

PROCEDURES FOR INVESTIGATIONS OF CASES OF LEARNER INCOMPETENCE AND ALLEGED CHEATING

1. General Statement of Principle

- 1.1 Assessment, whatever form it takes, is the means by which the University tests whether a student has achieved the objectives of a course and the standards of an award. It is fundamentally important that students are assessed fairly, and on equal terms with each other for the same award. Cheating undermines the standards of the University's awards and disadvantages those students who have attempted to complete their assessments fairly and honestly. It is an offence against the values of the academic community of which students and staff are both part. Consequently cheating in all its forms will not be tolerated. Staff will be vigilant in their attempts to prevent and discover cheating.
- 1.2 This procedure is concerned with the actions of students and not their intentions. An excuse of "not intending to" is not an acceptable defence.
- 1.3 In all cases of alleged learner incompetence and cheating, students will be treated as innocent until a case against them has been investigated and upheld.
- 1.4 These procedures are intended to ensure that there is consistency and fairness across the University in the penalties applied to students who commit offences of learner incompetence or cheating.
- 1.5 These procedures:
 - a) define different forms of learner incompetence and cheating
 - b) describe the procedures by which allegations of learner incompetence and cheating will be investigated and determined
 - c) set out the penalties for learner incompetence and cheating

2. Definitions and Examples

- 2.1 Suspected incidents of cheating will be defined as Minor (learner incompetence) or Major depending on their seriousness, the level that the student is studying at and the circumstances of the student. Incidents occurring in an examination will always be treated as Major and will be automatically be referred to the Cheating Committee.
- 2.2 A student suspected of committing a Minor offence will automatically be referred to the Cheating Committee if s/he has previously had a case of cheating upheld, or is suspected of an offence in more than one assessment item of his/her course.

2.3 Learner Incompetence (minor offence)

Learner incompetence is a term used to describe instances where a student, has produced work which is either unduly derivative or which fails to recognise sources.

Learner incompetence is not normally expected to occur after the student has completed the equivalent of the first year of a full time undergraduate course (whether at the University of Worcester or another institution).

2.4 Cheating (major offence)

Cheating means:

- a) A clear attempt to gain an unfair advantage in an assessment
- b) Taking unauthorised materials into an examination
- c) The falsification of data or information
- d) Commissioning or seeking to commission the completion of assessment on their behalf
- e) Assisting another student to do any of the above

2.5 Examples of learner incompetence or cheating

2.5.1 Plagiarism

The presentation of the work of another as if it was one's own independent work or any improper use of sources. For the purpose of these procedures, plagiarism includes:

- a) Word for word copying from sources (copy & paste)

This is when a student copies a piece of text from the internet, an e journal, Word document, book or any other source and includes it in their assignment without acknowledging the source.

- b) Word switch
If a student copies a sentence or paragraph into their assignment and changes a few words it will still be classed as plagiarism.

- c) Reusing course content

The reuse of work is where the author reuses identical or nearly identical portions their own work without acknowledging what they are doing; as a result they do not let the reader know that this material has appeared elsewhere. The essence of this practice is that the author is attempting to deceive the reader and it is therefore a form of cheating

d) Concealing sources

If a student cites a piece of work from a source more than once they must reference it each time. No matter how many times they refer back to the source they must acknowledge the source, even if it is in the very next paragraph.

e) Sham paraphrasing

When someone copies text, word for word from a source, references the work but does not place it in quotation marks so it appears to be paraphrased.

f) Illicit paraphrasing

When someone paraphrases text from a source but does not acknowledge the source.

g) Fake Referencing

To make up quotations and/or supply fake citations. The fake citation can be either completely fabricated or reference a real source (book, journal, or Web site) which contains no such article or words that have supposedly been used or to imply that books and/or journals have been used by copying citations from the work of other authors when they have not.

2.5.2 Collusion

This is when one student produces work and allows another student to copy it, both students will be culpable. If both students submit the work, even at different times, both students will be deemed to have colluded.

Collusion differs to group work - some coursework assessments will involve students working together on a particular project. Such assessments may require students sharing ideas, research and having a joint responsibility for the development of a project. Some assignments may require students to work together and produce a joint piece of work for assessment. Some assignments may require students to work together but then to produce an independent written piece of work.

Peer review of each other's work or discussing an assignment can be helpful; however students should be wary of falling into an act of collusion by actually producing/writing parts of an assignment for their peer/friend.

2.5.3 Work presented is not written by the student, but originates from another source

Where a student commissions or seeks to commission another party (either paid or unpaid) to complete an assessment item on their behalf. Offences of this nature will be referred to the Cheating Committee.

