



ACADEMIC ADVICE

ALLEGATIONS OF CHEATING

What is classed as cheating?

Senate Regulation 11 includes the following definition of cheating:

“Cheating involves actual, or attempted deception and/or dishonest action in relation to any academic work of the University.”

Examples of cheating include, but aren't limited to:

- Taking any unauthorised material, paper or equipment into an examination. This includes notes in any form, mobile telephones, unauthorised models of calculator and other electronic devices (e.g. smart watches, tablets).
- Talking or communicating with another students during an exam.

What happens if I'm suspected of cheating?

If you're suspected of cheating, the allegation will be referred to the relevant Authorised Officer, who will then investigate the allegation, and request further information and evidence if necessary.

If it's deemed that there's a case to answer, you'll be informed of the allegation in writing by the Academic Registrar, who will also provide you with the evidence, and invite you to make a written response to the allegation. You may also be invited to attend a meeting to discuss the allegation.

You'll be given a deadline to submit your response by, and if you don't respond within this time, a decision will be made without taking your side of the story into account.

How do I respond to an allegation of cheating?

If you're asked to make a written submission about the allegation to the Academic Registrar, you need to produce a written response which explains what has happened from your perspective. Be honest in your account, explaining how the situation came about, and if the cheating wasn't intentional make this clear.

If you're required to attend a meeting, it will be attended by another a member of staff, who will be taking notes, and may also be attended by members of staff relevant to the case. You can take a friend or representative with you as support.

In this meeting you'll be given the opportunity to explain what has happened. You may be asked a series of questions about the situation which you'll be expected to answer. Try not to worry if they appear to be asking the same question more than once, or in a different way – they just want to make sure that they get as much detail as possible. Again, be honest in your account, and be prepared to discuss how the alleged cheating came about from your perspective.

If you have mitigating circumstances that are relevant to the case, you should also present these in your written response or meeting, along with any evidence you may have. Try to explain what the mitigating circumstances are, when they occurred, how you were impacted by them, and how they may have contributed to the cheating allegation.

Whether or not you attend a meeting, you'll need to submit your written response by the given deadline.

What happens next?

Once your response has been received, and a meeting has taken place if necessary, the evidence will be considered and a decision will be made.

There are three possible outcomes of an investigation into cheating. These are:

1. That there is no case to answer, meaning the case will be dismissed.
2. That there is evidence of student misconduct, so a penalty will be imposed.
3. That there is evidence of an offence for which the Authorised Officer cannot impose an appropriate penalty, OR that the case is too complex to resolve without a full hearing. In this situation the case will be referred to a Student Discipline Panel.

If it's found that you've committed multiple incidents of cheating, this will be considered a repeat offence and will be referred to the Student Discipline Panel immediately.

You will be informed of this decision normally no more than five working days after the deadline for your written response.

What happens at a Stage One Discipline Panel hearing?

If your case is referred to a Panel hearing at Stage One, you'll be informed in writing and will be asked to appear before the Panel. You will be given no less than five working days' notice of this meeting.

Before the hearing you can submit a written statement and any supporting evidence and mitigating circumstances to the Secretary to the Panel, which will be made available to the Panel. If you wish you can also call for witnesses to give evidence at the hearing, as can the Panel. All parties will have the chance to ask the witnesses questions, through the Chair of the Panel. You may also be accompanied to the meeting by a friend or representative as support.

The hearing will be held in closed session, and according to Senate Regulation 11.106, will proceed as follows:

- The person (if any) presenting the case against the student shall set out the allegations and evidence in the case, answer questions from the Panel and student, and may call witnesses;
- The student (or person representing him or her) shall respond to the disciplinary charge(s) against him or her, answer questions from the Panel and the person (if any) presenting the case against him or her relating to the case, and may call witnesses;
- The Panel may call any witnesses not called by the other parties;
- The presentation of any closing statement by the person (if any) presenting the case against the student;
- The presentation of any closing statement by the student (or person representing him or her).

A decision will then be made according to the evidence presented, and you'll be informed of the decision, and the reasons for this decision, in writing, usually within five working days of the hearing. This will also be forwarded to your Head of Department, Personal Tutor, the Authorised Officer, and the person presenting the case against you (if any).

What are the penalties for cheating?

