The range of online Moodle courses, including [Academic Skills Online](#), [Essex101 Study Skills Online](#), [Essex101 Referencing](#) and [Academic Integrity and Plagiarism](#).

## Identifying Academic Offences

Academic Offences can be identified at any time but concerns normally arise when work is being assessed.

- Markers should be vigilant when they are assessing students, and Departments should ensure there are appropriate procedures in place for markers to notify the Departmental Adjudicator of their concerns. Whilst marking is done anonymously, Departmental Adjudicators will need to be informed of the student's identity.
- The University of Essex subscribes to a plagiarism checking tool called Turnitin that supports Departments in identifying concerns of plagiarism (see below). Individual Partner Institutions may not have access to Turnitin or may use an alternative plagiarism checking tool.
- All formal exams are invigilated. At the University of Essex, Exam Invigilators provide a written incident report along with any evidence directly to the Academic Section, but this may differ for Partner Institutions. Departments are responsible for ensuring similar procedures are in place for class tests.
- Allegations may be made by other students or non-members of the University, which should be directed to the Departmental Adjudicator in the first instance.

Other examples of suitable evidence of an academic offence include, but are not limited to:

- Marking up / annotating the student work with allegedly plagiarised material
- Confiscating material taken into an examination without authorisation.
- Comparing the student's work with their previous submissions, notes or drafts.
- Reports from students or other individuals may also be accepted as evidence, but should be made in writing and could be disregarded if the witness is not prepared to be named to the reported student.

### Plagiarism Detection Tool: Turnitin

Turnitin is software that is built-in to FASER to look for similarities between each student's electronically submitted work, with material that already exists in its database. The Turnitin database includes an expansive range of published articles, books, journals and websites, as well as work previously submitted by University students – at Essex and any other subscriber to Turnitin.

- Turnitin provides a "similarity score" that shows the percentage of the student's submitted work that appears to be similar to other sources, along with a full report that highlights the matched text and hyperlinks that allow you to access the source material where it is available.
- However, the checkers are not perfect, and scores and reports should be analysed before a formal investigation is begun.
- Sometimes the source material is a submission to another University and is restricted, but Departments can request the material from the other University.
- All work submitted to the plagiarism checker remains in the source bank for future checks.
- Guidance on how to use FASER and Turnitin, are available on the FASER "Help and Support" pages and on Turnitin's own website. Any questions about FASER or Turnitin can be sent to the Learning Technology Team at [ltt@essex.ac.uk](mailto:ltt@essex.ac.uk).

# ACADEMIC OFFENCE PROCEDURES

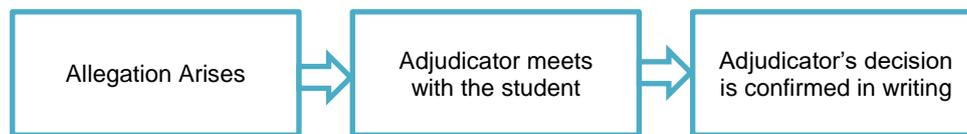
## AN OVERVIEW

### Departmental Investigations

All allegations of an academic must be investigated and resolved in line with regulations set out in the University's Academic Offences Procedures.

Generally, all investigations follow the same broad approach, which centres on a Departmental Adjudicator obtaining evidence of an academic offence, meeting with the student to discuss it, before making a final decision and issuing a penalty for proven cases.

All students have a right to reply, and the Adjudicator must offer the student the chance to meet as part of the investigation. The purpose of the meeting is for the Adjudicator to explain the concern to the student, give the student an opportunity to respond, and then confirm the final decision.



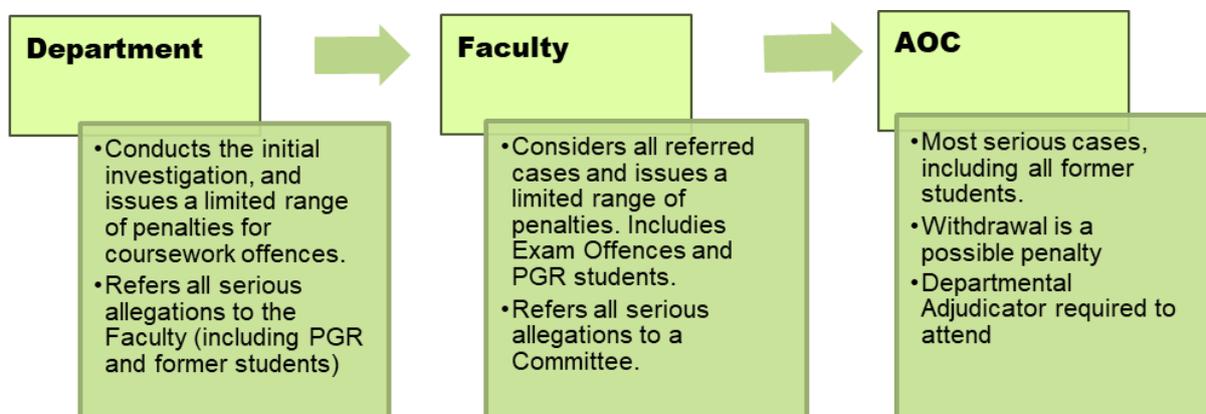
Departmental Adjudicators are responsible for investigating any allegation of an academic offence that occur within their department, and can issue a fixed range of penalties for minor academic offences – but only after the student has had an opportunity to respond to the allegation.

### Serious Offences

Departmental Adjudicators can escalate more serious allegations that they think may warrant a more serious penalty than what they can issue. Some type of offences (such as offences by PGR students) are always regarded as serious, and the Departmental Adjudicator is not able to issue a penalty, so must refer the case on if they believe the concern to be legitimate after their initial investigation.

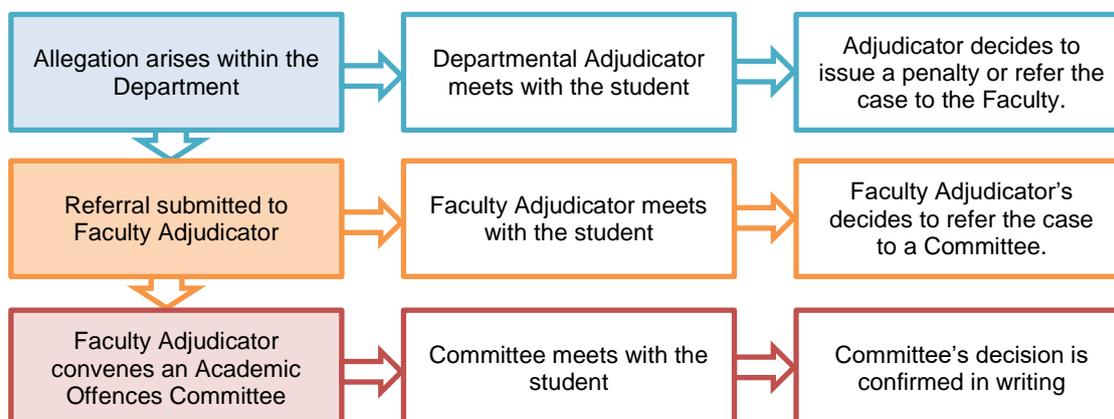
Escalated cases are referred to a Faculty Adjudicator, who will take over responsibility for the case. The Faculty Adjudicator is able to issue penalties themselves, but if the allegation appears so serious that the most severe penalties may need to be considered, the Faculty Adjudicator in turn can escalate the case to an Academic Offences Committee that they will chair.

