



## Calendar 2010-11

### UNIVERSITY FEES AND GENERAL INFORMATION FOR STUDENTS

Contents		Page
1	Registration .....	2
2	Sponsio Academica - University Oath .....	2
3	Personal Data .....	3
4	Students with Disabilities .....	4
5	Annual Fees .....	5
6	Awards and Loans for Undergraduates .....	6
7	Discretionary Funds .....	6
8	Awards from The Student Hardship Fund .....	6
9	The Carnegie Trust for The Universities of Scotland .....	6
10	Degree Examination Enrolment - Undergraduate, Diploma and Other Courses .....	7
11	Transcript Charges .....	7
12	Graduation and General Council Membership .....	7
13	Payment of Monies Due to the University .....	7
14	Recreation Fee .....	7
15	Prizes, Bursaries, Fellowships and Scholarships .....	7
16	Code of Assessment for Undergraduate and Taught Postgraduate Programmes .....	7
17	Instructions to Candidates on their Conduct in Written Examinations .....	21
18	Use of a Computer in an Examination .....	21
19	Use of Dictionaries by Students in Examinations .....	22
20	Use of Electronic Calculators by Students in Examinations .....	22
21	Invigilation .....	22
22	Rules of Invigilation .....	22
23	Appointment of External Examiners for Taught Courses at Undergraduate and Postgraduate Level .....	24
24	Examination and Other Assessment Arrangements for Students with Disabilities .....	25
25	Code of Practice for Special International Examination Arrangements .....	27
26	Code of Procedure for Appeals by Students Against Academic Decisions .....	27
27	Code of Procedure for Appeals to a College Appeals Committee .....	29
28	Code of Procedure for Appeals to the Senate Appeals Committee .....	33
29	Complaints Procedure .....	38
30	Regulations and Code of Conduct for Use of Information Technology Facilities in the University of Glasgow .....	45
31	Plagiarism Statement .....	49
32	Code of Student Conduct .....	51
33	Fitness to Practise .....	59
34	Procedure for Determining Fitness to Practise .....	59
35	Code of Practice on Unacceptable Behaviour .....	68
36	Procedure for Investigating and Resolving Allegations of Research Misconduct .....	70
37	Governing Law .....	70
38	Copyright Regulations .....	71
39	Statement on Alcohol, Drugs and Substance Misuse .....	71
	Index to this Section .....	72

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The information contained in this *University Calendar*, particularly that relating to regulations, programmes and fees, was correct at the time of going to press in August 2010 but it is subject to alteration without notice. Most programmes will be available but if you wish to confirm information, you should contact the Secretary of the relevant College.

## SUBORDINATION TO LAW

The University's authority to regulate its degrees and other awards is subject to the law of Scotland and of the United Kingdom. Thus, for example, while provision may be made in degree regulations for retaking examinations, or for other assessment later than the normally first occurring opportunity for assessment, the availability of such provision may be constrained by law governing the candidate's attendance at the University.

### 1 REGISTRATION

1.1 In this context, 'registration' is exactly synonymous with the term 'matriculation' which is to be found in previous editions of the *University Calendar* and other authoritative sources. Similarly, 'register' and 'registered' equate to 'matriculate' and 'matriculated'.

1.2 Every student of the University must register each year and pay the fees appropriate to his or her programme of study or research in the University, or in an Institution recognised by the University Court on the recommendation of the Senate, or in a College associated with the University. A registered student shall be entitled to the use of the Library and to the exercise of a vote in the election of a Rector.

1.3 In completing the registration process the student undertakes to observe the *Sponsio Academica* and the Copyright and Personal Data regulations, published below.

1.4 A person elected to any student office in respect of which the Senate agrees that the incumbent may interrupt his or her course of study or research is deemed to be a registered student.

#### Students in Continuing Education and Preparatory Courses

1.5 Students in continuing education enrolled on non-credit bearing courses and those on preparatory courses are not normally eligible for registration as students of the University. The Senate does, however, recognise for the purpose of registration, credit-bearing courses which, though not of a qualifying standard for any degree or equivalent award of the University, are offered for students preparing for subsequent admission to qualifying courses of the University.

#### Timetables of Teaching and Assessment

1.6 Teaching will normally be conducted between the hours of 8.30 a.m. and 6.00 p.m. Mondays to Fridays. Exceptionally certain class meetings may be timetabled outside these hours, including but not restricted to evening class and weekend courses offered by Adult & Continuing Education and other School field trips and study abroad.

1.7 Formal assessment examinations will, as far as possible, and with the exception of Adult & Continuing Education, be conducted between the hours of 8.30 a.m. and 6.30 p.m. Mondays to Fridays. However, examinations may be timetabled to end later than 6.30 p.m. Mondays to Fridays or to take place on Saturdays.

#### Limitation of Admission to Qualifying Courses

1.8 The Senate reserves the right to refuse admission to any particular qualifying course because of restricted facilities either of accommodation or of teaching or for such other reason as in the opinion of the Senate requires it to do so.

#### Application of Regulations

1.9 Regulations published in the *University Calendar* shall normally apply, unless explicit provision is contained therein to the contrary, only to students commencing a programme of studies or research later than the date on which the regulations became effective. Any student commencing a programme of studies or research earlier than that date shall be subject to the regulations in place when he or she began that programme unless regulations, including the current regulations, introduced at a later date are considered, after consultation with the student, to benefit the student.

## 2 SPONSIO ACADEMICA – UNIVERSITY OATH

2.1 Ego, in Universitate Glasguensi studens, sancte polliceor me Senatus mandata secundum leges Universitatis exsequi et auctoritati eius obtemperare. Repromitto etiam praestaboque operam et diligentiam meam et in discendo et in aliis proficiendi occasionibus utendo non defuturam.

Translation:

I, a student in the University of Glasgow, solemnly promise that I will fulfil the requirements of the Senate in accordance with the regulations of the University and I will conform to its discipline. Furthermore, I accept that I am responsible for commitment to, and engagement in, my learning and in other opportunities for my personal development.

### 3 PERSONAL DATA

#### 3.1 Processing of Personal Data

The University holds, collects and processes information about its students (current and former), applicants and potential applicants. This information (which includes personal data) may include images and personal, academic, financial and disability information. This information is used for various academic, administrative, management, pastoral, and health and safety reasons.

Students, applicants and potential applicants (together "Data Subjects") will be asked to provide and confirm their personal data and academic details with the University. By providing/confirming this information the Data Subjects consent to the University holding, collecting and processing such information.

The information provided by Data Subjects is processed in accordance with the University's Notification with the Information Commissioner under the Data Protection Act 1998 (the "Act"). This Notification is a public document and can be viewed at the Information Commissioner's website ([www.ico.gov.uk](http://www.ico.gov.uk)).

The information provided by Data Subjects may be disclosed to certain third parties (detailed below at §3.2) in order to meet a statutory obligation, in accordance with the University's Notification, or in accordance with the terms of the Act.

Some of the information processed by the University is "sensitive personal data" (as defined in the Act); this includes information on racial or ethnic origin, political opinions, religious or other beliefs, physical or mental health or conditions (including disability), sexual orientation or criminal records.

#### 3.2 Disclosure of Personal Data

Data Subjects' personal data may be accessed by the University's employees, agents, contractors, and its service providers, who will only process this information in accordance with the Act and those University instructions, regulations and contracts. Such third-parties include:

- a) authorised Officers of the Students' Representative Council (SRC) for the purpose of verifying the registration status of proposed SRC Officer Bearers; and
- b) authorised Officers of the Glasgow University Union and the Queen Margaret Union for the purpose of managing their membership.

Personal data may also be accessed by other third parties (or their agents) where there is a legitimate interest in them receiving such information. Such third parties include:

- a) Student sponsors, for example, the Student Loan Company, funding organisations and embassies;
- b) Professional bodies, for example, the Law Society of Scotland, General Medical Council;
- c) Relevant Government Departments to whom the University has a statutory obligation to release information, for example, Council Tax Department, UK Border Agency of the Home Office for purposes connected with immigration, the police, and benefit or tax inspectors;
- d) potential employers or providers of education who have been approached by Data Subjects;
- e) work placement sites or other educational partners involved in joint/collaborative course provision, for example, students studying medicine, dentistry, education, and veterinary medicine;
- f) Relevant and authorised third parties where the transfer of personal data is necessary in order to protect the vital interests of another person where consent by or on behalf of the Data Subject has been unreasonably withheld;
- g) An academic transcript for each international student, attending the University through the Study Abroad programme, will be sent to their home institution;
- h) electoral registration officers;
- i) Higher Education Statistics Agency (HESA) approved research surveys into student attitudes, progress and other social and financial circumstances including the National Student Survey and, in the case of graduates, the DLHE graduate destinations longitudinal survey; and
- j) law enforcement agencies.

In emergency situations the University may provide emergency contact details and other appropriate information to those relevant authorities dealing with the emergency.

The University reserves the right to release appropriate and relevant information to a parent or guardian or sponsor of a student to ensure payment of any fees due to the University.

Disclosure to third parties not listed above will be made only where there is a legitimate interest, in accordance with the Act, and the consent of the Data Subjects will be sought where necessary.

### 3.3 Other use of data by the University

#### 3.3.1 Alumni

The information provided by students may be used for the purpose of alumni operations and, in the case of graduates, for publication of the General Council Register (under legal statute) when a student leaves the University.

When a student leaves the University, appropriate data is kept as a permanent record to enable the University, if necessary, to provide references on a student's behalf, or to maintain a record of a student's achievements.

