



**North Warwickshire  
& Hinckley College**

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Part of North Warwickshire and South Leicestershire College

# **Assessment, Misconduct and Appeals Policy 2019**

North Warwickshire and South Leicestershire  
College

Vice Principal - Quality

# Contents

## Assessment, Misconduct and Appeals Policy 2019

1. Introduction
2. Definition
3. Related Policies, Procedures and Documents
4. Rationale
5. Core Principles
6. Equality Analysis
7. Implementation - Assessment
8. Implementation - Misconduct and Appeal
9. Monitoring and Review

## Appendices

1. Assessment Misconduct Procedure
2. Assessment Appeals Procedure

# Assessment, Misconduct and Appeals Policy 2019

## 1. Introduction

- 1.1 North Warwickshire & South Leicestershire College is committed to providing high quality teaching and support.
- 1.2 This Policy which is part of the College's quality assurance framework, sets out the principles which will enable the College to quality assure the learning process and make effective and equitable judgements relating to the assessment of students' work of students'. It incorporates principles which relate misconduct and appeal.
- 1.3 Assessment misconduct is defined as all practices that enable a student to obtain an unfair assessment advantage over other students. Such practices include, but not exclusively, plagiarism, cheating, collusion and other forms of assessment misconduct by any student or member of staff relating to College assessed work.
- 1.4 All students are entitled to appeal against an assessment decision or grade in accordance with the College procedure which complies with the requirements of relevant awarding bodies and the regulatory authority of Ofqual. The purpose of this policy and procedures is to provide staff and students clear and comprehensive instruction on how to appeal against an assessment decision.
- 1.5 The Policy is fully aligned with the College's Learning, Teaching and Assessment Strategy, to promote an equivalence of experience and standard for all College students, and to ensure all students are treated equitably and assessed according to awarding body national standards.
- 1.6 The Policy is sensitive to the needs of subject areas, statutory body requirements and takes account the requirements of partners, guidance and governance.
- 1.7 The Policy does not cover the situation in respect of external examinations where relevant awarding body policies and procedures will apply.

## 2. Definition

- 2.1 'Assessment' is the practice and procedures which allow the College to quality assure the learning process and make effective judgements relating to the success of individual students. It includes all College assessed work which contributes towards external awarding body assessment decisions;
- 2.2 'Assessment misconduct' is any practice or behaviour which enables a student to obtain an unfair assessment advantage over other students. Such practices or behaviours include, but are not exclusively, plagiarism, cheating, collusion or other forms of unacceptable behaviour by any student or member of staff relating to College assessed work.
- 2.3 'Assessment appeal' is the procedure that enables every student to appeal against any internal assessment of his / her work impartially, consistently and transparently in accordance with the grounds for appeal.
- 2.4 'College' is North Warwickshire and South Leicestershire College.

## 3. Related Policies, Procedures and Documents

- 3.1 Standards Moderation Procedures;
- 3.2 Internal Verification Procedures;
- 3.3 External Verification Procedures;
- 3.4 Learning Support Policy;

- 3.5 Malpractice and Maladministration Policy;
- 3.8 Equality Scheme;
- 3.9 Quality Improvement Strategy;
- 3.10 Learning, Teaching and Assessment Strategy;
- 3.11 Other policies, procedures and documents may be identified from time to time as circumstances change and may be added to this list.

#### **4. Rationale**

- 4.1 The College must meet its obligation to ensure that its assessment and appeals practice and procedures are carried out in accordance with national standards and awarding body requirements.
- 4.2 The College seeks to maintain the integrity of its assessment procedures and to give any member of staff or student affected a fair opportunity to respond to any allegation of assessment misconduct.
- 4.3 The College believes that each and every student has the right to appeal against an assessment decision if he / she feels the decision inequitable.

#### **5. Core Principles**

- 5.1 Assessment shall be fair, honest, open and free from discrimination of any kind.
- 5.2 The College supports the quality assurance process and shall ensure that the requirements of the NVQ Code of Practice and /or all awarding body requirements are followed.
- 5.3 The roles and responsibilities of lecturers, assessors, internal verifiers and external verifiers are recognised as being essential to the delivery and quality assurance of all programmes.
- 5.4 Occupationally competent and qualified assessors and internal verifiers shall be responsible for the delivery of competence based programmes.
- 5.5 Satellite systems and procedures shall follow those of the main centre.
- 5.6 All forms of assessment misconduct are unacceptable, are not allowed, and are subject to disciplinary regulations.
- 5.7 Students have the right to appeal against an assessment decision if he/she thinks a decision is unfair. Assessment appeals shall be made in accordance with the College's published appeals procedure which shall apply to assessment decisions made wherever College students are taught.
- 5.8 Internal verification on competence based programmes shall conform to the relevant Code of Practice, the College's quality standards and other relevant policies.
- 5.9 All proposed assessments shall meet the demands of the appropriate national standard.
- 5.10 Assessments awarded to students shall be fair and meet the appropriate national standard.
- 5.11 Assessment shall be accurately recorded and tracked throughout a programme of study.
- 5.12 Students shall be made aware of the College's assessment, misconduct and appeals policy, process and procedures including penalties at the earliest stage of their programme.