The range of penalties available to the Faculty and to Academic Offences Committee increases and become more severe at each point of escalation – for example, Academic Offences Committees are able to withdraw students and withhold qualifications.



Departmental Adjudicators are encouraged to meet with students prior to submitting a referral, although this is not procedurally required. Faculty Adjudicators can also make the decision to refer a case to an Academic Offences Committee without having met the student first. However, the Adjudicator responsible for a case cannot issue a penalty without having met the student themselves first.

For serious allegations then, this process *may* then become more cyclical:



Note how cases can escalate from Department to Faculty with or without a meeting having already taken place, but a penalty cannot be issued before a meeting with the relevant Adjudicator. The same applies from cases at Faculty and Committee level too.

#### Example Case Studies:

1. *Student A is accused of plagiarising their entire Master's dissertation. Due to the severity of the offence, the Department refer the case to the Faculty, who in turn immediately refer the case to an Academic Offences Committee.*

This is procedurally ok, because the Academic Offences Committee provides the student with their right to reply before a penalty is decided, despite no meeting having occurred previously.

2. *Student B has dyslexia, and has committed relatively minor plagiarism for the 3<sup>rd</sup> time. The Department meet with the student to consider whether a more lenient penalty may be appropriate, but due to it being a 3<sup>rd</sup> offence with no other mitigation, they decide to refer the case to the Faculty.*

*The Faculty Adjudicator also meets with the student to consider whether they can issue a lenient penalty, but then they also decide to refer the case to an Academic Offences Committee.*

This is procedurally ok too. Although it is not ideal that the student has had to attend 3 meetings, the Committee cannot issue a final penalty without having met with the student directly themselves. Each Adjudicator was hoping to resolve the matter themselves before deciding to refer.

**These 2 examples are the two ends of the extremes of how a serious case may be considered. What is more common (and encouraged), is for Departments to meet with students as part of their investigation before determining the legitimacy and seriousness of the concern, before submitting a referral, and the Faculty Adjudicator to meet with the student themselves to issue a penalty, or convenes a Committee.**

# PROCEDURES FOR ADJUDICATOR INVESTIGATIONS

The procedures that Adjudicators are required to follow differ slightly depending on the type of assessment or the nature of the students study (taught, postgraduate research or PGCHEP).

The significantly most common type of offences occur in coursework or invigilated exams.

**Appendix 1** of this guidance provides a checklist that Adjudicators can use to guide them through their investigation and resolution of an academic offence case.

## Coursework Offences

**This applies to all written Assignments, group-work, class tests, quizzes and take-home exams etc.**

- Concerns of an academic offence are submitted to the Departmental Adjudicator in the first instance, normally by the markers of a module that is taught within the Department.
- The Departmental Adjudicator decides whether to meet with the student, or whether to immediately refer the case to the Faculty:

### Departmental Meeting

- The Departmental Adjudicator must arrange a meeting with the student in line with the Academic Offences Procedures before making a final decision about the offence (see further guidance on *Adjudicator Meetings with Students*).
- The Departmental Adjudicator should consider the evidence and the student's response, before deciding whether the offence is proven. The Departmental Adjudicator can issue a fixed range of penalties (see further guidance on *Penalties and Implications*) or refer serious offences to the Faculty Adjudicator.

### Referred Cases

- The Faculty Adjudicator may meet with the student directly, and issue a fixed range of penalties themselves, or convene an Academic Offences Committee to consider the case. The Faculty Adjudicator or Academic Offences Committee are also entitled to dismiss the allegation entirely.
- The Departmental Adjudicator will be asked to attend an Academic Offences Committee, in order to summarise their investigation and give the Department's view on the allegation.

## Invigilated Exam Offences

**This includes all formal exams organised and invigilated by the Exams Office (or equivalent), but does not apply to class tests organised by the Department, or 'take-home exams' that are not invigilated.**

- Where a student is accused of cheating in an exam, the Exam Invigilator completes an Incident Report that is passed to Academic Section, along with any evidence that has been obtained by the Invigilator.
- The module leader is also asked to comment on Incident Report and the evidence. For example – if a student is found to have notes on their person during the exam, the Department are asked to comment on their relevancy to the exam.
- Departmental Adjudicators are not able to issue penalties for academic offences that occur in invigilated exams. As such, cases are referred directly to the Faculty Adjudicator.
- The Faculty Adjudicator may meet with the student directly before considering the evidence, the student's response and determining whether the offence is proven. The Faculty Adjudicator can issue a fixed range of penalties (see further guidance on *Penalties and Implications*) or may agree to convene an Academic Offences Committee. The Departmental Adjudicator will be asked to attend the Committee, in order to give the Department's view on the allegation.

## Postgraduate Research Student Offences

**PGR students are held to the highest standard when it comes to academic conventions and integrity. These procedures relate to the “research” aspect of the student’s studies only, and not for allegations of a PGR suspected of an academic offence for coursework or exams in a “taught” module.**

- Concerns of an academic offence are submitted to the Departmental Adjudicator in the first instance, typically by the student’s supervisor, or by one or all of the student’s examiners.
- The Departmental Adjudicator decides whether to meet with the student, or whether to refer the case to the Faculty immediately:

### Departmental Meeting

- The Departmental Adjudicator should arrange a meeting with the student in line with the Academic Offences Procedures before making a final decision about the offence (see further guidance on *Adjudicator Meetings with Students*).
- The Departmental Adjudicator should consider the evidence and the student’s response in order to determine whether the concern is legitimate. The Departmental Adjudicator cannot issue any penalties against PGR students, so if they believe the case is proven, it must be referred directly to a Faculty Adjudicator via the [Postgraduate Research Education Team](#) or [Partnerships Team](#).
- In considering whether to raise a formal allegation or not, the Department should consider the formality of the student’s submission. In many cases, students should be expected to adhere to the University’s expectations and conventions, even if work has been submitted as a draft.

### Referred Cases

- The Faculty Adjudicator may meet with the student directly, and issue a fixed range of penalties themselves, or convene an Academic Offences Committee to consider the case. The Faculty Adjudicator or Academic Offences Committee are also entitled to dismiss the allegation entirely.
- The Departmental Adjudicator will be asked to attend an Academic Offences Committee, in order to summarise their investigation and give the Department’s view on the allegation.

## Allegations against Former Students

**We may receive an allegation against a student that has already graduated from the University that may call the integrity of their qualification into doubt.**

- The Academic Offences Procedures can still be applied to former students, where allegations are made that a graduate may have obtained their degree through unfair means (such as false authorship). However, Departmental Adjudicators and Faculty Adjudicators cannot issue penalties themselves – only Academic Offences Committees can issue penalties against former students.
- Departmental Adjudicators are encouraged to seek advice from the Academic Section before proceeding. If the Departmental Adjudicator believes the concern to be legitimate, it must be referred to a Faculty Adjudicator, who in turn can convene an Academic Offences Committee.
- The graduate retains the same rights as if they were a student, including their right to support from the Students’ Union. Where appropriate, or requested by the accused graduate, the Pro-Vice Chancellor (Education) may agree to the case being considered outside of the normal Academic Offences Procedures.