#### 3.3.2 Display of Data

Schools and Colleges of the University may display personal data relating to their students, including the Data Subjects' name and registration number, on notice boards and the Intranet to provide information about seminar and tutorial groups, class test and examination results, and other essential information that has to be communicated to students. If an individual student objects to personal data being displayed in this manner, it is his or her responsibility to contact the relevant School.

#### 3.3.3 Graduation Ceremonies

Graduands, guests and staff attending should be aware that graduation ceremonies are regarded as public events. Names and Colleges of Graduands (including those graduating *in absentia*) are published in the graduation programme. Audio and visual images of the ceremony are publicly available via: the sale of videos of the ceremony; a live 'on-campus' video link-up; and a live 'worldwide' broadcast of the ceremony via the Internet.

Students' images are captured at registration and at Graduation Ceremonies in accordance with the conditions set out in §3.1 above and §3.7 below. With these exceptions, the University may take photographs, and other images, of students for possible use in University publicity and promotional material. It is the responsibility of the student to specify to the photographer that he or she should not be included in such photograph(s), or other images, at the time that the photograph, or other image, is taken.

#### 3.3.4 Contact Information

Contact information for each student, such as postal and e-mail addresses and phone numbers, may be used by the University to provide important information related to attendance at the University.

### 3.4 IT Facilities

All registered students will be allocated an email address and this email address, with other identifying information about students, will be displayed on the University's Intranet. Students may request that this information is not displayed in this way by contacting the Computing Service Help Desk.

All registered students will also be issued with a student ID card that will be used by students to gain access to appropriate University facilities.

A student is able to check that the information recorded about him or her in the University's central Student Records System is correct and where appropriate update this, using the University's online registration system, WebSURF. Further details about WebSURF can be found at [www.websurf.gla.ac.uk](http://www.websurf.gla.ac.uk).

The University operates CCTV and similar equipment to monitor safety and security, and may monitor telecommunications, data communications, and other communications as permitted by the relevant legislation and University regulations.

The University's IT regulations expressly prohibit the use of the University's IT equipment & infrastructure to access, to attempt to access, or to distribute material of a criminal, offensive or pornographic nature. Breaches will be subject to investigation and may result in disciplinary action and, in the event of contravention of law, referral to the police.

### 3.5 Plagiarism Detection

The University reserves the right to use plagiarism detection systems, which may be externally based, in the interests of improving academic standards when assessing student work. These systems involve the processing of basic personal data when work is uploaded. This includes an individual's name, e-mail address, and course details. The University shall preserve student confidentiality on any external systems e.g. *Turnitin* and will not identify student authors or release any student material held on such databases to any external party.

## 4 STUDENTS WITH DISABILITIES

### Guide for Students with Disabilities

4.1 Guidelines for students with disabilities (including dyslexia, chronic medical or mental health conditions, sensory impairments and access difficulties) can be found on the University website at [www.glasgow.ac.uk/disability](http://www.glasgow.ac.uk/disability). Details of examination and other assessment arrangements for students with disabilities can be found in Section 24.

### Students with Dyslexia or other Specific Learning Difficulties

4.2 If students know they have or believe they may have a specific learning difficulty such as dyslexia, either before or during their University career, they should make contact with the Disability Service at the earliest opportunity. The Service is in temporary accommodation until April 2011 – at 69 Southpark Avenue, Glasgow, Glasgow G12 8LE. The Disability Advisers can give advice on procedures and provision at the University for students with dyslexia. It will be necessary for students to obtain an up-to-date full assessment carried out by a Chartered Educational Psychologist accredited by the British Psychological Society. The Advisers can arrange for this to be carried out. There is a substantial fee for this, but in most cases the University can provide some financial assistance.

4.3 It is essential that the recommendations arising from the dyslexia assessment should be discussed with the Disability Service who will pass on this information to the relevant Adviser of Studies and Disability Coordinators<sup>1</sup> as soon as possible and before Registry's deadline for exam arrangements for disabled students.

### Statement on HIV Infection

4.4 A statement on HIV infection is available for consultation by students and others in the College offices.

## 5 ANNUAL FEES

5.1 The fee payable for Session 2010-11 can be found on the University website at [www.gla.ac.uk/services/registry/fees/](http://www.gla.ac.uk/services/registry/fees/). The fee is for registration, for tuition, for the use of laboratories and for one entry to the examinations appropriate to the course. It also includes, in the case of full-time students (but not for students of Associated Institutions), Students' Union fees and fees for recreational facilities.

### Payment

5.2 **All fees are payable on Registration.** Details of methods of payment are obtainable from the Registry. Students who do not meet their obligation to pay tuition fees at the commencement of their attendance may incur interest charges on the fees outstanding at a rate determined annually by the Head of the Registry.

5.3 **No student who has not registered and arranged payment of fees shall be permitted to continue in course after 31 October, except with the written permission of the Head of the Registry. Such permission may be withdrawn in the event of any breach in the written conditions laid down by the Head of the Registry. The Head of the Registry reserves the right to withhold publication of the examination results of students in breach of these written conditions.**

5.4 Students who register late are liable to pay a late fee of £10 and are not guaranteed a clash-free examination timetable.

5.5 Students who have obtained permission, or are required, to withdraw from the University during the course of a Session may apply to the Registry for a refund of tuition fees. Details of the refund policy are published on the University website at [www.gla.ac.uk/services/registry/fees/refund/](http://www.gla.ac.uk/services/registry/fees/refund/).

### Definition of an International Student for Fee Purposes

5.6 In accordance with *The Education (Fees and Awards) Regulations, 1983* (as amended), higher (international) levels of fee are payable by students who do not have a 'relevant connection' with the United Kingdom.

5.7 Students who have a 'relevant connection' will be charged the home levels of fee. In order to establish this 'relevant connection', certain elements are required, as follows:

- a) the student has been ordinarily resident in the UK throughout the three year period preceding 1 September, 1 January or 1 April closest to the beginning of the first term of his or her course; **and**
- b) the student has not been resident therein, during any part of that three-year period, wholly or mainly for the purpose of receiving full-time education; **and**
- c) **any international applicant who satisfies the ordinarily resident criteria in (a) and (b) must also have settled status in the United Kingdom (i.e., there must be no restriction on the length of stay in the UK).**

Conditions (a), (b) and (c) must be satisfied in order that the student may establish the 'relevant connection', and be liable for the home level of fee.

5.8 Excepted Students. There are certain categories of 'excepted students' who, although they do not have a 'relevant connection' with the UK are liable to pay only the home rates of fee. These include:

refugees recognised in the UK, their spouses and children

persons granted exceptional leave to remain or enter as the result of an asylum application, their spouses and children

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<sup>1</sup> All Schools have an appointed Disability Coordinator (DC). The job description for the role of Disability Co-ordinator can be found at [www.glasgow.ac.uk/disability/informationforstaff](http://www.glasgow.ac.uk/disability/informationforstaff).

a national of the EU<sup>2</sup> or a national of a British<sup>3</sup> or EU Overseas Territory<sup>4</sup>, or a family member of either, meeting residence requirements in the EEA<sup>5</sup>, Switzerland or the EU overseas territories

reciprocal exchange students

EEA migrant workers in the UK, their spouses and children

Further details regarding the definition and exceptions can be provided by the International & Postgraduate Service on request, or reference made to the Regulations referred to above.

5.9 The fee paying status of a student determined at the time of admission to a degree programme will not change during the duration of that programme, apart from circumstances where legislation requires that the status be changed, such as the award of refugee status.

## 6 AWARDS AND LOANS FOR UNDERGRADUATES

6.1 Details of awards and loans for Scottish and fee payments for EU undergraduates may be obtained from the Student Awards Agency for Scotland (Gyleview House, 3 Redheughs Rigg, Edinburgh, EH12 9HH). Undergraduates from England, Wales and Northern Ireland should contact their relevant 'studentfinance' website for information.

## 7 DISCRETIONARY FUNDS

7.1 The Government has made limited funds available to universities and other institutions of higher education to provide financial help to students who face financial hardship. Funds are available to assist with accommodation and childcare costs. Mature and independent students may also apply. This fund is available to both full time and part time undergraduate and postgraduate students. Further information about these funds is available from the Registry (Financial Aid Team). See also [www.glasgow.ac.uk/studentfinance](http://www.glasgow.ac.uk/studentfinance).

## 8 AWARDS FROM THE STUDENT HARDSHIP FUND

8.1 Awards or loans of varying value can be made to students (both undergraduate and postgraduate) of the University who find themselves in severe financial difficulty and who have exhausted all other sources of financial support.. Students registered for a degree of the University but studying at an Associated Institution such as the Glasgow School of Art or the Scottish Agricultural College are not eligible to apply.

8.2 Application should be made on the relevant form which is available, with further details, from: The Registry (Financial Aid Team), Fraser Building, University of Glasgow. See also [www.glasgow.ac.uk/studentfinance](http://www.glasgow.ac.uk/studentfinance).

## 9 THE CARNEGIE TRUST FOR THE UNIVERSITIES OF SCOTLAND

### Assistance with the Payment of Fees

9.1 The scheme derives from the intention of the Trust founder, Andrew Carnegie, 'to render attendance at the Universities of Scotland and the enjoyment of their advantages more available to the deserving and qualified youth of Scotland to whom the payment of fees might act as a barrier'. Application can be made only in respect of study at one or other of the Scottish Universities and, in all cases, courses of study acceptable for Trust support must be directly connected with the acquisition of a *first* degree from a Scottish University.

