

02 February 2012

**Request for amendment to the Code of Practice on Misconduct and Fitness to  
Practice Committees**

**Purpose of Paper**

1. APRC is asked to **consider**, and if thought appropriate, **approve** an in-year amendment to the Code of Practice on Misconduct and Fitness to Practice Committees

**Proposal**

2. That the Code of Practice is amended as follows (additions underlined and emboldened):

*6.1 .1 For students on taught programmes of study, or students on research-based programmes of study, where the cheating or plagiarism takes place on a taught module taken as part of that programme:*

*(a) the examination or assessment mark obtained to stand; or  
(b) the mark obtained in the examination or the assessment may be downwardly adjusted to an appropriate level (to reflect the actual contribution of the student), including an award of zero. Should this lead to failure of the module, a further attempt at passing the module shall be permitted, with the overall module mark awarded capped at the pass mark. Any such further attempt shall be taken:*

- (i) at the next available opportunity; or  
(ii) at a time specified by the Committee;*

*{ **except** where the offence occurs in a supplementary examination in which **case** the mark from the original assessment shall not stand **and only under exceptional circumstances shall a further attempt at passing the module be permitted** };*

**Background and Consultation**

3. This amendment was raised following a College Misconduct Committee, of which Professor Jeff Bale was the Chair. Consultation on this amendment has been undertaken with the Assistant Director Registry (Operations) and Legal Services.

**Argument to Support Proposal**

4. Currently, 6.1.1 (b) contains two pieces of information that appear to create a loophole, namely that:
  - a) Should adjustment of the mark to 0 result in failure of a module, the student should be given a further attempt at passing the module;
  - b) Where the offence occurs in a supplementary exam the mark from the original assessment shall not stand.

As a result of these clauses, a situation may arise whereby a student cheats in a supplementary exam, has their mark adjusted to 0, and, if this results in the failure of the module, could then be given another chance to pass the module. This goes against the spirit of this piece of legislature, as this undermines the decision of the Committee to award a 0, and in effect, provides no motivation for the student not to cheat in a supplementary examination.

5. It is also acknowledged, however, that there are some exceptional cases where, for personal reasons or extenuating circumstances, it may not be appropriate for the student to fail the module, particularly if this results in the failure of the entire programme of study (for example on a Masters programme). It is felt that the option should be there for the Committee to grant a further attempt at passing the module, but that it be made clear that this is only to be given under exceptional circumstances.

Nina Morris  
Academic Policy Officer  
Registry