## **6. Equality Analysis**

- 6.1 By virtue of the provisions of the Equality Act 2010 (and subsequent amendments), the College has a duty to have due regard to the need to:
- i. eliminate unlawful discrimination, harassment and victimisation and other prohibited conduct;
  - ii. advance equality of opportunity between people of different groups;
  - iii. foster good relations between people from different groups.
- 6.2 In implementing this Policy and associated procedures, the College will actively take these aims into account as part of its decision making process and will demonstrate how this has been undertaken.
- 6.3 Where necessary a full equality impact assessment will be undertaken.

## **7. Implementation - Assessment**

- 7.1 The procedures associated with assessment are co-ordinated by the Quality Team which reporting directly to the Vice Principal - Quality.
- 7.2 The Quality Team consists of staff with sufficient authority to monitor the effectiveness of the Policy.
- 7.3 Implementation of the core principles is at programme team level where the assessment of competence based programmes shall conform to the National Code of Practice reflected in the College's quality standards. Assessment of non-competence based programmes should conform to the College's quality standards.
- 7.4 The role of the lecturer/assessor is to ensure that students:
- i. are fully briefed on assessment methods, procedures and appeals;
  - ii. have access to an individual learning and assessment plan;
  - iii. who have learning difficulties and/or disabilities are supported in both internal and external assessment procedures to ensure they have an equal opportunity to succeed;
  - iv. work is assessed regularly and fairly using the relevant national standards;
  - v. regularly receive oral and/or written constructive feedback using awarding body criteria/grading procedures;
  - vi. assessment outcomes are recorded using appropriate documentation.

## **8. Implementation - Misconduct and Appeal**

- 8.1 The process and procedures associated with assessment misconduct are managed by the Vice Principal - Quality, supported by specialist members of the Quality Team which consists of staff with appropriate expertise to advise on, and monitor, assessment misconduct issues.
- 8.2 Implementation of the core principles shall be at programme team level, where initially the relevant teacher or Learning and Skills Manager with the teacher/assessor will investigate instances of suspected assessment misconduct.
- 8.3 The teacher or manager will consult with the Quality Team and Vice Principal - Quality when investigating moderate or serious cases of assessment misconduct.
- 8.4 Directors are expected to ensure that all team members, dealing with alleged assessment misconduct or appeal process, adhere to the relevant procedure.
- 8.5 The Quality Team will support teachers and managers dealing with alleged cases of assessment misconduct and conduct of the appeals process.

## **9. Monitoring and Review**

- 9.1 Monitoring of the implementation of the assessment policy is undertaken at a variety of levels.
- 9.2 Awarding body representatives shall scrutinise the Policy and associated procedures to ensure that national guidelines are followed. Awarding body assessment audits will be undertaken and the resulting reports shall be scrutinised by the Vice Principal - Quality and followed up by the Quality team.
- 9.3 The Vice Principal - Quality is responsible for monitoring the process of all formal assessment appeals.
- 9.4 Directors and members of the Quality Team will ensure that all incidents of misconduct and formal assessment appeals adhere to the relevant procedures.
- 9.5 This Policy will be reviewed every three years, or as otherwise directed by the Principal, College policy or legislative changes.

## Appendix 1

### Assessment Misconduct Procedure parts A, B and C

**Part A:** Action to be taken by staff if assessment misconduct is believed to be proven or if it is **admitted** by the student.