9.2 Information concerning the conditions of award of assistance, and application forms, may be obtained from the Secretary and Treasurer, the Carnegie Trust for the Universities of Scotland, Cameron House, Abbey Park Place, Dunfermline, Fife KY12 7PZ.

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<sup>2</sup> Currently: Austria, Belgium, Bulgaria, Cyprus, Czech Republic, Denmark, Estonia, Finland, France (including the overseas Departments of Guadeloupe, Martinique, French Guiana, Reunion), Andorra, Monaco, Germany, Hungary, Greece, the Republic of Ireland, Italy, San Marino, Latvia, Lithuania, Luxembourg, the Netherlands, Poland, Portugal, Romania, Slovakia, Slovenia, Spain (excluding the Canary Islands), Sweden, and the United Kingdom.

<sup>3</sup> British Overseas territories are Anguilla, Bermuda, British Antarctic Territory, British Indian Ocean Territory, British Virgin Islands, Cayman Islands, Ducie and Oeno Islands, Falkland Islands, Gibraltar, Montserrat, Pitcairn, South Georgia & the South Sandwich Isles, St. Helena & Dependencies (Ascension Island and Tristan de Cunha) and Turks & Caicos Islands.

<sup>4</sup> EU Overseas Territories are Aruba, Faroe Islands, French Polynesia, French Southern and Antarctic Territories, Greenland Henderson, Mayotte, Netherlands Antilles (Bonaire, Curacao, Saba, St. Eustatius and St. Marten), New Caledonia and Dependencies, St. Pierre et Miquelon and Wallis and Futuna Islands.

<sup>5</sup> The EEA also includes Iceland, Norway (including Svalbard) and Liechtenstein.

## 10 DEGREE EXAMINATION ENROLMENT – UNDERGRADUATE, DIPLOMA AND OTHER COURSES

10.1 Students who have registered and enrolled in courses of the University are deemed to be entered once for the degree examinations appropriate to those courses. Students who have to resit an examination are required to enrol for this. No resit enrolment fee is charged.

10.2 Students who are eligible by virtue of previous attendances to sit degree examinations must enter for the examinations at the normal registration period at the beginning of the session and pay a fee in lieu of registration.

## 11 TRANSCRIPT CHARGES

11.1 Students requiring a transcript of a complete or partially complete curriculum or the issue of special certificates of student status or performance pay a charge on a scale fixed annually by the Head of the Registry.

## 12 GRADUATION AND GENERAL COUNCIL MEMBERSHIP

12.1 All candidates proceeding to graduation after examination who are not already members of the General Council are required to enrol as members of the Council and pay the membership fee.

12.2 Graduands are required to enrol for Graduation within the enrolment period. Details may be obtained from the Registry or at

[www.glasgow.ac.uk/registry/students/graduations/index.html](http://www.glasgow.ac.uk/registry/students/graduations/index.html)

12.3 Once a student has graduated from the University he or she is deemed to have accepted the recommendation of the Board of Examiners and hence an appeal from that student in connection with the award of the Degree will not be entertained.

## 13 PAYMENT OF MONIES DUE TO THE UNIVERSITY

13.1 No person shall be permitted to register as a student of the University, graduate or to receive any degree, diploma or other qualification conferred by the University, unless all arrears of fees for tuition and residence, and any other sums due to the University, have been paid<sup>6</sup>. While the Registry will provide such a person, on application, with an informal statement of examination results, it will be unable to furnish an academic transcript; nor will the Registry provide any official letter or certification of any document to verify details of their period of study. Notwithstanding the foregoing, the University will fulfil its obligations under the Data Protection Act (1998).

## 14 RECREATION FEE

14.1 The Sport and Recreation Service (SRS) offers access to state-of-the-art facilities and a comprehensive range of services at two sites within Glasgow, the Stevenson Building (Gilmorehill) and Garscube Sports Complex (West of Scotland Science Park). There is a small annual fee for all students who wish to use the facilities of the SRS. All full time students for whom fees are paid to the University are entitled to use the Student Union and other related facilities provided by the University.

## 15 PRIZES, BURSARIES, FELLOWSHIPS AND SCHOLARSHIPS

15.1 Details of the University's Prizes, Bursaries, Fellowships and Undergraduate Scholarships are available on the Senate Office website at [www.glasgow.ac.uk/services/senateoffice/prizes](http://www.glasgow.ac.uk/services/senateoffice/prizes).

## 16 CODE OF ASSESSMENT FOR UNDERGRADUATE AND TAUGHT POSTGRADUATE PROGRAMMES

The Code of Assessment is governed by Resolution No. 564 of the University Court which came into effect on 1 October 2003. The effects of subsequent amending Resolutions are incorporated in the Regulations below.

These Regulations are reproduced in the online [Guide to the Code of Assessment](#) where they are accompanied by commentary and examples.

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<sup>6</sup> Fees are deemed to have been paid to the University only after funds have cleared.

**General**

16.1 Each approved course<sup>7</sup> contributing to an award of the University shall have a credit rating based upon the notional learning hours required for its completion, and determined in accordance with the Scottish Credit and Qualifications Framework (SCQF)<sup>8</sup>. Regulations governing awards of the University may express the criteria for making such awards directly or indirectly in terms of accumulated credit points. The minimum requirement for the award of credits is addressed in §16.40 - §16.44 below.

16.2 Each such course will incorporate a scheme of assessment which:

- (a) assesses candidates' performance against the intended learning outcomes of the course;
- (b) includes an appropriate combination of formative and summative elements;
- (c) deploys forms of assessment appropriate to the intended learning outcomes of the course, taking due account of its credit rating;
- (d) where re-assessment is provided for in the degree regulations, makes provision for the re-assessment of candidates in accordance with the regulations;
- (e) may be changed only through procedures approved by Senate;
- (f) may be varied exceptionally in a given session in response to specific circumstances subject to the approval of the Clerk of Senate;
- (g) is as far as practicable anonymous.

16.3 The scheme will be implemented in accordance with the following requirements:

- (a) the scheme shall be fully described in the School Instructions issued in written or electronic form to all students enrolled in the course (at the beginning of the course, or as soon as practicable thereafter), with particular regard to dates, deadlines and formats of required work, weights of components of the assessment scheme, the method of marking (e.g. single marking, blind double marking, etc.), procedures for informing students of results and the returning of work, requirements for progression in the relevant programme and provisions for appeal;
- (b) due notice shall be given of dates, times and places of written and oral examinations and other assessment events;
- (c) appropriate provision shall be made for candidates with a formally recognised permanent or temporary disability in consultation with a Student Disability Adviser (see Section 24);
- (d) candidates shall be supplied with relevant information on assessment criteria and on schemes for grading, classification and aggregation.

16.4 The scheme shall describe how candidates will receive feedback to guide their subsequent learning. That feedback may include the outcomes of summative assessment. Where these are provided they will be provisional until they are confirmed or amended by the appropriate Board of Examiners.

16.5 Where an examination at Honours level involves two or more subjects, the way in which the results of individual papers or units of assessment are to be aggregated, averaged or profiled to produce an overall classification of the degree should be agreed either when the degree is approved or by the time the written papers are set.

**Provision for Reassessment**

16.6 In §16.7 - §16.8 below, the 'threshold grade' shall, unless otherwise specified in the regulations for a particular programme, be:

- (a) for undergraduate programmes, grade D;
- (b) for programmes governed by the generic regulations for taught masters degrees, grade C.

16.7 A candidate who, by the end of the course, has failed to attain the threshold grade in that course shall normally be afforded the opportunity described in §16.8 below to improve that assessment result. There shall be no such opportunity in respect of courses which contribute to the candidate's honours classification except where permitted under the regulations governing a particular award; in such cases the original grade only shall contribute to the honours classification.

16.8 A candidate who has failed to attain the threshold grade shall, subject to the provision of §16.9 below, normally be permitted not more than one further attempt at each component of the assessment in which a grade lower than the threshold grade has been awarded. A second further attempt shall not be available as a matter of right but may be permitted at the discretion of the College responsible for the programme in accordance with its policies and procedures which shall be published in the relevant course documentation.

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<sup>7</sup> The term 'course' refers to a self-contained unit of study on a particular topic with defined level, credit value, aims, intended learning outcomes, mode(s) of delivery, scheme of assessment and possibly also pre- and co-requisites.

<sup>8</sup> Information about the SCQF may be obtained at: [www.scqf.org.uk/](http://www.scqf.org.uk/)

16.9 A candidate's right under §16.8 to a second opportunity to submit coursework for assessment may be constrained by the nature of the coursework, the context in which it may be generated, the feasibility of its being regenerated, and the integrity of the assessment as a whole. Any such constraint shall be published in the relevant course documentation.

16.10 Where, under §16.45 - §16.53 below, a Board of Examiners is satisfied that a candidate has been prevented by good cause from completing an assessment, that assessment shall not be counted as an attempt made by, or available to, the candidate.

16.11 Where a second or permitted subsequent attempt at an assessment is not available to the candidate until a subsequent academic session, the candidate shall not be entitled to assume that the content of the course will be unchanged, and it shall be the responsibility of the candidate, in conjunction with the School responsible for the course, to make appropriate preparation for that assessment.

16.12 Unless otherwise specified in the regulations for a particular programme, the final grade awarded for a course following reassessment shall be subject to the following provisions:

- (a) for undergraduate programmes, the number of grade points derived from a reassessment shall be not more than 10 and not less than the number of points determined by the grade originally achieved;
- (b) for programmes governed by the generic regulations for taught masters degrees, reassessment results for taught courses shall be capped so that the aggregation score<sup>9</sup> contributing to the final award shall not be greater than 12 and not be less than that achieved at the first attempt; there shall be no capping in relation to reassessment of the dissertation or other substantial independent work.