## Postgraduate Certificate in Higher Education Practice (PGCHEP) Students:

**PGCHEP students are members of teaching staff and are not assigned to a particular Department.**

- Where a concern arises in relation to a student of the PGCHEP course, the initial investigations are conducted by a nominated Faculty Adjudicator who is not based in the student’s Department.
- Faculty Adjudicators continue to have the normal range of penalties available to them, or can refer the case to an Academic Offences Committee. If the matter is referred to an Academic Offences Committee, then the Faculty Adjudicator should complete a referral and present their findings to the Committee, but will not Chair the Committee or be a Committee member.
- Whilst the reported student can continue to be accompanied by a fellow member of the University (as the reported student is also a member of staff, this includes their Trade Union representative).

## ADJUDICATOR MEETINGS WITH STUDENTS

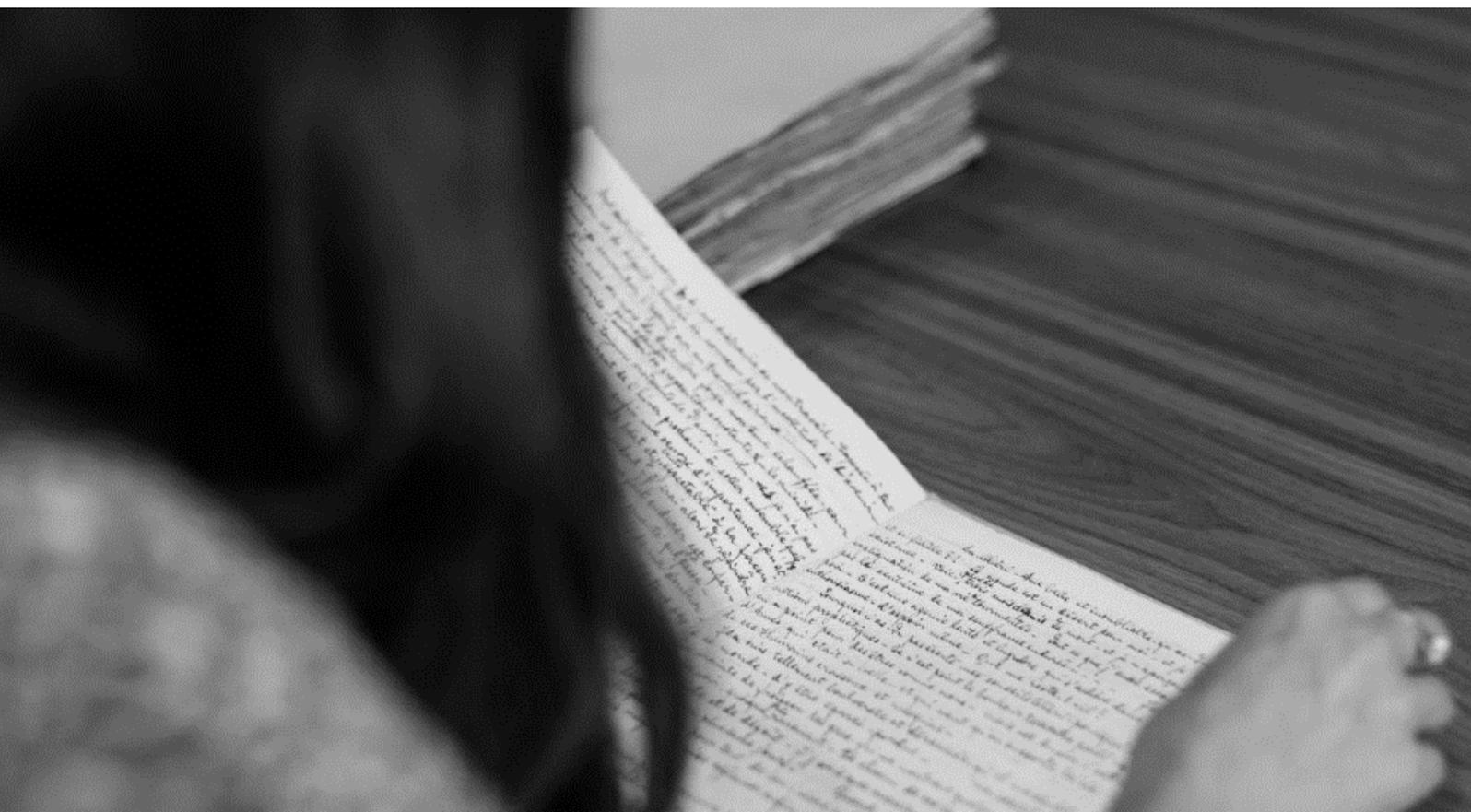
Only nominated Adjudicators can conduct academic offence investigations, and these must be done in line with the Academic Offence Procedures correctly, fairly and transparently.

A key part of the investigative procedure is for the Adjudicator to meet with the student and give them an opportunity to respond to the allegation before they reach a final decision about the allegation. This section of the guidance explains the procedures to follow for meeting students.

### Departmental Investigations - Planning Ahead

Before any new Departmental Adjudicator starts conducting their own investigations and meeting with students, they should ensure their Department have arrangements in place to support them:

- **Who checks the similarity reports?** In some Departments, markers are asked to check the similarity reports and refer any concerns to the Adjudicator. Other Departments prefer for the Adjudicator to check through similarity reports themselves.
- **Who should markers contact with their own concerns?** Some Departments have developed forms for markers to submit to the Adjudicator, whilst others work over email. Either approach is fine, but please remember the student's identification should normally remain anonymous to the marker where required.
- **Who will check whether the student has previous academic offences or has completed the online Academic Integrity Tutorial?** This information is held by the Academic Section. The Departmental Adjudicator or a member of the Departmental Administration Team can contact Academic Section by email for this information. Partner Institutions should have their own local processes in place for this.
- **Who will organise the Adjudicator meetings, and who will send the invitations and documentation to the student?** In some Departments, the Adjudicator organises their own meetings and issues invitations themselves, whilst in others, Adjudicators hold allocated times in their calendars, so that the Departmental Administration Team can slot meetings in and send the invitations on their behalf.
- **Who will be in attendance and take notes at the meeting? Who will send the outcome email?** In some Departments, the Adjudicator conducts the meeting alone, takes their own notes, and sends the outcome themselves, whilst in others, a member of the Departmental Administration Team attends, takes notes and sends the outcome letter on their behalf.



## Before Meeting the Student

There are a number of steps that need to be followed before the Departmental Adjudicator meets with the student:

### Initial Review of the Case:

The Departmental Adjudicator should consider the allegation that has been sent to them before taking any action.

It is normally appropriate for the Departmental Adjudicator to proceed with making arrangements to meet with the student.

However, occasionally the Departmental Adjudicator may immediately find that there is no case to answer to and to take no further action.