2.5.4 Falsification of data

The creation, fabrication or alteration of data or other information – for example, by changing data in order to confirm a hypothesis not supported by the actual data, or the invention or fabrication of the results of experiment, which are then reported to prove a point. Offences of this nature will be referred to the Cheating Committee.

2.5.5 This list is not comprehensive and cheating may also take other forms.

2.5.6 Actions in relation to examinations

Cheating in relation to examinations can include:

- a) Attempting to get sight of the examination paper before it is published;
- b) Taking unauthorised material or electronic device into an examination room;
- c) Copying or trying to copy the work of another student;
- d) asking another student for help during an examination;
- e) letting another student copy;
- f) impersonation.

This list is not comprehensive and cheating may also take other forms.

2.6 Department

An organisational name to describe a structure of the University such as Faculty, Department, Institute or School.

2.7 Academic Integrity Tutors (AIT)

Each Department will appoint academics (Academic Integrity Tutors) who has the responsibility for dealing with all aspects of the investigation into cases of learner incompetence and alleged cheating. This will include:

- a) Taking responsibility for investigation of the incident from the tutor
- b) Ensure the student is kept fully informed about the investigation.
- c) Decide if the offence is:
 - Learner incompetence (as defined above). If considered learner incompetence the AIT will decide upon the appropriate penalty as described below;
 - A major offence which should be referred to the Cheating Committee.
- d) Be a member of the Cheating Committee when required
- e) Present a case against a student on behalf of the Department
- f) Ensuring decisions are recorded in the Student Record System
- g) Meet with other departmental AITs to ensure consistency of approach.
- h) Contribute to staff development.

3. Procedures for the Academic Integrity Tutor (AIT)

3.1 In coursework

- 3.1.1 If a tutor suspects that a student has cheated, they will make a written report to the Academic Integrity Tutor, providing evidence for their suspicion.
- 3.1.2 The Academic Integrity Tutor will investigate further, and will ask the student to attend a meeting to discuss the matter. Meetings may take place in person or using audio or video conferencing.
- 3.1.3 The meeting may proceed in the absence of a student who has either indicated an intention to be present or has never responded to communications provided that the Academic Integrity Tutor feels it has sufficient evidence available to consider the case and that the student has been given sufficient notice of the meeting.
- 3.1.4 In investigating a possible case of cheating, it is possible that an Academic Integrity Tutor will decide that:
 - a) the case should be dismissed, or
 - b) learner incompetence more accurately reflects the nature of the offence, or
 - c) the case should be referred to the Cheating Committee.
- 3.1.5 In the case of learner incompetence, the Academic Integrity Tutor will apply the normal penalty associated as identified below depending upon the category of incompetence taking into account:
 - a) Extent of incompetence demonstrated by the student
 - b) Learning background of the student
 - c) Conventions of the discipline or subject area
- 3.1.6 If it is found that the student has a previous record of either learner incompetence or cheating recorded on the student record system the case should be referred to the Cheating Committee.
- 3.1.7 In cases of learner incompetence, the Academic Integrity tutor will meet the student and explain the nature of the incompetence and apply the appropriate penalty as indicated below.
- 3.1.8 Students must be warned that repetition will result in a referral to the Cheating Committee.

3.2 Procedure and Penalties Associated with learner incompetence

Plagiarism

3.2.1 Word for word copying from sources (copy & paste) and word switch

3.2.1.1 Procedure:

If a member of staff suspects a student of word for word copying from sources and/or word switch the Academic staff should bring it to the attention of the Academic Integrity Tutor (AIT). The AIT and the module tutor should interview the student.

3.2.1.2 Penalties:

- a) If the quotes have been properly referenced then the work should be downgraded for being unduly derivative
- b) If the quotes have not been properly referenced, the student must resubmit the assignment which will be capped at the minimum pass mark
- c) The decision will be noted on the student record system

3.2.2 Reusing Coursework:

3.2.2.1 Procedure:

If a member of staff suspects a student of reusing coursework the Academic staff should bring it to the attention of the Academic Integrity Tutor (AIT). The AIT and the module tutor should interview the student.

The modules should be referred to the appropriate Departmental Quality Committee for further investigation.

3.2.2.2 Penalties:

- a) The student must resubmit the assignment
- b) The decision will be noted on the student record system

3.2.3 Concealing Sources / Sham paraphrasing / Illicit paraphrasing / Fake referencing

3.2.3.1 Procedure:

If a member of staff suspects a student of concealing sources and/or sham paraphrasing and/or illicit paraphrasing the Academic staff should bring it to the attention of the Academic Integrity Tutor (AIT). The AIT and the module tutor should interview the student.