16.13 Further to §16.7 above, and notwithstanding §16.12 above, a candidate who, by the end of the course, requires an improved assessment result in order to complete a graduating curriculum in that academic session, shall normally be afforded the opportunity described in §16.8 above irrespective of the result obtained on completion of the course. This entitlement shall be limited to courses totalling no more than 60 credit points. On completion of the reassessment, the candidate shall be awarded the number of grade points corresponding to the grade achieved in the reassessment or, if higher, that corresponding to the grade achieved in the original assessment.

### Timing and Duration of Examinations

16.14 Where all or part of a course's scheme of assessment consists of an 'end of course' examination, that examination shall normally be held within the academic session in which the course has been taught.

16.15 The duration of an examination which occurs within the main examination diets, and which forms all or part of a course's summative assessment, is subject to a limit determined by the level at which the course is taught, its credit rating, and the extent to which the examination contributes to the summative assessment of the course as a whole.

16.16 Where more than one such examination for the same course occurs within the main examination diets, the maximum duration prescribed in §16.17 - §16.18, and the references in the same clauses to 'examination', shall apply to these examinations in combination.

16.17 The duration of an examination as defined in §16.15 where it contributes 100% of the course's summative assessment, may not, subject to §16.19, exceed the number of minutes prescribed in Schedule D.

16.18 Where such an examination accounts for less than 100% of the course's summative assessment, the maximum duration of such an examination shall be determined by the product of that percentage (expressed as a decimal fraction) and the number of minutes appropriate to credits and level indicated in Schedule D. Where the result of this calculation is less than 60 minutes, the minimum duration shall be rounded up to 60 minutes and, otherwise, subject to §16.19, the result shall be rounded to the nearest multiple of 30 minutes.

16.19 Where the calculated maximum duration is 60 minutes or 90 minutes, the College in which responsibility for the examination lies may approve an extension of 30 minutes where such an extension is justified by the nature and content of the examination.

16.20 The examination duration determined by these regulations may be allocated to two or more individual examinations which may be 60, 90, 120, or (only in the spring examination period) 180 minutes in length, all of these durations being inclusive of reading time.

16.21 The maximum durations prescribed in §16.17 - §16.19 shall not limit the provision available in §24.7 - §24.9 to allow extra time to examination candidates with disabilities.

### Standards

#### General

16.22 The standard achieved by a candidate in all summative assessments required by a course shall be judged by the relevant Board of Examiners in terms of the candidate's attainment of the stated intended learning outcomes for that course.

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<sup>9</sup> Aggregation scores are aligned with primary grades and secondary bands in Schedule A, and an aggregation score of 12 corresponds with the grade/band C3.

16.23 Judgement shall be expressed in terms of the primary grades and secondary bands set out in Schedule A or in terms of the grades set out in Schedule B below.

16.24 Judgement shall be made through direct reference to the primary verbal descriptors for intended learning outcomes and the primary verbal descriptors for professional practical competence set out in Schedules A and B. Reference shall also be made to such subsidiary information as Schools may prepare to amplify the primary verbal descriptors in terms specific to a particular field of study. Where the outcome of the chosen mode of assessment is a proper percentage score it shall be converted into a primary grade and secondary band by reference to a conversion scheme determined by the Board of Examiners as appropriate for the assessment in question and subordinate to the relevant grade descriptors.

#### **Penalties for late submission of coursework**

*The regulations set out in §16.25 - §16.28 below will apply, notwithstanding the normal provision of §1.9, to all taught students.*

16.25 Deadlines for the submission of coursework which is to be formally assessed will be published in course documentation, and work which is submitted later than the deadline will be subject to penalty as set out below. Where the work in question is a dissertation or other independent work for which, in order to qualify for the degree, a minimum grade is prescribed, the penalty will be discounted for the purpose of determining whether that prescription has been met.

16.26 Except as modified by §16.27 - §16.28, the primary grade and secondary band awarded for coursework which is submitted after the published deadline will be calculated as follows:

- (a) in respect of work submitted not more than five working days after the deadline:
  - (i) the work will be assessed in the usual way;
  - (ii) the primary grade and secondary band so determined will then be reduced by two secondary bands for each working day (or part of a working day) the work was submitted late.
- (b) work submitted more than five working days after the deadline will be awarded Grade H.

16.27 Penalties for late submission of coursework will not be imposed if good cause is established for the late submission in terms of the definitions and procedures set out in §16.45 - §16.53.

16.28 Without prejudice to the regulations governing good cause for late submission of coursework set out in §16.45 - §16.53, a candidate who is unable to submit coursework by the published deadline, or who anticipates being unable to do so, may apply for a deferral of the deadline, or exemption from the penalties set out in §16.26 (a). Any such application will be subject to the following constraints.

- (a) The application will be submitted to, and considered by, the person (normally the course convener) identified in course documentation as responsible for coursework assessment.
- (b) The outcome of the application will be determined at the discretion of the person responsible for coursework assessment who will require to be satisfied that the candidate submitting the application has been prevented by circumstances beyond his or her control from submitting the relevant work on time.
- (c) Deferral of the submission deadline, or exemption from a late penalty, will be commensurate with the duration of the circumstances causing the late submission, and will be subject to a limit of three working days.
- (d) Where the application is not submitted until after the deadline for submission of the work itself, relief from a late penalty will normally be granted only where the circumstances preventing the candidate from submitting work on time have also prevented application for a deferral of the deadline for submission.

#### **Aggregation**

16.29 Where the assessment scheme of a specific course or programme requires aggregation across two or more components to obtain an overall outcome, the aggregation scores set out in Schedules A and B shall be employed.

16.30 Schedule B shall be employed only for the assessment of demonstration of professional competence. The aggregation scores therein shall not be combined with those of Schedule A in the process of aggregation.

#### **Aggregation of Assessments across a Course**

16.31 Aggregation to establish a result for a course shall require the computation of the mean, rounded to an integer value, of the relevant aggregation scores of the component assessments or, where the component assessments yield proper percentage scores, the mean percentage score converted to an integer aggregation score (see §16.29). Where appropriate the computation shall employ weights as specified in the course documentation.

16.32 The primary grade or secondary band to be reported as a result for the course shall be that in Schedule A or B, as appropriate. The primary grade or, in the case of honours and taught postgraduate courses the mean score, shall be carried forward to subsequent aggregation required to determine the programme award (See §16.34 - §16.39.)

**Aggregation of Results of Courses across a Programme**

16.33 Where there is provision for assessment to be split between examination diets, a Board of Examiners shall determine and report the results for the individual components of the programme after each intermediate diet and the overall award after the final diet.

**Undergraduate Non-Honours Programmes**

16.34 The standard obtained by a candidate in each qualifying course of the award expressed as a primary grade shall be converted into grade points, as the product of the grade points per credit set out in Schedule C and the credit rating of the course. The sum of the grade points relating to the qualifying courses comprising the programme shall be divided by the sum of their credit ratings to obtain the Grade Point Average (GPA).

16.35 The regulations of each award shall state

- (a) the minimum GPA required for the award, distinguishing as necessary between GPAs derived from attainment of intended learning outcomes and those derived from demonstration of professional practical competence
- (b) the minimum GPA required for identified categories of the award such as with Merit, Distinction or Commendation or such sub-degree awards as may be made
- (c) limitations on the permitted extent of compensation of performance below the stated minimum for the award in individual components of the programme consequential on the computation of the GPA.

**Honours Degree and Integrated Masters Programmes**

16.36 The mean scores corresponding to the required components of the honours programme shall be summed and an overall mean computed, where appropriate employing weights as specified in the programme documentation, and rounded to one decimal place.<sup>10</sup> Where appropriate, overall means shall be computed separately in respect of assessment relating to Schedules A and B.

- (a) There shall be four classes of honours: first, upper second, lower second and third. A candidate who is not placed in one of the four classes shall have failed the honours programme. (This shall not prevent the award of an unclassified honours degree within the terms of regulation §16.52(d)(i)).
- (b) Where Schedule A alone applies the honours class awarded shall be that shown in Schedule A as having the range of aggregation scores in which the overall mean lies, except that a Board of Examiners shall have discretion as defined in the Notes to the Schedules.
- (c) Where Schedules A and B apply severally to components of an honours programme the honours class awarded shall be the lower of those in the two Schedules in which the corresponding means lie, except that a Board of Examiners shall have discretion as defined in the Notes to the Schedules.
- (d) The weighting of courses for the calculation of an Honours classification for an undergraduate Honours degree should normally follow the credit weighting of those courses in the third and fourth years of the Honours programme. These weightings must be set out in the programme specification.
- (e) The weighting of assessments for the calculation of an Honours classification for an integrated Masters degree should normally give weight to the third, fourth, and fifth years of the programme, with the assessment in the fifth year counting for at least 50% of the calculation. These weightings must be set out in the programme specification, and should normally fall within the range of 10:20:70 to 20:30:50.

**BDS, BVMS and MB ChB Programmes**

16.37 The mean scores corresponding to the required components of the programme shall be summed and an overall mean computed, where appropriate employing weights as specified in the programme documentation, and rounded to one decimal place<sup>10</sup>. Where appropriate, overall means shall be computed separately in respect of assessment relating to Schedules A and B.