Or the Departmental Adjudicator may deem the case to be so severe that the matter should be immediately referred to the Faculty for a more severe penalty. This final option is discouraged because the student may have mitigation or extenuating circumstances that could affect the final decision, but there are occasions when the severity of the offence (or continuous nature of repeated offences) may mean that this is appropriate.

### Pre-Investigation Checks:

Prior to taking any action on an academic offence, the Department should check if the student has any records of previous offences, because this is an important aspect of the Initial Review of the Case

At the University of Essex, Academic Section hold the central records of academic offences, who can also check to see if a student has completed an Academic Integrity Tutorial, which will be useful for you to know when you are discussing the case with the student.

The **Student Progress Team** can check records for allegations against undergraduate and postgraduate students.

The **Postgraduate Research Education Team** can check records for allegations against undergraduate and postgraduate students.

**Partner Institutions** should have their own local processes in place for this.

### Organising the Meeting:

The Academic Offences Procedures state the following requirements:

- Where possible, the meeting should not clash with a timetabled teaching event, exam or equivalent. If the student cannot attend, the Adjudicator has discretion as to whether to rearrange or not – but the student should at least be given the chance to submit a written statement instead.
- The student should be granted at least **1 weeks' notice** of the meeting, and should have at least 1 weeks' access to any documentary evidence (such as the marker's feedback, or a Turnitin report).
- The meeting should be organised and the written outcome should be completed in a timely manner – normally no more than **4 weeks** from start to finish (excluding bank holidays and the Christmas closure)
- Invites should be in writing by email to the student's University of Essex email account, and it is important that Academic Section (Student Progress Team, Postgraduate Research Education Team or Partnerships Team) are also sent the invitation so that the central records are updated in a timely manner.

The Student Progress Team provide template **Academic Offences Meeting Invitations** that Departments and Partner Institutions should use when writing to students.

## During the Meeting

Meetings with Departmental and Faculty Adjudicators do not to be conducted in an overly formal manner, and there is no fixed agenda to discuss.

The main purpose of the meeting is to explain the allegation or concern to the student, to give them an opportunity to respond to it, before reaching a decision about whether an offence has occurred and how to proceed. However, the secondary purpose is often to also equip the student with the relevant knowledge and understanding to ensure they don't commit an academic offence in the future.

Meetings between Departments and students should therefore aim to be as supportive as possible, whilst still retaining a degree of formality. Departments should allow for about 20-30 minutes per meeting with a student, or longer for complex allegations.

The next section of this guidance will cover the kinds of thing that you will need to consider in order to reach your decision. For now, here are some important things to discuss when you meet the student:

- **Attendance & Representation:** The student has the right to be accompanied by a fellow member of the University (student or staff) or Students' Union, including SU Advice. If the student cannot attend, they can submit a written statement instead. The Adjudicator can also be accompanied by a note-taker.
- **Explain the Allegation:** Have a copy of the documentation with you, and use it to explain the allegation and concerns clearly to the student. It is important that the student knows that the problem is so that they can respond accordingly, and also understands how to avoid a similar offence in the future.
- **Student Response:** Ask the student to respond to the allegation. Here the student may look to demonstrate why the allegation is not an academic offence, or may provide some form of explanation or mitigation.
- **Discussion and Advice:** You will likely have questions for the student in order to clarify your understanding of their response, and the student may have some questions about the allegation. This discussion should help you in judging whether an academic offence has occurred, and if so, what penalty to apply.
- **Your Decision about the Academic Offence:** You'll need to decide on whether the allegation constitutes an academic offence and, if so, what penalty to apply (this is covered further on in the guidance).

Whilst you will need to confirm your decision in writing, it is good practise to also advise the student of your decision during the meeting. You may wish to adjourn for a few minutes to consider your outcome, before inviting the student back into the room.

- **Further Advice:** If you have found the academic offence to be proven, you should ensure the student full understands what has gone wrong, how to avoid similar problems in the future, and where they can get further advice and guidance from the Department, Moodle, Skills for Success or the Library.

The student should also be asked if there are any other offences that they may have committed and can be considered now. Any other offences that are not declared or occur in the future, may be dealt with more severely.

Some disabled students may require more notice of the meeting, a longer meeting and/or additional representation (potentially external). The University is required to make reasonable adjustments under the Equality Act 2010, and Adjudicators can seek advice from the Departmental Disability Liaison Officers and/or the Student Wellbeing and Inclusivity Services (SWIS) as and when required.

**Appendix 2** of this guidance provides a template running order for Departmental and Faculty Adjudicator meetings with students.

## After the Meeting

The Academic Offences Procedures require the Adjudicator to write to the student with written confirmation of their decision following the conclusion of their investigation,

- **Written Confirmation of the Decision:** The Adjudicator must send an email to the student and Academic Section with confirmation of their decision, and reasons for it, following the conclusion of their investigation.
- **Resubmission of Work:** Some penalties require the student to resubmit their work with minor amendments. The Adjudicator must give the student clear instructions on what amendments should be made, and how the work should be submitted.
- **Marking the Work:** Some penalties still allow for the work to be marked, or require a mark of zero to be awarded. The Adjudicator should make sure the Departmental Administration team (or equivalent) are aware of the penalty, so that arrangements can be made to have the mark properly recorded.
- **Academic Integrity Tutorials:** Adjudicators can require students to attend an Academic Integrity Tutorial (see section further on regarding *Penalties and Implications*). At Essex, students can attend a one-to-one tutorial with the [Skills for Success](#) team, and the Adjudicator should email the details of the offence to [skills-for-success@essex.ac.uk](mailto:skills-for-success@essex.ac.uk) who will organise the tutorial.
- **Declaring Any Other Offences:** Students found to have committed an academic offence are advised to declare any other academic offences that they think they have previously committed, so that these can be treated with parity as the current offence. Subsequent or undeclared offences are more likely to be treated more severely.
- **Right of Appeal:** Students have a right of appeal against any penalty issued by an Adjudicator. These are administered by Academic Section (Student Progress Team, Postgraduate Research Education Team or the Partnerships Team respectively). Read the section about Academic Offences Appeals for more information about how you might be involved in this process.

The Student Progress Team provide template **Academic Offences Meeting Outcome Letters** that Departments and Partner Institutions should use when writing to students.

## Virtual Meetings using Zoom (or equivalent):

All students studying at the University of Essex are able to login to Zoom with their University credentials. As such, this should be the default mode of meeting students online. Partner Institutions may have alternative software.

[Training for University of Essex on how to use Zoom is available on Moodle](#)

Please bear in mind that not all students have immediate access to a suitable computer or device, or be able to speak in confidence from home, or may be studying in a country that has national limitations on internet access.

In such instances, more flexibility may be required – such as offering a different time to meet, using Skype or telephone instead of Zoom, meeting on campus (this may be dependent on University guidance at the time), or asking the student to provide a written statement instead.

When you are meeting with students remotely, make sure that you yourself are in a confidential space and reassure the student of this, and make sure the student has access to the documentation whilst you are talking. Students also retain the same rights to being accompanied to the meeting.