Procedure for minor misconduct	Examples of minor cases of assessment misconduct	Possible courses of action in minor cases
<p>1. The teacher/assessor should arrange a meeting with the student to hear his/her comments. The member of staff should determine the level of seriousness and consider the appropriate action as shown.</p> <p>2. In all cases a note of the allegation, outcome and action taken should be recorded on the students file.</p>	<p>1. Receiving undue help in good faith because instructions have been misunderstood.</p> <p>2. Copying one to two sentences or using someone else's diagrams.</p> <p>3. Copying small amounts of text from books without direct acknowledgement, but which does not make a significant contribution to the overall work.</p> <p>4. Downloading from the internet without acknowledgement, using another's electronic storage device or copying work from another's electronic storage device.</p> <p>5. Using another's artwork.</p> <p>6. Failing to acknowledge the source of a small section of an assignment.</p> <p>7. Infringing the policy when the assessed work does not contribute to final grade.</p>	<p>1. Discuss the incident with the student in a tutorial.</p> <p>2. Warn the student about future conduct.</p> <p>3. Return work to be re-done and resubmitted for marking.</p> <p>4. If this has happened before, refer directly to a second stage interview.</p> <p>5. Inform the examining body, in line with their procedures.</p> <p>6. Inform external examiners/verifiers in line with examining body's procedures.</p>

Procedure for moderate misconduct	Examples of moderate cases of assessment misconduct	Possible courses of action in moderate cases
<p>1. The teacher/assessor should arrange a meeting with the student to hear his/her comments. The member of staff should determine the level of seriousness and consider the appropriate action as shown.</p> <p>2. In all cases a note of the allegation, outcome and action taken should be</p>	<p>1. Copying from books without acknowledgement which has the effect of making a significant contribution to the overall work.</p> <p>2. Limited plagiarism from professional work (not course books).</p> <p>3. Limited copying of other candidates work (hard copy or from an electronic storage device), or excessive help within one piece of work.</p> <p>4. Limited downloading of information from the internet.</p>	<p>1. Reduce the assessment grade in line with awarding body guidelines.</p> <p>2. Withdraw the right of the student to resubmit an assessed piece of work in line with Awarding Body guidelines.</p> <p>3. Refer the case immediately to a second stage interview (at the discretion of the investigating member of staff). This will be with the curriculum area leader who will recommend an appropriate sanction.</p>

<b>Procedure for moderate misconduct</b>	<b>Examples of moderate cases of assessment misconduct</b>	<b>Possible courses of action in moderate cases</b>
recorded on the students file.	5. The use of model answers downloaded from the internet. 6. In the situation where the assessed work contributes to final grade. 7. Repeated minor cases.	4. Notify the examining body, in line with their procedures. 5. Inform external examiners/verifiers in line with examining body's procedure

<b>Procedure for serious misconduct</b>	<b>Examples of serious cases of assessment misconduct*</b>	<b>Possible courses of action in serious cases</b>
1. The teacher/assessor should arrange a meeting with the student to hear his/her comments. The member of staff should determine the level of seriousness and consider the appropriate action as shown.  2. In all cases a note of the allegation, outcome and action taken should be recorded on the students file	1. Extensive copying of textbooks in one piece of work or limited copying in two or more pieces of work which makes a significant contribution to the work/s. 2. Extensive plagiarism of professional works (more than 100 words). 3. Buying, selling or stealing of work. 4. Repeated evidence of extensive use of information from the internet without acknowledgement. 5. Using model internet answers. 6. Using past candidates' work from the previous years. 7. Undue help form outside of the centre. 8. Repeated moderate cases.	1. Award zero achievement. 2. Withdraw the right of the student to resubmit work for assessment. 3. Disqualify the student from the course. 4. Recommend expulsion of the student from the College. 5. Inform the examining body, in line with their procedures. 6. Inform the external examiners/verifiers, in line with their procedures.

\* Please note these are examples of misconduct and not an exhaustive list of actions that could be deemed as misconduct.

**Part B:** Action to be taken by staff if assessment misconduct is **not proven yet still suspected** or if the **misconduct is proven, yet not admitted** by the student