- (a) There shall be three categories of award: honours, commendation and pass. A candidate who is not placed in one of the three categories shall have failed the programme.
- (b) The regulations of each award shall state the minimum results in terms of Schedules A and B required for the award and for the individual categories of award.

**Taught Postgraduate Programmes**

16.38 An average grade for the programme shall be determined by summing the scores corresponding to its required components, where appropriate employing weights as specified in the programme documentation, and calculating an overall mean rounded to an integer value<sup>10</sup>. This mean shall be translated to the corresponding grade in Schedule A or B as appropriate, overall means being computed separately in respect of these Schedules.

16.39 The regulations of each award shall state:

- (a) the minimum average grade required for the award;

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<sup>10</sup> A mean score should be rounded in accordance with the following example: 15.65 should become 15.7 whilst 15.64 should become 15.6.

- (b) the minimum grade required in any component or components of the programme, and such limitations on the permitted extent of compensation of performance below such minima;
- (c) the minimum average grade and other criteria required for identified categories of the award such as with Merit or Distinction.

#### Minimum Requirement for the Award of Credits

16.40 References are made throughout §16.41 - §16.44 of these regulations to a candidate's failure to meet fully the submission requirements for his or her assessment in the absence of good cause. The means by which good cause may be determined and the provisions made in circumstances where good cause is established are addressed in §16.45 - §16.53.

16.41 Except as modified by §16.44, the minimum requirement for the award of credits for a course is the submission of at least 75%<sup>11</sup> by weight of the course's summative assessment (including any examinations). Schools may specify further requirements such as monitored attendance at classes and examinations. All such requirements shall be specified by the School concerned, and given to students in writing at the beginning of the course. Where the scheme of assessment for a course permits resits or reassessment, requirements involving submission of assessments or attendance at examinations must be fulfilled by the end of the academic year in which the course is taken subject to an exception in cases where a student misses an assessment with good cause.

#### Non-Honours Courses

16.42 Where the outcome of a course does not contribute to a final honours classification the following procedure shall be adopted. If, in the absence of good cause, a candidate fails to submit at least 75%<sup>11</sup> by weight of the course's summative assessment (including any examinations) by the end of the first assessment diet or fails to comply with other requirements specified in writing by the School, and an opportunity exists to redress this situation by the end of the academic year in which the course is taken, the initial outcome shall be Credit Withheld and no grade shall be calculated. Thereafter:

- (a) Where a candidate has submitted at least 75%<sup>11</sup> by weight of the course summative assessment (including any examinations) and/or has complied with the outstanding requirements for the award of credit by the end of the academic year in which the course is taken, the outcome following reassessment will be calculated in accordance with the scheme of assessment described in the School Instructions.
- (b) Where a candidate has not submitted at least 75%<sup>11</sup> by weight of the course's summative assessment (including any examinations) and/or has failed to comply with the outstanding requirements for the award of credit by the end of the academic year in which the course is taken, no grade shall be calculated and the outcome shall be Credit Refused for that course.

16.43 Where a candidate has failed to comply with any mandatory requirement for the award of credit and this cannot be remedied by the end of the academic year in which the course is taken, no grade shall be calculated and the outcome shall be Credit Refused for that course.

#### Honours Assessment

16.44 Where the outcome of a course contributes to a final honours classification the following procedure shall be adopted. In all cases the references to non-submission are to non-submission in the absence of good cause which is defined in §16.45 (a).

- (a) The extent of submission of honours assessment shall be determined as a percentage of the totality of summatively assessed work, based on the published assessment weightings required by the honours assessment scheme approved by Senate. The calculation of this percentage shall take into account all components of assessment over all courses contributing to the honours assessment, rather than being carried out on a course by course basis.
- (b) If by the end of an honours programme a candidate has:
  - (i) submitted 75% or more of the honours assessment, and
  - (ii) complied with other requirements set out in School Instructions,
 the grade for any course in which he or she has submitted less than 75% of the assessment shall be calculated by awarding a grade H for any missed assessment and the grade for the course calculated in accordance with the scheme of assessment described in the School Instructions. This grade will be used for the purposes of honours aggregation.
- (c) If by the end of an honours programme a candidate has submitted less than 75% of the honours assessment he or she shall be refused credit for any course in which he or she has submitted less than 75% of the assessment.
- (d) Where a candidate has not completed all of the assessment for a course examined before the final year of the honours programme the grade for that course shall be returned as Credit Withheld. On completion of the honours assessment the grade for any such course shall be calculated as above.

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<sup>11</sup> The College Board of Studies may authorise the setting of a higher percentage of submission in which event that higher percentage must be clearly set out in the School Instructions issued to all students enrolled in the course.

## Incomplete Assessment resulting from Good Cause

### Scope and definitions

16.45 For the purposes of §16.46 - §16.53 of these regulations:

- (a) 'Good cause' shall mean illness or other adverse personal circumstances affecting a candidate and resulting in either:
  - (i) the candidate's failure to
    - attend an examination, or
    - submit coursework at or by the due time<sup>12</sup>, or
    - otherwise satisfy the requirements of the scheme of assessment appropriate to his or her programme of studies; or,
  - (ii) the candidate's performance in examination or other instrument of assessment being manifestly prejudiced.

A chronic medical condition shall not itself be considered a good cause although a short-term exacerbation of such a condition might be so judged.
- (b) 'Evidence' shall mean a report descriptive of the medical condition or other adverse personal circumstances which are advanced by the candidate for consideration as amounting to good cause. Such a report should include a supporting statement from an 'appropriate person' as defined in the University's Student Absence Policy<sup>13</sup>. Where the report refers to a medical condition of more than five days' duration the report must be completed by an appropriate medical practitioner.
- (c) The events described in paragraphs (i) and (ii) of paragraph (a) of this regulation shall constitute incomplete assessment.

### Procedure

16.46 Where an incomplete assessment may be the result of good cause, it shall be the responsibility of the candidate concerned to make the circumstances known to the Head of the School responsible for the assessment, and to provide appropriate evidence<sup>14</sup>. Notification later than one week after the examination, or after the date at which submission of the work for assessment was due, shall not be taken into account unless circumstances have prevented the candidate from notifying the Head of School within this time. A candidate may not retract a claim of good cause more than one week after the examination or the date at which submission of work for assessment was due, nor after the date of publication of the results of the assessment, whichever date was earlier.

16.47 The primary responsibility for determining such claims of good cause shall lie with the appropriate Board of Examiners. However, in the event of a meeting of the Board of Examiners not being anticipated until some significant time after the examination or submission date missed by the candidate claiming good cause, the Head of School shall determine the outcome of a claim of good cause in consultation with the relevant Assessment Officer. Any such decisions shall be reported to the Board of Examiners at the next available meeting. Although the Board of Examiners may pass comment on such decisions, it may not overturn a decision where this would cause detriment to the candidate.

16.48 In considering claims of good cause:

- (a) the evidence provided by the candidate claiming good cause, and any relevant and available material submitted by him or her for assessment shall be scrutinised;
- (b) fairness to the individual candidate claiming good cause must be balanced with fairness to other candidates and the integrity of the assessment as a whole;
- (c) in the event of the candidate having failed to attend an examination or examinations, or having failed to submit course material or other work for assessment at or by the due time, it shall be determined whether the failure to attend or submit has been justified by good cause;
- (d) in the event of the candidate having submitted work for assessment by examination or otherwise, it shall be determined whether such work has been manifestly prejudiced by good cause. If such prejudice is established the work affected shall normally be deemed not to have been submitted.

### Outcomes

16.49 Where it is determined that the evidence presented does not support the candidate's claim that he or she was prevented by good cause from attending an examination or submitting work for assessment on or by the due time, the candidate shall be awarded Grade H or equivalent for the assessment or assessments in question. Where it is determined that the evidence presented does not support the candidate's claim that his or her performance in

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<sup>12</sup> §16.26 sets out penalties for late submission of coursework; these will not be applied in the event of good cause being demonstrated. In the event of coursework being submitted not more than three days late as a result of circumstances beyond the control of the candidate, the candidate may apply for exemption from these penalties - see §16.28. If a candidate is so permitted to defer submission of coursework, the 'due time' hereafter in these regulations will be the later time permitted.

<sup>13</sup> The [Student Absence Policy](#) is available online.

<sup>14</sup> In accordance with the Student Absence Policy, the Head of Registry should be informed, and the evidence submitted, via WebSURF.

assessment was manifestly prejudiced by good cause, his or her work shall be assessed as though no claim of good cause had been received. The candidate's grade for the course as a whole shall, subject to §16.40 - §16.44, be calculated accordingly.

16.50 In the event of incomplete assessment arising from good cause being established the candidate shall, subject to §16.52 below, normally be expected to complete his or her assessment by attending the examination at a subsequent diet, or submitting outstanding work for assessment, if an opportunity to do so occurs within his or her period of study. In considering whether this requirement should apply, the desirability of the candidate's assessment being conducted in full should be balanced with the practical considerations and financial costs to the candidate and the University of providing a later completion date. Consideration should also be given to the candidate's other assessment commitments to ensure that he or she is not unreasonably burdened. In order to permit such completion:

- (a) a special sitting of an examination may be arranged, or the candidate shall be required to attend for examination at a scheduled diet; and/or,
- (b) a date for completion of non-examination assessment shall be set;

as appropriate in the circumstances. In any such event, that sitting or submission shall be regarded as the candidate's first attempt if the examination or assessment missed would itself have been his or her first attempt.

16.51 If the outstanding work in respect of which good cause is established is identified in regulations as a requirement for the award of a degree this work must be submitted for the candidate to qualify for the award of that degree.