### Zoom has some useful tools and features that support academic offences meetings:

- **The Waiting Room:** All attendees are held in a virtual waiting room (or can be placed back into a waiting room) until the Host allows them to enter. Anyone in the waiting room cannot see or hear the rest of the meeting discussion, but the host can send messages to the waiting room.
- **Co-Hosting:** During the meeting, the Host can set other attendees as the co-host and control access to the waiting room or breakout rooms. If the Adjudicator is being supported with a note-taker, then it might help to also make them a co-host
- **Breakout Room:** This can be useful if the student wants to speak to their support person in private for a short while.
- **Password Protection:** Setting a password for the meeting prevents other people turning up unexpectedly. If someone does turn up unexpectedly, this is possibly the student's representative so please check with the student before accepting or refusing entry - but please don't just leave the attendee in the waiting room.
- **Join Before Host:** We recommend deactivating this setting, so that the other attendees have to wait until you are ready before the meeting can begin.
- **Recording the Meeting:** Recording the meeting is discouraged. If you would like to record the meeting, the Adjudicator must adhere to the following legal requirements:
  - You must inform the student that you are recording the meeting and the student is entitled to ask for a copy of the recording;
  - You must ensure the recording is stored securely, kept for as long as the Department's own Data Retention policy, and destroyed as soon as the Department's Data Retention policy requires it;
  - Please also bear in mind that the student retains the right to submit an appeal against the penalty to the national Office of the Independent Adjudicator (OIA) up to approximately 18 months after your meeting. Upon receipt of an appeal, the OIA would require a written transcript of any recording that is on file – and the Department will be asked to provide this in a timely manner should the OIA request it.

## Written Statements

If a student cannot attend the meeting, or chooses not to, then they have the option to submit a written statement instead. Students should be given up until the time that the meeting was due to take place to submit their statement, but the Adjudicator can allow more time at their discretion.

If a student confirms that they are not going to attend the meeting and submits a statement earlier than the meeting, then the Adjudicator does not have to wait until the day of the meeting before confirming. A student may submit a statement without making it clear that they are also not attending the meeting, so it is sometimes worth checking that this is the case.

Occasionally, the Adjudicator may have some key questions about the statement and may *exceptionally* contact the student to provide further clarification. Please remember to give the student a deadline to provide a response by.

## Being Accompanied

Students have the right to be accompanied by a fellow member of the University, including students, staff and the Students' Union. This does not include alumni members.

Students are expected to provide their own response and answer the Adjudicator's questions directly. Anyone accompanying students are not there to "represent" the student or provide a response on the student's behalf, unless the student is not able to fully articulate themselves. The accompanying staff may also have additional points to make to support the student's initial response.

## Meeting Multiple Students (Collusion or Copying):

Where two or more students are suspected of colluding, or one has plagiarised from the other, the Adjudicator has discretion whether to meet with the students together or separately. However, best practise from previous cases suggests that seeing all students together is more transparent and a much simpler process for the Adjudicator (although it will mean a longer single meeting).

### Our advice for investigating cases with multiple students involved:

- Explain the allegation to all students at the same time, using the evidence to show the students where the concern exists.
- Allow the students to provide a joint response openly. Ensure that all students have an equal opportunity to respond and encourage everyone to be respectful of each other during the discussion.
- Following a group conversation, meet with each student individually. This allows each student to make any statements in confidence and allows the Adjudicator to challenge any discrepancies in the version of events that was presented by the group.
- Where a similarity report highlights matches between two pieces of work that have recently been submitted, please bear in mind that this will only establish who submitted the work first but not necessarily who is the original author.
- Individual students should not be exonerated until the Adjudicator is ready to make a final decision for all the students that are involved in the case. If the matter is being referred to the Faculty, all students involved should be referred.

## Calling Other Witnesses:

Occasionally, it may be appropriate for a witness to attend the meeting and provide evidence verbally. This is not common, but may include:

- a lecturer that has raised a concern of false authorship and has been invited to witness the viva-style discussion and provide a comment (see below);
- the invigilator for a class test who witnessed the student cheating;
- a whistle-blower who has reported the student for cheating;
- a witness that the student has requested attend.

If the student asks to call a witness, they should ask the Adjudicator for permission and explain their reasons why. If the request is dismissed, the Adjudicator should also explain why.

If the Adjudicator calls a witness, then they should notify the student at the earliest opportunity and explain their reasons for asking the witness to attend.

The witness does not count as the person accompanying the student, but may undertake both roles.

Witnesses should be in attendance to provide their evidence only. The Adjudicator should not consult with the witness on their decision, and the witness should be excused from the meeting before the Adjudicator confirms their decision to the student.

## Viva Style Discussions - False Authorship, Contract Cheating and Personation:

Some of the most serious academic offences are ones where students have arranged for someone else to complete their assessment for them or asking someone to sit an examination or class test in their place.

Concerns may arise because the work discusses unexpected topics, uses unusual references or doesn't cover any of the module content. The writing style, academic standard or use of language may be very different (and usually a lot better) to what the student normally submits. The work may also be very different to what was discussed with the Supervisor or Lecturer prior to submission.

Students may also raise concerns that the person sitting the exam does not look like the student, or Exam Invigilators may suggest that the person sitting the exam did not look like the photo on the student's ID card.

Allegations of this nature are potentially the most serious and should be referred to the Faculty. However, the Department should always try to meet with the student first in order to conduct a viva-style discussion with the student OR to identify the student that attended the exam.

### Our advice for viva-style discussions:

- We strongly recommend having a note-taker present (especially if you are not recording the meeting, which, as noted earlier, is discouraged). The notes to the meeting will form a key part of evidence, so it is important that they are detailed and accurate.
- Questions should be prepared in advance and should be of a nature that the author of the assignment should easily be able to answer. For example, "Why did you decide on this topic?", "Where did you find these references?", "What does this table show?" and "Summarise the conclusions of the assignment for me?"
- If needed, the lecturer for the module may be at the meeting as a witness, and may comment on the student's responses. However, the lecturer should not have any further influence on the Adjudicator's decision, and they should leave the meeting once the viva-style questions are concluded.
- The student should be notified in advance that they will be asked questions about the content of their assignment, or that they are being asked to verify their attendance at the examination. The student can also be asked to provide their notes or draft copies of their assignment.

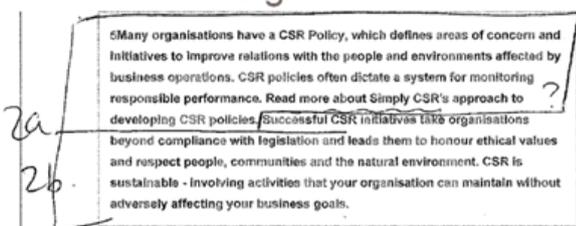
## REFERRING SERIOUS CASES

Allegations need referring to the Faculty if the seriousness of the offence should lead to a penalty that is more severe than what the Department can issue. This includes all allegations relating to Formal Exams, PGR students and Former students (see below).