3.2.3.2 Penalties:

- a) The work will have been downgraded for inappropriate referencing.
- b) The student will have to see Academic Liaison librarian for Information Literacy session. The Academic Liaison librarian will advise AIT of student's attendance. Student allowed two months to complete this penalty. Failure to attend will result in loss of credit for the module and the student will be required to retake the module.
- c) The decision will be noted on the student record system

3.2.4 Collusion

3.2.4.1 Procedure:

If a member of staff suspects a student of collusion the Academic staff should bring it to the attention of the Academic Integrity Tutor (AIT). The AIT and the module tutor should interview the students and should check with ILS that the student has been on an Information Literacy course.

3.2.4.2 Penalties:

- a) If it is determined that the student who originally did the work was ignorant of the collusion s/he should not be penalised. If appropriate the decision will be noted on student record system.
- b) The student who copied the work will lose credit from the module and the student will be required to resubmit the assignment.
- c) If students are found to be equally culpable they should both lose credit from the module be required to resubmit the assignment.
- d) The decision will be noted on the student record system.

3.2.5 Work presented is not written by the student, but originates from another source and falsification of data

3.2.5.1 Procedure:

If a member of staff suspects a student of presenting work originating from another source or the student has falsified data the Academic staff should bring it to the attention of the Academic Integrity Tutor (AIT). The AIT and the module tutor should interview the student.

3.2.5.2 Penalties:

- a) The student should be referred to the Cheating Committee within three working days of the conclusion of the investigation.

3.3 In examinations

3.3.1 Procedure:

If an invigilator suspects that a student is cheating, they will inform the student of their suspicions, remove any unauthorised material, and clearly mark the examination script with the time they spoke to the student. The student should be allowed to continue their examination. Within three working days of the examination, the invigilator will make a written report to the Academic Integrity Tutor. The AIT and the module tutor should interview the student.

3.3.2 Penalties:

- a) The student should be referred to the Cheating Committee within three working days of the conclusion of the investigation.

3.4 Referral to Cheating Committee

3.4.1 If, after investigation the Academic Integrity Tutor finds that the student has a previous record of learner incompetence or cheating on the student record system or believes that the student has committed a major offence the case should be referred to the Cheating Committee within three working days of the conclusion of the investigation.

3.4.2 The student will be sent a letter by the Complaints and Appeals Officer informing them that an allegation of cheating has been made and asking them to attend a meeting of the Cheating Committee. The letter will include details of the specific allegations against the student.

4. Research degree students

4.1 If an examiner suspects that a student has cheated, they will make a report to the Head of Department, providing evidence for their suspicion.

4.2 The Head of Department will investigate further and will ask the student to attend a meeting to discuss the matter.

4.3 If, after investigation the Head of Department believes that there is sufficient evidence that cheating has been committed, they will refer the case to the Cheating Sub-Committee of the Research Degrees Board within three working days of the conclusion of the investigation.

4.4 The student will be sent a letter by the Secretary of the Research Degrees Board asking them to attend a meeting of the Cheating Sub-Committee of RDB. The letter will include details of the specific allegations against the student.

5. Cheating Committee

- 5.1 The Cheating Committee is a sub-committee of the Representations Committee.
- 5.2 In the case of research students, a sub-committee of the Research Degrees Board will hear and determine the matter.
- 5.3 The student will be sent a letter by the Complaints and Appeals Officer informing them that an allegation of cheating has been made and asking them to attend a meeting of the Cheating Committee. The letter will include details of the specific allegations against the student.
- 5.4 Membership of the Committee will be:
- The Chair of the Representations Committee or nominee (Chair)
2 members of academic staff
- 5.5 No member of the Committee shall have been involved in the decision to refer the matter to the Committee or have prior knowledge of the case.
- 5.6 The Head of Registry Services, or his/her nominee, shall be Secretary to the Committee. The Secretary is not a member of the Committee.

6. Cheating Sub-Committee of Research Degree Board

- 6.1 Membership of the Committee will be:
- The Chair of Research Degrees Board or nominee (Chair)
2 other members of the Research Degrees Board
- 6.2 No member of the Committee shall have been involved in the decision to refer the matter to the Committee or have prior knowledge of the case.
- 6.3 The Secretary to the Research Degrees Board will be Secretary to the Sub-Committee. The Secretary is not a member of the Committee.