According to Senate Regulation 11.139, when deciding the penalty, the Academic Registrar will determine whether the circumstances of the incident make the breach of regulation more or less severe and impose one of the following penalties:

- **For first offences of cheating in examinations, either (i)** a mark of zero is assigned to the piece of work in question and to the associated module; a reassessment may be awarded where permitted under the Regulations for progression purposes only; in modules above level 1, the mark of zero may not be excluded from any calculation for the classification of an award.
- **OR (ii)** a mark of zero is assigned to the piece of work in question and a re-assessment is permitted for a capped module mark.
- **For a second offence of cheating** in an exam, the student will be referred to a Senate Student Discipline Panel.
- **For other breaches of the examination regulations** the Academic Registrar can apply either penalty (i) or (ii), or another appropriate penalty, which may include a reduction in the mark given for the piece of work in question.

When deciding the penalty, the Academic Registrar will take into account your mitigating circumstances, if any.

How do I challenge a penalty?

If you want to appeal a Stage One decision you can do so at Stage Two by submitting a Student Discipline Appeal form. This must be submitted within 10 working days of notification of your Stage One decision.

When appealing a Stage One decision you must demonstrate your grounds for appeal. The grounds fall under six categories:

- **Evidence of procedural irregularities** in the conduct of the Stage One investigation.
- **Evidence not fully considered** at Stage One.
- **Evidence of prejudice or bias** in the conduct of the Stage One investigation.
- That the **decision is unreasonable**
- That the **penalty given is excessive**.
- **Evidence of new mitigating circumstances**, where there is good reason that it could not be put forward at Stage One.

On the form you must complete your personal details, select your grounds for appeal, and explain your case. You will need to demonstrate your reasons for appealing on these grounds in as much detail as possible, and provide evidence of such. You should also state whether you're appealing the finding, the penalty, or both. If appealing under mitigating circumstances, you will also need to explain why you weren't able to provide such evidence at Stage One.

Once you've completed the form you will need to submit it, to be received by the deadline, to the Secretary to the Senate Student Discipline Committee, along with your evidence. Their email address is studentconduct@le.ac.uk or it can be posted to:

Secretary to the Student Conduct Group
Quality Office
Fielding Johnson Building
University of Leicester
University Road
Leicester
LE1 7RH

If you're unable to meet the deadline, you will need to state why on your appeal form. The Secretary will then review your appeal to establish whether there is good reason for it being submitted late.

What happens next?

You'll be contacted within five working days of submitting your appeal to confirm that it has been received. It will then be referred to the Chair of the Senate Student Discipline Committee, who will assign a 'designated member' from the Committee to review your case. This member will have had no prior involvement with your case.

The designated member will then review your appeal, and any documentation relevant to 'Stage One', and make a decision. They may determine one of three outcomes:

1. That your appeal does not demonstrate enough new evidence, complexity or uncertainty to warrant a full hearing, and that the Stage One decision should stand. In this case your appeal will be dismissed, and there will be no further opportunity to appeal.
2. That there is clear evidence of procedural irregularity at Stage One, or that the penalty was excessive. In this situation, action will be taken to remedy the procedural irregularity, or the penalty will be reduced. There will be no further chance to appeal, unless procedural irregularity took place at Stage Two.
3. That there is enough new evidence, complexity, and/or uncertainty for the case to require a full hearing.

You'll be informed of the outcome within 15 working days of your appeal being received, with reasons for the initial Stage Two decision.

What happens before a panel hearing?

Before the hearing, with at least 5 days' notice, you'll receive a written summons stating:

- The nature and grounds of your appeal.
- The date, time and place of the hearing.
- The mode and membership of the Panel.
- The name of the person (if any) who will present the case against you, and if possible, the names of witnesses who are expected to attend the hearing.
- Information on the hearing process and order.
- Notice that previous and new evidence may be considered.
- The right of the Panel to proceed in your absence, or to determine that the appeal is abandoned, if you fail to attend the hearing.
- Confirmation on whether the Panel will consider any additional evidence.

A friend or representative can attend the hearing with you as support, and if deemed necessary the Authorised Officer may also attend to present the case against you. The Chair of the Panel can also request any written information they feel is relevant to the case, and if you wish you can submit a written statement about the allegations, or any supporting evidence, to the Secretary to the Appeal Panel, before the case.

You, the Chair, and anyone presenting a case against you can also nominate witnesses to attend the meeting, and the Chair will decide whether to accept the nominations.

If you wish to submit any written information, nominate a witness, or take a friend or representative with you, you must inform the Secretary as soon as possible.