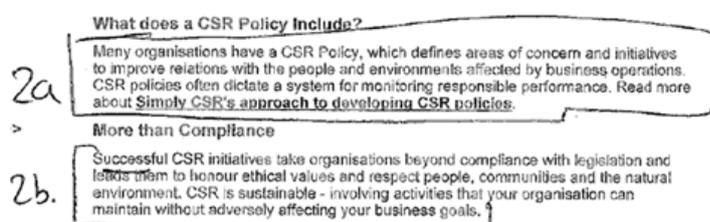
- Departments must complete an **Academic Offences Referral Form** available from the Student Progress Team or Postgraduate Research Education Team.
- The Referral Form and the supporting documentation should be presented in a way that can be considered by colleagues from other academic disciplines, who may have limited understanding of the subject.
- Along with the Referral Form, Departments should provide supporting documentation that clearly substantiates the claim. This should include:
  1. A similarity report from a plagiarism checker (Turnitin, or equivalent)
  2. An annotated copy of the student's assignment
  3. An annotated copy(s) of the alleged source material
  4. Any other relevant documentation or correspondence
- Documentation should be sent to the [Student Progress Team](#) (UG and PGT), [Postgraduate Research Education Team](#) (PGR) or the [Partnerships Team](#) (Partner Institutions) by email, Box or [Zendto](#).
- A referral without annotated copies of the student's assignment and the alleged source material will not be accepted, unless it is not possible to obtain the source material.
- Annotations should be cross-referenced to demonstrate where the material in the student's assignment is similar with the alleged source material. Here is a good example:

**Example:**

### Student's Assignment:



### Source Material:



**If the Faculty decide to refer the case to an Academic Offences Committee, then the Departmental Adjudicator is required to attend the Committee meeting and present their initial findings.**

## ACADEMIC OFFENCES COMMITTEES

The most serious offences are considered by Academic Offences Committees, who have the authority to withdraw students and withhold (or rescind) any qualifications and will only be required for the most serious allegations.

### Membership

**Chair:** The Chair is the Faculty Adjudicator that has convened the case. The Chair will lead the meeting, ensure the order or proceedings are followed and that the Academic Offences Procedures are adhered to. If the Faculty Adjudicator has already met with the student, then a different Faculty Adjudicator will be nominated to Chair the Committee.

**Committee Members:** The Chair is joined by two other committee members who are not from the student's own department and have had no previous involvement with the case.

### In Attendance

**Departmental Adjudicator:** The Departmental Adjudicator presents the allegation to the Committee and is expected to have full knowledge of the case. The Departmental Representative is not a member of the Committee, cannot ask the student any questions directly during the meeting, and is not part of the Committee's private deliberations.

**Secretary:** The Secretary will organise the meeting, circulate the documentation, take a written record of the meeting and provide the written outcome. The Secretary also provides advice to all attendees on the Academic Offences Procedures (including the penalty guidelines).

**Student & Representative:** The student is invited to attend but does not have to. They may also be accompanied by member of the University (student or staff) or the Students' Union. The student may submit a written statement and/or any of their own evidence.

### Order of Proceedings

Academic Offences Committees follow a generic order of proceedings that may be adapted from time-to-time, at the discretion of the Chair.

**Introductions:** The Chair will lead introductions, ensure everyone has copies of the documentation and ensure everyone is familiar with the proceedings.

**Departmental Presentation:** The Departmental Adjudicator will be asked to give a summary of the allegation, using the documentation to give examples of the concern. The Committee and student may ask the Departmental Adjudicator questions about the allegation.

**Student Response:** The student is invited to respond to the allegation, either by way of defence or mitigation (including any extenuating circumstances). The Committee may ask the student any questions about their response.

**Committee Deliberation:** The Committee meeting is adjourned, and the Departmental Adjudicator and student are excused. The Committee members discuss their findings with the aim of reaching a decision about the allegation.

**Committee's Decision:** The Committee meeting is resumed, and the student is advised of the outcome of the Committee's deliberations. This is normally the final decision but might be confirmation that the investigation will continue. The student is advised of their right of appeal.

**Appendix 3 provides a useful "meeting agenda" template that Committees can use during the meeting, to ensure that all the appropriate discussion has taken place.**

# DECISIONS, PENALTIES & IMPLICATIONS

## WHAT TO CONSIDER & AVAILABLE OPTIONS

### Has an Academic Offence Been Committed?

The Adjudicator or Committee should consider the student's responsibilities they hold when completing an assessment:

- to behave with honesty and integrity in relation to coursework, examinations and other assessed work;
- to be familiar and act in accordance with the conventions of academic writing including appropriate referencing of sources and acknowledgement of assistance;
- to show understanding of ethical considerations and be compliant with the relevant University Procedures.

Examples of academic offences are given in the Introduction of this guidance, and in the Academic Offences Procedures.

An academic offence should be deemed proven even if it was because of **negligence**, and the student didn't intend it. A lack of intent may suggest a more lenient penalty but does not expunge the offence itself.

Normally, demonstrating plagiarism is clear cut (the material is either referenced properly or not). However, some other types of offences may require the Adjudicator to demonstrate a standard of proof as to whether an offence has occurred.

The Academic Offences Procedures state that Adjudicators may base their judgement of whether an offence has occurred or not **on the balance of probabilities**. In such cases, Adjudicators need to be at least 51% certain that the offence took place before confirming it.

For Postgraduate Research students, the Adjudicator and Committee will also need to consider the formality of the student's submission. In many cases, students should be expected to adhere to the University's expectations and conventions, even if work has been submitted as a draft.

### Selecting a Penalty

Adjudicators and Academic Offences Committees may only issue penalties that are stated Academic Offences Procedures can be issued. Adjudicators have a fixed range of penalties they can issue, whilst Committees have the full array of penalties available to them.

The full list of penalties is covered in the next section.

In selecting a penalty, Adjudicators and Academic Offences Committees should consider:

- The **severity** of the offence. The Academic Offences Procedures include a set of guidelines to help with this.
- The **level of study** (first year undergraduate, Masters, PhD, etc.), the status of the taught module enrolment (i.e. core, compulsory or optional) or status of the submission towards a research degree.
- Any of the student's **previous offences** should also be considered, including how similar the previous offence(s) is, and what efforts the student has made to address the original concerns.
- Whether the student has provided any **mitigation or extenuating circumstances**, and whether the student has co-operated with the investigation in a positive way?

**The Adjudicator/Committee must not take into account the student's marks when deciding whether an offence has occurred, or selecting a penalty. In this regard, all students should be held to the same standards as their peers when it comes to academic integrity.**

## Subsequent Offences

A subsequent academic offence will generally result in a more severe penalty, particularly when the student has made little or no attempt to understand the University's academic conventions since the first or previous offence.

- Offences should only be regarded as “subsequent” if the student has proceeded to commit a further academic offence after a previous investigation has been completed.
- Offences that occur at a similar time, or where the Adjudicator does not think the student has had the opportunity to learn from their previous mistakes, should not be regarded as a subsequent offence.
- The Penalty Guidelines provided in the Academic Offences Procedures for Taught Students provides a suggested framework about how penalties should be escalated for subsequent offences.

## Academic Integrity Tutorial

In addition to issuing a penalty, the Adjudicator or Committee can also require the student to attend an Academic Integrity Tutorial. This should be required if the Adjudicator or Committee think that the student does not have a good understanding of their responsibilities with regards to academic integrity, such as referencing and avoiding plagiarism.