7. Attendance of the Student at the Hearing

- 7.1 The student will be notified the date and the time of the meeting at least five working days in advance of Committee meeting and all parties will receive copies of all documents which will be relied on at the hearing. The student may submit written evidence.
- 7.2 The student has the right to be present at the meeting of the Committee.

7.3 The student and the staff representative may ask any member of staff or other student to appear as a witness at the hearing. The Secretary of the Committee must be notified in advance of witnesses to be called; in complex cases, written statements of witnesses may be submitted in advance.

7.4 The student or nominee may be accompanied by a representative, who must be a member of the University, i.e.:

7.4.1 a registered student

7.4.2 a member of staff

7.4.3 a member of staff of the Union of Students (which shall include the sabbatical officers)

The role of the representative will be to support and advise the student and to help them to present their case

7.5 The meeting may proceed in the absence of a student who has indicated an intention to be present or has never responded to communications provided that the Committee feels it has sufficient evidence available to consider the case and that the student has been given sufficient notice of the meeting. . Meetings may take place in person or using audio or video conferencing.

7.6 The format of the meeting shall normally be as follows:

- a) Private meeting of the Committee.
- b) Student, and his or her representative, and the Department-representative (normally the Academic Integrity Tutor) are invited to join the meeting.
- c) The Chair will summarise the procedure to be adopted and ask if there are any procedural questions.
- d) The facts relevant to the case will be introduced by the Chair.
- e) The Department representative will state the case against the student
- f) The Committee may then question the Department representative
- g) The student will be invited to make an initial statement on the case and be given an opportunity to comment on the Department's statement.
- h) The Committee may then question the Student
- i) The Department representative will be given an opportunity to comment on the Students statement.
- j) The student and his or her companion may then make a final statement.
- k) The student, his or her companion and the Department representative will then be asked to withdraw.
- l) Private meeting of the Committee.

7.7 The Committee may call for any additional evidence in order to arrive at a decision and may, in exceptional cases, ask another member of staff or another student to attend the hearing.

7.8 Burden of proof

The Committee will work within the following principles in deciding whether or not cheating has taken place or has been intended:

- 7.8.1 Members of the Committee must be secure in their belief that cheating has occurred based upon the evidence presented.
- 7.8.2 Members of the Committee are only concerned with the the actions of students and not their intentions
- 7.8.3 The consequences for the student of being found guilty of cheating should not be a factor for the Committee in evaluating the evidence and making its decision.
- 7.8.4 Every reasonable attempt should be made to ensure that the Committee has no prior knowledge about the student's record on the course, whether this is to the student's advantage or disadvantage, except where such information has been provided by the student. This would include any former accusations or confirmations of the student having cheated; their mark profile, attendance record, etc.
- 7.8.5 Students may make available to the Cheating Committee any information about their previous record on the course which they wish to draw to the attention of the Committee.

7.9 Record of the meeting

- 7.9.1 The formal minute of the Committee shall record those present and in what capacity present, the nature of the allegation, the decision of the Committee, any penalty imposed and the rationale for the penalty.
- 7.9.2 The minute shall be confidential except for the monitoring carried out, and the anonymity of those against whom the charge of cheating was not proven shall, so far as possible, be preserved.

7.10 Notification of the Committee's decision to the student

The student will be informed orally of the Committee's decision on the day of the meeting; and will be sent written confirmation of the decision within 5 working days after the meeting.

Notification to the student shall:

- 7.10.1 State the facts found
- 7.10.2 Identify the main issues and the conclusions to each of them
- 7.10.3 Make clear the basis for the final decision

In cases where an allegation is confirmed a copy of any decision taken will be noted on

the student record system

7.11 Notification of the Committee's decision to the Board of Examiners

When a student has been found guilty of cheating, the Secretary of the Committee shall notify the Board of Examiners (or the Research Degrees Committee as appropriate) of the decision and of the penalty imposed.

8. Penalties within the remit of the cheating committee

8.1 There must be consistency and fairness across the University in the penalties agreed by Cheating Committees.

8.2 The penalty should reflect the seriousness of the cheating offence.

8.3 In determining the seriousness of the offence, the Cheating Committee should take into account the following factors:

8.3.1 the scale and extent of the cheating

8.3.2 Disciplinary conventions of the subject area

8.3.3 any exceptional mitigating circumstances supported by appropriate evidence

8.3.4 previous offences of cheating

8.4 The record of the meeting should give the penalty, and the rationale for applying that particular penalty so that fairness and consistency can be ensured.

8.5 Before deciding the penalty, the Committee will be informed of any previous offences and any record of learner incompetence.