16.52 In respect of work for assessment not excluded by §16.51, where it is determined that the evidence presented supports the candidate's claim that he or she was prevented by good cause from completing that work on or by the due time, and where no means of substituting an alternative assessment may be found, the following regulations shall apply:

- (a) The extent to which the candidate's assessment has been completed shall be determined as a percentage, taking into account the relative weights attributed to the components of a complete assessment as published in the relevant assessment scheme approved by the Senate. The extent of such completion at sub-honours levels shall be determined on a course by course basis; at honours, the extent of completion of assessment shall be determined across the whole honours assessment.
- (b) The Board of Examiners shall make an overall judgement of the candidate's work submitted for assessment, using as far as possible the standards and criteria applied in respect of the work of other candidates.
- (c) Where the candidate has completed 75% or more of the work required for assessment, the Board of Examiners shall recommend an award or other outcome on the basis of the work completed.
- (d) In respect of honours assessment,
  - (i) where the candidate has completed at least 30% but less than 75% of the work required for assessment, an unclassified honours degree may be recommended if the completed portion is of honours standard, or, if the completed portion is not of honours standard, no award shall be made and the candidate will be regarded as not having been presented for honours assessment;
  - (ii) where the candidate has completed less than 30% of the work required for assessment he or she will be regarded as not having been presented for honours assessment.
- (e) In respect of non-honours assessment, where the candidate has completed less than 75% of the work required for assessment he or she will be regarded as not having taken the course.

16.53 Where the Board of Examiners decides to recommend an unclassified honours degree or to make no award, this outcome shall be communicated to the Clerk of Senate together with a reasoned case for the decision. If the candidate has been recommended for the award of an unclassified honours degree, and has not previously refused such an offer, the Clerk of Senate shall invite him or her to accept that award. In the event of the award being declined, the candidate shall be regarded as not having been presented for honours assessment.

### **Management of the Assessment Scheme**

16.54 Overall responsibility for management of the assessment scheme shall rest with the relevant Head of School.

16.55 The Examiners for the scheme shall comprise Internal Examiners and External Examiners.

- (a) The Internal Examiners shall be:
  - (i) all members of academic staff who teach the course;
  - (ii) other members of academic staff appointed by the Head of School;
  - (iii) other individuals whose services are to be employed in the assessment process (e.g. Honorary Lecturers, Research Fellows Category A, Graduate Teaching Assistants, staff from Associated Institutions, etc.); such individuals must be nominated by the Head of School through the College (or through the Education Policy and Strategy Committee in the case of Associated Institutions) to the Clerk of Senate for approval on behalf of Senate.

- (b) At least one External Examiner shall be appointed by Court on the recommendation of the Head of School and in accordance with the criteria and procedures agreed by the Senate (see §16.64(a) and (b) below).

16.56 The Examiners, with the appropriate Assessment Officer(s) in attendance and under the chairmanship of the Head of School (or his or her nominee), shall constitute a Board of Examiners for the purpose of determining the results of the assessment procedure.

16.57 The Head of School shall ensure that:

- (a) all Internal Examiners, and especially those who are not members of academic staff of the University, receive appropriate training and other preparation relevant to their role in the assessment procedure;
- (b) each External Examiner has access to the necessary information and assessment material required to assist him or her in reaching a reasonable conclusion on assessment performance, and has the opportunity to attend oral examinations and presentations where practicable;
- (c) invigilators are appointed for all examinations and that they are conversant with the relevant regulations (see Sections 17, 18, 19, 20, 21, 22, 25).

16.58 The Head of School shall, for each course, appoint a member of academic, or academic related, staff as Assessment Officer with the following delegated responsibilities:

- (a) to ensure, in conjunction with the Course Co-ordinator or equivalent, that the relevant course documentation accurately describes the assessment scheme and corresponding procedures;
- (b) to oversee the preparation of the relevant forms of assessment under secure conditions and ensure compliance with Senate's requirements in respect of printing of examination papers;
- (c) to supervise the arrangements for the assessment procedure including: the preparation of lists of candidates entitled to be assessed; procedures for recording the receipt of coursework at the time of its submission, and for safe keeping such records; the anonymity of written work, where practicable, throughout its assessment; and any arrangements for candidates with special needs;
- (d) to maintain throughout the assessment period the security of examination papers, other materials to be assessed and records, including examination attendance slips, relating to the procedure;
- (e) to confirm arrangements for the invigilation of examinations and the secure collection and delivery of the completed scripts where appropriate;
- (f) to ensure that all Examiners are conversant with the learning outcomes of the course, the intentions of the forms of assessment and the appropriate grading or classification scheme in use, and are supplied with marking schemes or other guides where these are employed;
- (g) to convey provisional results and other information pertaining to the course, the assessment and the candidates to the External Examiner(s);
- (h) to collate the provisional results of the assessment procedure and take all steps necessary to ensure their accurate reporting to the Board of Examiners;
- (i) to report to the Board of Examiners on the conduct of the assessment procedure, in particular drawing to its attention relevant information pertaining to the circumstances and conduct of individual candidates and any alleged deficiencies in respect of the operation of the procedure;
- (j) to convey the results authenticated by the Board of Examiners to the Registry;
- (k) to oversee the maintenance of appropriate records of assessment outcomes for the purposes of subsequent monitoring of courses.

An individual Assessment Officer may be responsible for more than one course. Similarly, some or all of the duties detailed above may be undertaken by one or more individuals at School level for some or all courses.

16.59 The Head of College shall ensure that appeals against the outcomes of assessment are considered in accordance with the relevant provisions of the prevailing Appeals Code.

16.60 Any questions of principle or procedure regarding the operation of the regulations governing incomplete assessment and good cause shall be determined by the Academic Standards Committee or, in respect of any individual case, by the Clerk of Senate.

### **Assurance of Standards**

16.61 Examiners shall be responsible for the assurance of standards through the exercise of their academic judgement both directly in the assessment of students' work and indirectly in the design of specific forms of assessment involving mechanical grading operations.

16.62 Internal Examiners shall:

- (a) have access to the relevant course documentation, possess an appropriate level of knowledge of the subject matter of the course, the course aims and the learning outcomes and the corresponding course materials;

- (b) be provided with guidance as to how the grading or classification scheme is to be applied in the context of the particular assessment.

16.63 The method of marking (e.g. single marking, blind double marking, etc.) shall be made clear to students by the School.

16.64 External Examiners shall:

- (a) hold an academic or professional post of an appropriate level of seniority;
- (b) possess substantial prior experience of assessment at equivalent levels on behalf of institutions judged to be delivering and making awards of comparable standards. Exceptionally a professional nominee who lacks the required prior experience may be appointed provided at least one experienced External Examiner is also appointed for the same course;
- (c) be appointed in accordance with the University's agreed procedures (see Section 23);
- (d) have no potential conflict of interest or other impediment to the impartial discharge of the functions of external examining;
- (e) discharge the following functions:
- (i) in respect of the design of the assessment scheme:
- comment on the syllabus, learning outcomes and assessment scheme of the course and its delivery mechanism in the light of experiences of candidates' learning outcomes, comparable courses and awards elsewhere and developments within the discipline or field;
  - be consulted regarding proposals for the introduction or modification of a course;
- (ii) in respect of a given assessment diet:
- comment on, in advance, all summative assessment instruments (or, in cases involving a high volume of continuous assessment, a sample may be provided for advance comment);
  - report on the overall standards achieved by candidates and in particular on the comparability of these standards with those of candidates on similar courses or programmes in other UK Higher Education institutions;
  - report on the relationship between these overall standards, programme specifications and published national subject benchmark statements;
  - assess the soundness and fairness of the implementation of the assessment process;
  - adjudicate where necessary, subject to the authority of Senate, over the grade to be awarded to any particular candidate;
  - certify contentment with the assessment outcomes prior to their publication;
  - provide an annual written report to the Principal as required by the University.

16.65 All examiners shall maintain the security of examination scripts and other materials to be assessed. Throughout the assessment process examiners must ensure that the identity of any candidate is not disclosed through any form of communication, including e-mail. Examination scripts and other assessed materials must be retained by Schools for the periods prescribed by Senate.

16.66 Meetings of the Board of Examiners in respect of a particular course or programme shall be formally called and constituted, separately from other meetings such as School meetings. All Examiners shall be members of the Board of Examiners and shall be invited to all meetings of the Board: the quorum shall comprise the Head of School (or his or her nominee), the Assessment Officer, an Internal Examiner and an External Examiner. Exceptionally, where due cause is shown, if no External Examiner is able to be present then written confirmation of the discharge of the functions of the External Examiner may be considered as equivalent to attendance. There may be agreement between the Head of School, the Assessment Officer(s) and External Examiners that attendance by the External Examiner(s) at Board of Examiners meetings for re-assessments is not required. No person other than Examiners and others with direct responsibilities for examining and related administrative and clerical matters shall attend or observe meetings of the Board of Examiners. The business of the Board of Examiners shall be minuted and particular records kept of the External Examiner's adjudications, comments and recommendations, as well as particular decisions made by the Board in respect of incomplete assessment, good cause and disciplinary matters. Returns of results shall be completed, checked by two persons and confirmed at the meeting of the Board of Examiners.

16.67 If a Board of Examiners suspects, on the basis of evidence before it, that a disciplinary offence has been committed by a candidate in respect of the assessment, the Board shall invoke the provisions of the Statement on Plagiarism (see Section 31) or Code of Student Conduct, as appropriate.