The requirement to complete an Academic Integrity Tutorial is not forced upon the student, and is not checked unless the student commits another subsequent offence. However, the student should be warned that if they are later found to have committed another academic offence, but did not attend a tutorial, then this will not be considered favourably.

At the University of Essex, Academic Integrity Tutorials are provided by [Skills for Success](#). Adjudicators and Committees that require students to attend a tutorial should send the details of the offences [skills-for-success@essex.ac.uk](mailto:skills-for-success@essex.ac.uk). Skills for Success will contact the student to arrange the tutorial.

Individual Departments, Schools and Partner Institutions can also organise their own Academic Integrity Tutorials “in-house” that may be more relevant to their own subject area. Departments are responsible for organising their own tutorials with the student directly.

## Professional Suitability (Such as Health or Law Students)

Some students study degree courses that include additional accreditation that can only be awarded to individuals that are professionally suitable to join the relevant profession - such as Law courses that are recognised by the Solicitors Regulation Authority (SRA), or health courses that are subject to the University's Fitness to Practise Procedures.

Students that are proven to commit an academic offence may also have their additional accreditation at risk. As such, the Adjudicator or Committee are asked to also record whether, on the balance of probabilities:

- It has been proven that the student did intend to cheat;
- It has been proven that the student did not intend to cheat;
- It has not been proven whether the student intended to cheat or not.

The Department or School are responsible for ensuring the relevant authority (such as the SRA or the School's own Professional Suitability Group) is made aware of the offence and this judgement, and an independent decision will be made about the student's professional suitability.

## PENALTIES FOR UNDERGRADUATE & POSTGRADUATE TAUGHT STUDENTS

Adjudicators and Committees can only issue penalties that are listed in the Academic Offences Procedures. Here we provide the full list of penalties, along with some details about this penalty may be practically applied, and how the penalty may impact on the student's academic progress.

**The following penalties can be applied by:**

**Departmental Adjudicators, Faculty Adjudicators and Academic Offences Committee.**

### **Penalty 1: A formal written warning only.**

A formal written warning is useful for very minor offences. The academic offence is still noted on the student's record, but the work submitted is assessed as normal, with no immediate repercussions.

**Penalty 2: Resubmit the unit of assessment with minor amendments only, as determined by the Adjudicator (such as correct referencing, paraphrasing or striking out), for an uncapped mark.**

**Penalty 3: Resubmit unit of assessment with minor amendments only, as determined by the Adjudicator (such as correct referencing, paraphrasing or striking out) for a capped mark.**

Requiring the student to resubmit is a particularly useful exercise for students who are still learning how to reference or paraphrase. For practical reasons, these penalties cannot normally be applied when immediate resubmission is not available - such as offences that have occurred in invigilated exams.

When issuing this penalty, the Adjudicator/Committee should ensure that:

- The student has clear instructions about what they can change. Student are only permitted to ensure sources are properly referenced, and are not permitted to improve the substance of their work.
- The student also has an agreed deadline to submit the work by, and clear instructions on how to submit the work. The Adjudicator sets the deadline, but should ensure a reasonable timeframe is agreed.

For **Penalty 2**, there are no repercussions with regards to the mark that the student will receive for the unit of assessment.

For **Penalty 3**, the student's resubmission will be "capped". This means that, whilst the work will be assessed as normal for formative purposes, the highest recorded mark will be the pass mark of 40.0 for undergraduate students or 50.0 for postgraduate taught students.

### **Penalty 4: Mark of zero to be given for the unit of assessment, reassessment available to the Board of Examiners\***

This is the most severe penalty that a Departmental Adjudicator can issue, and it is a useful penalty for when the academic offence is so severe that the work cannot realistically be assessed or mark (for example, because there is a lack of original content).

The student will receive a mark of zero for the individual unit of assessment and the Board of Examiners will have discretion as to whether reassessment is available or not, which will depend on the student's progress and the relevant Rules of Assessment.

If the student fails the module, they will normally be able to take reassessment for the module for a capped mark, or can repeat the module in full. As with all students, reassessment is unlikely if the student has already failed the module 3 times, has reached their maximum period of study, has failed the year overall, or is *incoming study exchange* student. Although the student can claim extenuating circumstances, this penalty will reduce the likelihood of the Board offering uncapped reassessment.

*A note for Adjudicators: If a piece of coursework is broken into sections that are assessed entirely individually (such as portfolio chapters that are given individual marks, that are then combined to give an overall mark), then the Adjudicator should confirm whether the mark of zero is for the individual section, or the entire assessment. This does not apply if the sections are combined before they are then assessed overall.*

The following penalty can be applied by:

Faculty Adjudicators and Academic Offences Committee only.

**Penalty 5: Mark of zero to be given for the unit of assessment, with no resubmission or reassessment permitted\*.**

This is the only additional penalty that a Faculty Adjudicator can issue for taught students, compared to a Departmental Adjudicator. It is a useful penalty for when the academic offence is so severe that the work cannot realistically be assessed or mark (for example, because there is a lack of original content).

When issued with Penalty 5, the student will receive a mark of zero for the individual unit of assessment. However, the Board of Examiners will not be able to offer reassessment for the unit of assessment that has an academic offence. The remaining reassessment which will depend on the student's progress and the relevant Rules of Assessment:

If the student fails the module, they will be able to EITHER be reassessed in the remaining units of assessment of the module (for example, if the offence was in a coursework assignment, the student may be able to still pass the module with a good exam mark), OR the student can repeat the module in full.

As with all students, reassessment is unlikely if the student has already failed the module 3 times, has reached their maximum period of study, has failed the year overall, or is incoming study exchange student. Although the student can claim extenuating circumstances, this penalty will reduce the likelihood of the Board offering uncapped reassessment.

*A note for Adjudicators: If a piece of coursework is broken into sections that are assessed entirely individually (such as portfolio chapters that are given individual marks, that are then combined to give an overall mark), then the Adjudicator should confirm whether the mark of zero is for the individual section, or the entire assessment. This does not apply if the sections are combined before they are then assessed overall.*

**\*Departmental Adjudicators and Faculty Adjudicators cannot issue Penalty 4 or Penalty 5 for academic offences in postgraduate taught dissertations.**

Due to the Postgraduate Rules of Assessment, penalty 4 and penalty 5 for a Master's dissertation prevents the student from getting their degree. As such, only Academic Offences Committees can issue anything higher than a penalty 3 for offences in Master's dissertations.

The following penalties can be applied by:  
Academic Offences Committee only.

**Penalty 6: Mark of zero to be awarded for the module, with no resubmission or reassessment permitted.**

When issued with Penalty 6, the student will receive a mark of zero for the module, and the Board of Examiners will not be permitted to allow the student to be reassessed or to repeat the module.

This penalty can only be issued by Academic Offences Committee, as there is a high possibility that the student may not be able to earn their degree with this penalty. The Committee are encouraged to consider the impact that this penalty may have on the student's progress, and make a reasoned and measured decision. In particular, this includes taking into account the status of the module for the student (core/compulsory/optional).