Procedure	The Process	Possible Outcomes
<p><b>Minor Misconduct:</b> 1<sup>st</sup> Stage Interview in minor cases</p> <p>A note of the allegation, outcome and action taken should be recorded on the students file.</p>	<ol style="list-style-type: none"> <li>1. Interview will be chaired by the Academic Co-ordinator and attended by relevant teacher/assessor/s and student.</li> <li>2. Written notice of the nature of interview and allegations should be sent to the student prior to the interview, notifying the individual that he/she can bring a friend or relative.</li> <li>3. The incident is discussed with the student, with the evidence and location(s) in the student's work being identified.</li> <li>4. The student is questioned, to test knowledge of the work.</li> <li>5. The student has an opportunity to explain</li> <li>6. The tutor listens to each case carefully and make a decision.</li> </ol>	<ol style="list-style-type: none"> <li>1. No assessment misconduct has taken place and the work remains assessed as it stands.</li> <li>2. The student accepts that assessment misconduct has taken place and is allowed to redo and resubmit the work and is awarded the minimum pass mark. A verbal warning is issued.</li> <li>3. The student accepts that assessment misconduct has taken place and accepts a reduced mark. A verbal warning is issued.</li> <li>4. The student denies assessment misconduct has occurred and a second stage interview is necessary.</li> <li>5. The College informs external examiners, in line with their procedures.</li> <li>6. The College informs external examiners/verifiers in line with the examining board's procedures.</li> </ol>
<p><b>Moderate Misconduct:</b> 1<sup>st</sup> stage interview in moderate cases</p> <p>A note of the allegation, outcome and action taken should be recorded on the students file.</p>	<ol style="list-style-type: none"> <li>1. The interview will be chaired by the Academic Co-ordinator and attended by the relevant teacher/assessor/s and student.</li> <li>2. Written notice to the student of the nature of the interview and the allegations should be sent prior to the interview, notifying him/her that they can bring a friend or relative.</li> <li>3. The incident is discussed with the student, with evidence and the location/s in the student's work identified.</li> <li>4. The student is questioned to test knowledge of the work.</li> <li>5. The student has an opportunity to explain.</li> <li>6. The tutor listens to each case and makes a decision.</li> </ol>	<ol style="list-style-type: none"> <li>1. No assessment misconduct has taken place and the assignment remains marked as it stands.</li> <li>2. The student accepts that assessment misconduct has taken place and is allowed to redo and resubmit the work and is awarded no more than the minimum pass mark. A formal written warning is issued and if the offence is repeated, this constitutes misconduct, requiring an automatic second stage interview.</li> <li>3. The student accepts that assessment misconduct has taken place and according to the circumstances, may be referred by the tutor to a second stage interview with the head of the department who</li> </ol>

Procedure	The Process	Possible Outcomes
		<p>will recommend an appropriate sanction.</p> <ol style="list-style-type: none"> <li>4. The student denies assessment misconduct has occurred. A second stage interview is required.</li> <li>5. The College informs external examiners, in line with their procedures.</li> <li>6. The College informs external examiners/verifiers in line with the examining board's procedures.</li> </ol>
<p><b>Serious Misconduct:</b> 1<sup>st</sup> stage interview in serious cases</p> <p>NB. Prior to the interview the programme leader should complete a written report.</p> <p>A note of the allegation, outcome and action taken should be recorded on the students file.</p>	<p>A report made by programme leader who will institute disciplinary procedures.</p> <p>Student attends a 1<sup>st</sup> Stage Interview:</p> <ol style="list-style-type: none"> <li>1. Chaired by curriculum area leader, attended by relevant teacher/assessor and student.</li> <li>2. Written notice to student of nature of interview and allegations should be sent prior to the interview, notifying them that they can bring a friend or relative.</li> <li>3. Incident discussed with evidence and location in student's work of plagiarism.</li> <li>4. Student is questioned, to test his/her knowledge of the work.</li> <li>5. The student has an opportunity to explain.</li> <li>6. The tutor listens to each case carefully and makes a decision.</li> </ol>	<ol style="list-style-type: none"> <li>1. No academic misconduct has taken place and the assignment remains marked as it stands.</li> <li>2. The student accepts that assessment misconduct has taken place and is referred to a second stage interview with the College Curriculum Manager who will recommend an appropriate sanction.</li> <li>3. The student accepts that assessment misconduct has taken place. A zero grade in the exam/test module is given, or the assessed work is not awarded a grade. Neither a re-sit, nor re-doing and re-presenting coursework is allowed.</li> <li>4. The student denies assessment misconduct has occurred and a second stage interview is required.</li> <li>5. The College informs external examiners/verifiers in line with the examining board's procedures.</li> </ol> <p>In all cases, a note of the allegation(s), outcome and action taken will be recorded on the student's file. Students should be aware that notes on a student's file might be drawn on, in the event of the College being asked to provide a reference for the student.</p>