What happens at a panel hearing?

There are several stages to a panel hearing. Firstly, you'll be given the opportunity to present your appeal, and evidence. You will then be asked questions by the Appeals Panel, and if there is one, the person presenting the case against you.

If there's a person presenting a case against you, they will be next to present their case, and will also be subject to questions, from the Appeals Panel and from you.

After this, the Appeals Panel can call any witnesses who haven't yet been called.

The person presenting the case against you will then give their closing statement, and you will then give yours.

What happens next?

You'll be informed of the outcome of the hearing, with reasons for the decision, within five working days. This will come from the Secretary to the Appeals Panel, and will be in writing.

There are several potential outcomes of a Stage Two appeal, these being:

- Confirmation of the Stage One decision.
- Substitute the Stage One penalty with a lower one.
- Find that you were guilty of a lesser offence, and impose a lesser penalty as a result.
- Overturn the decision entirely and remove the penalty.
- Determine that a new hearing should take place.

The Student Discipline Appeal Panel outcome concludes the University's internal procedures. As a result of this you will be issued with a 'Completion of Internal Procedures' letter. This notifies you of your right to submit a complaint to the [Office of the Independent Adjudicator \(OIA\)](#).

You will have 12 months from the date on your Completion of Procedures letter to submit a complaint to the OIA, however we recommend that you send it as soon as possible, as it can take the OIA several months to consider a complaint.

What can the Advice Service do for me?

[Advice Service](#) (formerly known as Education Unit) – Here in the Advice Service we provide advice on academic, housing and signposting issues.

If you want to talk through your cheating allegation, one of our advisors can discuss the situation with you, and explain anything you are unsure of.

We can also help you establish what you need to talk about in your response to the Academic Registrar, and check through your account before you submit it.

If you decide to attend a meeting to discuss the allegation, one of our advisors can attend the meeting with you as moral support, and can take notes during it. We can also meet with you beforehand, to help you prepare for the meeting, and discuss any next steps afterwards.

At Stage Two, we can advise you on how best to put your case across via your appeal form, and we can check through it for you before you submit it, and provide you with some feedback on how to improve it. We can also assist with working out what evidence to attach.

For a Panel Hearing, we're able to advise you on how to present your case to the Panel, including helping you to work out what to say, what evidence (if any) you need to attach, and helping you call any witnesses. As above we can also attend the hearing with you as moral support.

If you're unhappy with the response to the Stage Two Appeal, and you wish to submit a complaint to the OIA, we can also help you through this process.

Feel free to get in touch with us via our [contact form](#), and we will then get back to you within 2 working days to offer you an appointment, or provide further advice.

Opening hours are 10am-4pm, Monday to Friday.

If your query is urgent you can contact us on advice@le.ac.uk or +44 (0)116 223 1132/1184/1109.

Due to the COVID-19 outbreak, the Advice Service is now closed and will not be offering any face to face meetings or drop-ins. We will still be advising via email and can arrange video calls and phone calls if required. Information about our service changes is available [here](#).

Who else can I speak to about allegations of cheating?

The following people and services may be able to provide more information and support with cheating allegations:

- **Quality Office** – If you have any queries about a Panel Hearing, or about your Student Discipline Appeal, the Quality Office (in particular the Secretary to the Senate Student Discipline Committee) may be able to assist. Contact them on qualoffice@le.ac.uk or call 0116 252 2605.
- **Academic Skills Centre** - The Academic Skills Centre provides one-to-one help, advice and online resources for University of Leicester undergraduate and masters students. Email studyhelp@le.ac.uk or visit their website to book an appointment.
- **AccessAbility Centre** - The AccessAbility Centre offers support and practical help for students with dyslexia or other specific learning difficulties; physical, mental health or mobility difficulties; and deafness or visual impairment. To find out if they can offer you support, contact them on accessable@le.ac.uk or call +44 (0)116 252 5002.

Useful Links

- [Senate Regulation 11](#): Regulations governing student conduct and discipline
 - 11.106 Regulation on Academic Misconduct (page 13)
- [University's information about Student Discipline Appeals](#)
(The Discipline Appeal form can be found at this page)
- [Senate Regulation 8](#): Regulations governing examinations
- [Office of the Independent Adjudicator \(OIA\)](#) webpage

leicesterunion.com/advice

Advice Service

advice@le.ac.uk

0116 223 1132/1184/1109



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