16.68 The Senate Office shall forward External Examiners' reports to Schools within eight weeks of receipt identifying points to which a response is required. The Head of School shall arrange for External Examiners' reports to be

considered by a School meeting and for appropriate responses to be made to specific recommendations made by the External Examiner: such responses to be conveyed within three months of receipt to the Senate Office.

16.69 The Head of School shall ensure that the assessment scheme and its operation are monitored through the Annual Course Monitoring Report on the course.

16.70 The Head of School shall encourage staff to take advantage of opportunities provided by the University to develop their knowledge of assessment procedures and practices with a view to ensuring that assessment schemes are effective and appropriate.

### Central Administration of Assessment

16.71 Where an examination is a component of a summative assessment scheme the Head of the Registry shall, in conjunction with the Assessment Officer responsible for the course:

- (a) determine a suitable date and time for the examination;
- (b) allocate adequate accommodation, scripts and other materials as appropriate for the number of candidates to be examined;
- (c) provide for secure delivery of the examination paper(s) to the accommodation.

The Head of Registry may delegate all or part of this to the Assessment Officer responsible for the course.

16.72 The Senate Office shall determine and administer procedures to be followed in respect of the appointment, reporting, remuneration and payment of expenses of External Examiners. Procedures shall include provision for the instruction of individual External Examiners to ensure that they understand and can fulfil their responsibilities.

16.73 The Head of Registry shall:

- (a) provide lists of candidates upon which the official return of the results shall be made by the Assessment Officer;
- (b) prescribe the way in which each result shall be recorded and the completed lists returned;
- (c) reject any returned list which does not conform to the prescription;
- (d) authenticate the accepted lists for releasing the results.

16.74 Responsibility for releasing the results on behalf of Senate shall rest solely with the Head of the Registry who shall determine and administer, subject to the approval of Senate, appropriate procedures for processing the overall assessment results provided by the Assessment Officer(s) for a course to enable:

- (a) the publication of results via any internet-enabled computer either on or off-campus;
- (b) the recording of results on the candidates' central records maintained by the Registry.

Candidates, nonetheless, are responsible for informing themselves of the results.

16.75 It shall be stated that all released results are subject to correction in the event of detection of an error.

16.76 If an error is detected in the return made to the Registry or in the published result then:

- (a) where the erroneous result is less advantageous than the result to which the candidate is entitled, the Clerk of Senate shall be informed and shall authorise the Head of Registry to correct the result;
- (b) where the erroneous result is more advantageous than the result to which the candidate is entitled, the Head of the Registry shall immediately notify the Clerk of Senate and inform the candidate that the result is suspended; the Clerk of Senate shall initiate a reconsideration of the result in conjunction with the relevant Head of College and Head of School and the Head of Registry; they may decide to sustain or correct the result in the light of all the factors known to them and shall communicate their decision forthwith to the Head of Registry.

In either case the Head of Registry shall communicate the outcome to the candidate in writing, advising, if appropriate, of the right to appeal, and shall correct if necessary the candidate's record. Any decisions regarding further progression or award dependent on the incorrect result shall be null and void, and the candidate reconsidered on the basis of the correct result.

16.77 The Registry shall produce and make available a transcript of the results obtained by each candidate which shall conform in scope and layout to principles agreed by Senate.

16.78 Exceptionally when on an occasion some provisions of this code have not been followed, the assessment results shall remain valid provided that the Head of the Registry, in consultation with the Clerk of Senate, is satisfied that the assessment has been conducted substantially in accordance with the code.

## SCHEDULE A

All Courses				Primary verbal descriptors for attainment of Intended Learning Outcomes	Honours Class	BDS, BVMS, MBChB
Primary Grade	Gloss	Secondary Band*	Aggregation Score			
A	Excellent	A1	22	Exemplary range and depth of attainment of intended learning outcomes, secured by discriminating command of a comprehensive range of relevant materials and analyses, and by deployment of considered judgement relating to key issues, concepts and procedures	First	Honours
		A2	21			
		A3	20			
		A4	19			
		A5	18			
B	Very Good	B1	17	Conclusive attainment of virtually all intended learning outcomes, clearly grounded on a close familiarity with a wide range of supporting evidence, constructively utilised to reveal appreciable depth of understanding	Upper Second	Commendation
		B2	16			
		B3	15			
C	Good	C1	14	Clear attainment of most of the intended learning outcomes, some more securely grasped than others, resting on a circumscribed range of evidence and displaying a variable depth of understanding	Lower Second	Pass
		C2	13			
		C3	12			
D	Satisfactory <sup>†</sup>	D1	11	Acceptable attainment of intended learning outcomes, displaying a qualified familiarity with a minimally sufficient range of relevant materials, and a grasp of the analytical issues and concepts which is generally reasonable, albeit insecure	Third	
		D2	10			
		D3	9			
E	Weak	E1	8	Attainment deficient in respect of specific intended learning outcomes, with mixed evidence as to the depth of knowledge and weak deployment of arguments or deficient manipulations	Fail	Fail
		E2	7			
		E3	6			
F	Poor	F1	5	Attainment of intended learning outcomes appreciably deficient in critical respects, lacking secure basis in relevant factual and analytical dimensions		
		F2	4			
		F3	3			
G	Very Poor	G1	2	Attainment of intended learning outcomes markedly deficient in respect of nearly all intended learning outcomes, with irrelevant use of materials and incomplete and flawed explanation		
		G2	1			
H			0	No convincing evidence of attainment of intended learning outcomes, such treatment of the subject as is in evidence being directionless and fragmentary		

CR	CREDIT REFUSED	Failure to comply, in the absence of good cause, with the published requirements of the course or programme; and/or a serious breach of regulations
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\* The Secondary Band indicates the degree to which the work possesses the quality of the corresponding descriptor.

<sup>†</sup> This gloss is used because it is the lowest grade normally associated with the attainment of an undergraduate award. Postgraduate students should be aware, however, that an average of at least Grade C in taught courses is required for progress to the dissertation at masters level, and students should consult the appropriate degree regulations and course handbooks for the grade they may require to progress to specific awards.

## SCHEDULE B

All Courses		Primary verbal descriptors for attainment of Intended Learning Outcomes relating to professional or clinical skills	Honours Class	BDS, BVMS, MBChB
Primary Grade	Aggregation Scores			
A	5	Exemplary and polished demonstration of the required skill(s), displaying underpinning knowledge, sound judgement and appropriate professional values, as evidenced by focussed sensitivity to the context, the needs of any subject, and the wider implications of the candidate's actions	First	Honours
B	4	Efficient and confident demonstration of the required skill(s), displaying underpinning knowledge, sound judgement and appropriate professional values, as evidenced by an evident appreciation of the possible implications of the candidate's actions, demonstrating initiative and flexibility of approach	Upper Second	Commendation
C	3	Clear demonstration of attainment of the required skill(s), displaying underpinning knowledge, good judgement and appropriate professional values, as evidenced by familiarity with how to proceed in a range of contexts	Lower Second	Pass
D	2	Adequate independent performance of required skill, displaying underpinning knowledge, adequate judgement and appropriate professional values, suitable to routine contexts	Third	
E	1	Presently inadequate independent performance of the required skill. Knowledge, judgement and professional values are at least sufficient to indicate an awareness of personal limitations	Fail	Fail
F	0	Not presently capable of independent performance of the required skill, lacking self-awareness of limitations, and prone to errors of judgement and faulty practice		

CR	CREDIT REFUSED	Failure to comply, in the absence of good cause, with the published requirements of the course or programme; and/or a serious breach of regulations
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**SCHEDULE C**

GRADE/GRADE POINTS PER CREDIT	
GRADE	GRADE POINTS PER CREDIT
A	16
B	14
C	12
D	10
E	8
F	6
G	2
H	0

**SCHEDULE D**

Credits	Levels 1 & 2	Levels 3, H and M
10	90 minutes	120 minutes
15	120 minutes	150 minutes
20	150 minutes	180 minutes
30	240 minutes	240 minutes
40	330 minutes	330 minutes
60	480 minutes	480 minutes

**Notes on Schedules****1 Verbal Descriptors**

Documentation relating to courses and programmes shall indicate where Schedule B verbal descriptors shall apply. The aggregation scores relating to Schedule B descriptors shall only be aggregated with others from the same Schedule.

**2 Combining 22-point and 20-point Aggregation Scores**

Aggregation scores of 19 and 20 derived from Schedule A prior to session 2005-06 require adjustment before being combined with scores from the 22-point scale.

Scores of 20 should be translated to 22, and scores of 19 translated to 20. Other scores should be combined without adjustment.