**Penalty 7: No longer eligible for full award: Mark of zero to be awarded for the module with no resubmission or reassessment permitted and the student may complete currently enrolled credits for an exit award only.**

When issued with Penalty 7, the student will receive a mark of zero for the module. The student is able to finish their current stage of study until the next of Board of Examiners, but the Board will be instructed that the student may not be permitted to allow the student to be reassessed in the module, to repeat the module and may not receive a full degree.

The Board of Examiners will consider the student for a lesser award, and are able to offer reassessment in other modules if it is the different between the student achieving an exit award or not. However, the student cannot repeat the year or repeat modules in full.

**Penalty 8: Required to withdraw immediately and no longer eligible for full award: A mark of zero to be awarded for the module no resubmission or reassessment permitted and the Examination Board to be invited to consider the student only for an exit award on the basis of credits already achieved.**

When issued with Penalty 8, the student will receive a mark of zero for the module and will be withdrawn from the University immediately.

A Board of Examiners will be convened to award credits for any of the other modules that the student has taken but have not already been ratified, and will consider the student for a lesser award based on marks and credits already ratified - no further reassessment for any of the student's modules will be offered.

**Penalty 9: Required to withdraw immediately with no qualification awarded: A mark of zero to be awarded for the module no resubmission or reassessment permitted and the Examination Board to be invited to ratify credits that have already been achieved for recording purposes.**

When issued with Penalty 9, the student will receive a mark of zero for the module and will be withdrawn from the University immediately.

A Board of Examiners will be convened to award credits for any of the other modules that the student has taken but have not already been ratified. However, the Board will ratify credits only - no award (including lesser awards) will be issued and no further reassessment for any of the student's modules will be offered.

## PENALTIES FOR POSTGRADUATE RESEARCH STUDENTS

Adjudicators and Committees can only issue penalties that are listed in the Academic Offences Procedures. Here we provide the full list of penalties, along with some details about this penalty may be practically applied, and how the penalty may impact on the student's academic progress.

**The following penalties may be applied by:**

**Faculty Adjudicators and Academic Offences Committees only**

**For allegations that have occurred prior to the student's submission for final assessment:**

- Penalty 1: A formal written warning only.
- Penalty 2: Specified section of submission to be referenced correctly, rewritten or removed, and resubmitted for assessment.

**The following penalties may be applied by:**

**Academic Offences Committees only**

**For allegations that have occurred prior to submission for the student's final assessment:**

- Penalty 3: No longer eligible for full award: the student's registration shall be downgraded and they will be considered for a lesser award only.
- Penalty 4: Required to withdraw with no qualification awarded.

**For allegations that have occurred after the submission of the student's final assessment:**

- Penalty 1: Formal written warning only;
- Penalty 2: The Examiners shall be instructed to consider the non-plagiarised sections of the final submission, for the degree for which it has been submitted;
- Penalty 3: No longer eligible for full award: The Examiners shall be instructed to consider the non-plagiarised sections of the final submission for a lesser award only;
- Penalty 4: Required to withdraw with no qualification awarded.

**Departmental Adjudicators are not able to issue penalties for Postgraduate Research Students.**

# ACADEMIC OFFENCES APPEALS

Students have the right to submit an appeal against a penalty within ten working days of the date on which the final decision was confirmed to the student in writing.

Students are required to download the appeals form from the University website, email it to [appeals@essex.ac.uk](mailto:appeals@essex.ac.uk), and are strongly advised to discuss their appeal with [SU Advice](#) before they submit it.

All appeals are administered by Academic Section (the Student Progress Team, Postgraduate Research Education Team or Partnerships Team).

Appeals will only be completely upheld if the student can demonstrate one or more of the following grounds:

- there is new evidence, which for good reason was not previously available to the Initial Adjudicator, which might have materially affected the outcome;
- the Initial Adjudicator did not follow the Academic Offences Procedures which disadvantaged the student's case;
- there is evidence of prejudice and/or bias during the procedures;
- on the balance of probabilities, the facts of the case did not justify the decision that the student had committed an academic offence;
- the penalty imposed by the Initial Adjudicator was unreasonable with regard to all the circumstances of the case

## Appeal Procedure

In the procedures, the person that originally issued a penalty is referred to as the **Initial Adjudicator**. If a penalty was issued by a Committee, then the Chair of the Committee will normally be nominated to be the Initial Adjudicator,

1. Upon receipt of an appeal, the **Initial Adjudicator** that issued the penalty will be asked to provide a short report explaining how they reached the decision that they did.
2. The appeal is then considered by an **Appointed Dean** who has had no previous involvement in the case. The Dean will determine whether the student has valid grounds and will either dismiss the appeal or refer the matter to an Appeals Committee.
3. An **Academic Offences Appeals Committee** is convened and has the authority to change the penalty or determine that an academic offence has not been proven.

The **Initial Adjudicator** will be asked to attend the meeting and present their initial findings to the Appeals Committee before a decision about the appeal is made. If the penalty was originally issued by a Committee, then the Chair of the Committee will normally be asked to attend. In addition, if the penalty was issued by a Faculty Adjudicator or a Committee, then the **Departmental Adjudicator** that originally investigated the case may also be asked to attend.

Appendix 4 provides a useful “meeting agenda” template that Appeal Committees can use during the meeting, to ensure that all the appropriate discussion has taken place.

# USEFUL LINKS

## Useful Links for Staff

Academic Offences Procedures

[www.essex.ac.uk/about/governance/policies](http://www.essex.ac.uk/about/governance/policies)

Student Progress Team

[www.essex.ac.uk/staff/professional-services/student-progress-team](http://www.essex.ac.uk/staff/professional-services/student-progress-team)

Postgraduate Research Education Team

[www.essex.ac.uk/staff/professional-services/postgraduate-research-education-team](http://www.essex.ac.uk/staff/professional-services/postgraduate-research-education-team)

Partnerships Team

[www.essex.ac.uk/staff/professional-services/partnerships-team](http://www.essex.ac.uk/staff/professional-services/partnerships-team)

Student Wellbeing and Inclusivity Team

[www.essex.ac.uk/staff/professional-services/student-wellbeing-and-inclusivity-team](http://www.essex.ac.uk/staff/professional-services/student-wellbeing-and-inclusivity-team)

Office of the Independent Adjudicator (OIA) Good Practise Framework

[www.oiahe.org.uk/resources-and-publications/good-practice-framework](http://www.oiahe.org.uk/resources-and-publications/good-practice-framework)

## Useful links for Students

Guidance & Procedures

[www.essex.ac.uk/student/exams-and-coursework](http://www.essex.ac.uk/student/exams-and-coursework)

Skills for Success

[www.essex.ac.uk/student/academic-skills](http://www.essex.ac.uk/student/academic-skills)

PGR Student Resources

[www.essex.ac.uk/student/postgraduate-research](http://www.essex.ac.uk/student/postgraduate-research)

Mental and Emotional Health

[www.essex.ac.uk/student/mental-and-emotional-health](http://www.essex.ac.uk/student/mental-and-emotional-health)

Medical Support and Healthcare

[www.essex.ac.uk/student/healthcare](http://www.essex.ac.uk/student/healthcare)

SU Advice Centre

[www.essexstudent.com/advice](http://www.essexstudent.com/advice)