**Part C: Action to be taken by staff in all cases where a second stage interview is recommended**

Procedure	The Process	Possible Outcomes
<p>2<sup>nd</sup> Stage Interview.</p> <p>A note of the allegation, outcome and action taken should be recorded on the students file.</p>	<ol style="list-style-type: none"> <li>1. Chaired by relevant College curriculum manager and attended by programme leader assessing teacher and student.</li> <li>2. Written notice is sent to the student stating the allegations, a summary of the evidence, the time and place and possible outcomes, and allowing them to bring a friend or relative.</li> <li>3. Copies of any documents, which will be considered or relied upon by any of the parties, should be disclosed to the student with the written notice if possible but in any event at least three clear days before the interview.</li> <li>4. A formal record of the interview is made, with the assessing teacher presenting the case and allegations of academic misconduct.</li> <li>5. The student states their case.</li> <li>6. The relevant college curriculum manager or other member of staff as appropriate questions the student to test their knowledge of the work.</li> <li>7. The relevant College curriculum manager reaches a decision.</li> </ol>	<ol style="list-style-type: none"> <li>1. No assessment misconduct has taken place and the assignment is marked as it stands.</li> <li>2. The assessor's decision is upheld and the work is assigned a zero mark and the Awarding Body is informed.</li> <li>3. The student is found in breach of the Code of Conduct and a recommendation for expulsion is made in writing.</li> <li>4. The College informs relevant Awarding Body in line with their procedures</li> <li>5. The College informs external examiners/verifiers if appropriate.</li> </ol>

## **Appendix 2**

### **Assessment Appeals Procedure (3 stages)**

#### **Procedures**

##### **Stage 1: Review with the Assessor**

- 1.1 In the first instance the student wishing for a review of an assessment decision should speak to the assessor. The assessor should give a full explanation of the assessment process and how the grading was determined.
- 1.2 Following the discussion the assessor may if he/she considers it appropriate, give the student the opportunity to re-submit work by an agreed deadline, providing that this is within the constraints of the Awarding Body.
- 1.3 If the student is not satisfied with the explanation, the assessor should ensure that the student has a copy of the Assessment, Misconduct and Appeal's Policy, knows the names of the staff who may be involved and is aware of the Student Support Services available.
- 1.4 A written record of the outcome at the review, dated and signed by both parties should be placed in the student's file.

##### **Stage 2: Independent Re-Assessment of Work**

- 2.1 If the student is not satisfied with the outcome of Stage 1 they should within 5 working days of receipt of the outcome of Stage 1, speak to the Learning and Skills Manager, requesting a re-assessment of the work. A written record of the request, dated and signed should be placed in the student's file.
- 2.2 Within 10 working days of receipt of the request, the re-assessment should take place. The re-assessment should be done by the Internal Verifier and a second assessor.
- 2.3 A written record of the agreed assessment, giving as full an explanation as possible should be signed by the Internal Verifier and second assessor. A copy should be given to the student and a further copy placed in the student's file.

##### **Stage 3: Appeal**

- 3.1 If the student is not satisfied with the outcome of Stage 2, he/she should within 5 working days of receipt of the outcome of Stage 2, lodge an appeal with the Director of Apprenticeships. A copy of the appeal shall be placed in the student's file.
- 3.2 The Director of Apprenticeships should inform the External Verifier or Moderator that an appeal against assessment has been made.
- 3.3 The Director of Apprenticeships should arrange for a panel of two people to hear the appeal, neither of whom has been previously involved in earlier stages. The panel should meet to hear the appeal within 10 working days of the appeal being lodged.
- 3.4 The panel should consider all the evidence, including the original assessment and re- assessment. The student may be accompanied. The assessor will give their evidence to the panel followed by the student's appeal. The panel may wish to call the second assessor and Internal Verifier.
- 3.5 A signed and dated record of the decision of the panel should be given to the student within 5 working days of the meeting and a further copy placed in the student's file.

##### **Stage 4: Further Action**

- 4.1 If the Student is dissatisfied with the outcome of Stage 3, he/she may use the College Complaints procedure or use the relevant Awarding Bodies Appeals/complaints procedure
- 4.2 Contact the Relevant Regulatory Authority Ofqual <http://www.ofqual.gov.uk>. *It would not be normal practice to involve an External Verifier or Moderator in Assessment Appeals except to give advice*

**Appendix 3**  
**Candidate Appeals Forms**

**CANDIDATE APPEAL**

Name of Candidate .....

Name of Assessor.....

Name of Internal Verifier .....

Date of Assessment.....

Unit(s) Assessed.....

**STAGE 1 ASSESSOR COMMENTS**

ASSESSMENT DETAILS

CANDIDATE'S REASONS FOR APPEAL

Candidate's signature ..... Date .....

Assessor's signature ..... Date .....

ASSESSOR DECISION

Date appeal received .....

Date of reply .....

**STAGE 2**

**ASSESSOR'S COMMENTS AND DECISION**

Candidate's signature ..... Date .....

Assessor's signature ..... Date .....

**INTERNAL VERIFIER'S COMMENTS**

Internal Verifier's signature ..... Date .....

Date appeal received .....

Date of reply .....