8.6 In a few cases, the Cheating Committee will decide that learner incompetence more accurately reflects the nature of the offence than cheating. In such cases, the Cheating Committee will not pursue the allegation of cheating further but will apply the normal penalty in cases of learner incompetence identified above.

8.7 Where, after full examination of all evidence, a Cheating Committee has decided a student has cheated they shall apply one of the penalties below. In cases where a student continues to attempt to mislead the committee the committee may impose a more severe penalty.

8.7.1 A mark of zero to be awarded for the module concerned. The student will fail the module and be required to re-take it. The student will also lose credit in a minimum of one additional module up to the value of the module in which cheating occurred. The penalty will normally be applied to the most recently completed module(s). The mark(s) after re-assessment shall be capped at the minimum pass grade/mark. Compensation cannot be applied to these modules/credits.

This will be the normal penalty for a first offence.

Where a student is subject to an externally imposed professional code of conduct, action may be required under the code concerned. Where a student is found to have cheated and is required as a result to attend for an additional period(s) any bursary will be suspended for the period of additional attendance.

- 8.7.2 A mark of zero to be awarded for the module(s) concerned. Compensation cannot be applied to the module(s). Re-assessment permitted; mark on reassessment capped at the minimum pass grade/mark.

This penalty should be imposed where the Committee has accepted that the student has exceptional mitigating circumstances or where the offence is a minor one.

- 8.7.3 The student will fail the module. The student will also lose credit in a minimum of one additional module up to the value of the module in which cheating occurred. No re-assessment permitted. Registration terminated and hence withdrawal from the programme required.

This penalty should be applied to a second or a very serious first offence including an offence at postgraduate research level.

9. Procedures for Appeal

- 9.1 A student may appeal against the decision of an AIT, the Cheating Committee or Sub-Committee of RDB on the following grounds:
- 9.1.1 that procedures have not been correctly followed
 - 9.1.2 that the penalty imposed is too severe having regard to the nature of the offence and the guidance
 - 9.1.3 that there is significant new evidence which could not have been made available to the Committee at the time of the hearing.
- 9.2 Appeals against the decision of an AIT should be made in writing to the Chair of the Cheating Committee with 10 working days of the written decision of the AIT.
- 9.3 On receipt of an appeal, the Chair of the Cheating Committee shall decide if there are clear grounds, and shall either:
- 9.3.1 refuse the appeal, or
 - 9.3.2 refer it to the Committee for consideration.
- 9.4 Appeals against the decision of the Committee or against the Chair of the Cheating Committee who decides to refuse an appeal should be made in writing within 10

working days of receipt of the written decision to the Deputy Vice Chancellor. Appeals under 9.1.3 are not time limited.

9.5 On receipt of an appeal, Deputy Vice Chancellor (or nominee) shall decide if there are clear grounds, and shall either:

9.5.1 refuse the appeal

9.5.2 refer it back to the Committee for reconsideration, or

9.5.3 constitute a new Committee.

9.6 Where the decision of the Deputy Vice Chancellor or the Committee is to uphold the original decision the letter to the student will draw attention to the individual's right to refer the matter to the Office of the Independent Adjudicator.

10. Annual Report to Representations Committee

10.1 An annual report of investigations of cases of alleged cheating and their outcomes will be made to the Representations Committee.

10.2 A report from the AIT should be included in the annual report of the relevant course/subject.

11. Advice and Support

11.1 If you have any queries in respect of this Procedure, please contact the Complaints and Appeals Officer or the Examinations and Assessment Officer, Registry Services.

11.2 The University recognises that a student suspected of cheating can be stressful. Students are therefore advised to seek advice and guidance from the Students' Union.

Note: Where these Procedures state that certain actions will be taken within a specified timescale and this is not possible (e.g. because of the timing or because key information takes longer to obtain, parties will be kept fully informed of the progress of their case.

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Revision History

Committee	Date	Change
Academic Board v2.2	12 October 2011	Minor changes and revisions: Fake Referencing added; meetings can take place other than in person and an amendment to the standard penalty.
Academic Board v2.1	6 July 2011	Membership of the cheating committee changed to read '2 members of academic staff' (5.4)
Academic Board v2.0	7 July 2010	Significant amendments to the procedures including a change away from seeking to determine the intention of a student to the actions of a student and the introduction of AITs to manage penalties associated with learner incompetence.
Academic Board v1.1	26 April 2006	All cases of Learner Incompetence to be reported the Appeals and Complaints Officer added (3.4).
Academic Board		New procedure Approved