**3 Discretion of Boards of Examiners for Classified Honours Programmes**

a) Where the mean overall aggregation score (as determined in §16.36) falls within one of the following ranges, the Board of Examiners shall recommend the award stated:

18.0 to 22.0 first class honours

15.0 to 17.0 upper second class honours

12.0 to 14.0 lower second class honours

9.0 to 11.0 third class honours

0.0 to 8.0 fail

b) Where the mean overall aggregation score falls between two of the ranges defined in 3 a), the Board of Examiners shall have discretion to decide which of the alternative awards to recommend:

- 17.1 to 17.9 either first or upper second class honours
- 14.1 to 14.9 either upper or lower second class honours
- 11.1 to 11.9 either lower second or third class honours
- 8.1 to 8.9 either third class honours or fail

## 17 INSTRUCTIONS TO CANDIDATES ON THEIR CONDUCT IN WRITTEN EXAMINATIONS

17.1 Instructions to candidates on the Conduct of all Examinations held in the University.

1. Candidates are required to obey the instructions of the invigilator. It is the duty of the invigilator to prevent any behaviour likely to cause disturbance to other candidates. Candidates needing to leave the room for any purpose must first ask permission of the invigilator, who may accompany the candidate.
2. Every candidate shall display for the invigilator's inspection a valid Student ID card.
3. Candidates must not use mobile telephones and other electronic devices such as personal music players during examinations. Candidates must switch off and remove all such items (including headphones) prior to the start of the examination and place them with other personal possessions in a closed bag or container which will normally be kept under their seat for the duration of the examination<sup>15</sup>.
4. Other than examination materials provided by the University, candidates shall not have access to any paper or book for the duration of the examination unless with the express written permission of the appropriate Head of School.<sup>16</sup> Prior to the start of the examination, unless permitted by the Head of School, candidates must place all material in a closed bag or container which will normally be kept under their seat for the duration of the examination.
5. Unless with the express written permission of the appropriate Head of School,<sup>17</sup> candidates shall not give or receive any assistance, or communicate by any means with one another or with any person other than an invigilator at any time during the examination period.
6. No calculator, nor any other hand-held electronic device, may be used by a candidate in an examination except with explicit approval from the relevant School. Such approval shall normally take the form of a published notice on School notice board(s) together with a statement incorporated into the instructions to candidates in the appropriate examination paper(s). Calculators or other hand-held electronic aids with a facility for either textual storage or display, or for graphical display, are excluded from use in examinations.<sup>18</sup>
7. Candidates must write legibly. If examination scripts are found to be illegible to a substantial degree, candidates will be required to come to the University to dictate their script(s) in the presence of an invigilator and a charge will normally be levied.
8. Candidates may not begin writing before the invigilator announces the start of the examination period and must cease writing when the invigilator announces the end of the period.
9. No part of any answer book shall be torn out or removed from the examination room.
10. In examinations of at least two hours duration, no candidate shall be allowed to enter the examination room after the first hour has expired, or to leave it within the first hour or the last half-hour. Except, that an invigilator may, at his or her discretion, allow a candidate to enter after the first hour if no other candidate has left the examination.
11. In shorter examinations, both entry and exit shall be at the absolute discretion of the invigilator.
12. In no case shall a candidate leave until an invigilator has collected his or her scripts or other examinable material.
13. These arrangements shall apply to all examinations, including those for the purpose of continuous assessment, held in the University.

Any candidate who contravenes any of these instructions will be liable to penalties, which may include expulsion from the University.

## 18 USE OF A COMPUTER IN AN EXAMINATION

18.1 Where the Clerk of Senate has given permission for a student to use a computer in an examination, the Head of School shall ensure that the current guidelines are followed. (See §24.18)

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<sup>15</sup> Any change in this regulation requires the prior agreement of the Senate.

<sup>16</sup> This permission will normally be in the form of a set of arrangements for an open-book or other non-traditional style of examination and will form part of the information provided to students at the beginning of the course that is being examined.

<sup>17</sup> The extent to which collaboration may be allowed will form part of the information provided to students at the beginning of the course.

<sup>18</sup> Any change in this regulation requires the prior agreement of the Senate.

## 19 USE OF DICTIONARIES BY STUDENTS IN EXAMINATIONS

19.1 Heads of School may, at their discretion, permit students whose first language is not English to employ an appropriate dictionary in a class or degree examination. Such permission should not be granted where the first language, or its literature, is the subject under examination.

19.2 Heads of School should keep a record of all cases where permission has been granted, and deliver that information to the appropriate invigilator(s).

19.3 Dictionaries to be authorised for use in an examination should be lodged by the student with the Head of School at least 24 hours prior to the start of the examination. Following inspection by the School, the authorised dictionaries should be handed to the student(s) by the invigilator at the start of the examination.

## 20 USE OF ELECTRONIC CALCULATORS BY STUDENTS IN EXAMINATIONS

20.1 No calculator, nor any other portable electronic device, may be used by a candidate in an examination unless this is expressly authorised by the Head of the School responsible for the examination. This authorisation will specify the type of calculator or other device authorised. Candidates shall normally be notified of the terms of this authorisation by published notice on School notice board(s), and by other means as appropriate, confirmed by a statement in the instructions to candidates in the examination concerned.

20.2 In determining whether to authorise the use of calculators or other devices and the specification and/or make(s) and model(s) to be authorised, the Head of School shall take account of the object and design of the examination in question, and of an overarching requirement to safeguard the integrity of the examination and ensure that no candidate derives unfair advantage, nor is unfairly disadvantaged, as a consequence.<sup>19</sup>

## 21 INVIGILATION

21.1 For each examination the Head of School shall name Invigilators as prescribed by Senate and shall be responsible for informing Invigilators of their period and conditions of duty, including the obligation to be present fifteen minutes before the examination begins. The Head of School shall ensure that each invigilator has a copy of the Rules for Invigilation.

21.2 Arrangements for examinations for students with special needs should be made in accordance with the rules relating to Examination and other Assessment Arrangements for Students with Disabilities (§24.1 - §24.18). This includes the requirement on Heads of School to make any special invigilation arrangements which have been approved.

21.3 The Rules of Invigilation (see below) shall be available to all Invigilators at the Examination Halls and must be followed by all Invigilators. Notes of Guidance give Invigilators further guidance on the application of the Rules.

## 22 RULES OF INVIGILATION

### Appointment of Invigilators

22.1 Heads of School appoint Invigilators and provide them with timetables giving the days, hours and places of the various examinations and lists of the candidates enrolled for examination. One invigilator is required for every 75 candidates. Heads of School shall ensure that each invigilator has a copy of the Rules of Invigilation, including the Instructions to Candidates, and carries out his or her duties in accordance with the rules. Invigilators should also be aware of the rules relating to Examination and other Assessment Arrangements for Students with Disabilities (§24.1 - §24.18).

### Attendance and Distribution of Papers

22.2 Each Invigilator must be present in the examination room at least fifteen minutes before the examination begins and during the whole examination except for any period for which he or she has arranged relief. Before the examination commences, Invigilators must check that all the examination papers are in order and that the correct script books and any supplementary material required are in place. Janitorial staff will be on duty and will give all needful assistance in the distribution and collection of papers.

### Instructions to Candidates

22.3 The following Instructions to Candidates on their Conduct in Written Examinations form part of the Rules for Invigilators and invigilators must ensure that they are followed:

1. Candidates are required to obey the instructions of the invigilator. It is the duty of the invigilator to prevent any behaviour likely to cause disturbance to other candidates. Candidates needing to leave the room for any purpose must first ask permission of the invigilator, who may accompany the candidate.

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<sup>19</sup> Any change in this regulation requires the prior agreement of the Senate.

2. Every candidate shall display for the invigilator's inspection a valid Student ID card.
3. Candidates must not use mobile telephones and other electronic devices such as personal music players during examinations. Candidates must switch off and remove all such items (including headphones) prior to the start of the examination and place them with other personal possessions in a closed bag or container which will normally be kept under their seat for the duration of the examination.
4. Other than examination materials provided by the University, candidates shall not have access to any paper or book for the duration of the examination unless with the express written permission of the appropriate Head of School.<sup>20</sup> Prior to the start of the examination, unless permitted by the Head of School, candidates must place all material in a closed bag or container which will normally be kept under their seat for the duration of the examination.
5. Unless with the express written permission of the appropriate Head of School,<sup>21</sup> candidates shall not give or receive any assistance, or communicate by any means with one another or with any person other than an invigilator at any time during the examination period.
6. No calculator, nor any other hand-held electronic device, may be used by a candidate in an examination except with explicit School approval. Such approval shall normally take the form of a published notice on School notice board(s) together with a statement incorporated into the instructions to candidates in the appropriate examination paper(s). Calculators or other hand-held electronic aids with a facility for either textual storage or display, or for graphical display, are excluded from use in examinations.<sup>22</sup>
7. Candidates must write legibly. If examination scripts are found to be illegible to a substantial degree, candidates will be required to come to the University to dictate their script(s) in the presence of an invigilator and a charge will normally be levied.
8. Candidates may not begin writing before the invigilator announces the start of the examination period and must cease writing when the invigilator announces the end of the period.
9. No part of any answer book shall be torn out or removed from the examination room.
10. In examinations of at least two hours duration, no candidate shall be allowed to enter the examination room after the first hour has expired, or to leave it within the first hour or the last half-hour. Except, that an invigilator may, at his or her discretion, allow a candidate to enter after the first hour if no other candidate has left the examination.
11. In shorter examinations, both entry and exit shall be at the absolute discretion of the invigilator.
12. In no case shall a candidate leave until an invigilator has collected his or her scripts or other examinable material.
13. These arrangements shall apply to all examinations, including those for the purpose of continuous assessment, held in the University.

#### **Admission of Candidates and Start of Examination**

22.4 All invigilators present should agree when candidates should be admitted to the Hall and should ensure that students granted extra time and already in the Hall suffer as little disruption as possible.

22.5 Before announcing the start of the examination, one of the invigilators should

- 1) instruct candidates to complete a Candidate's Attendance Form
- 2) read out the fire safety notice
- 3) issue any other instructions which the invigilators deem appropriate

#### **Duties During the Examination**

22.6 Invigilators, while on duty, must give their whole attention to watching the candidates, and must on no account read or engage in any occupation which would distract their attention from their proper duty. Invigilators are not to answer inquiries by candidates regarding the meaning of examination questions: the candidate is simply to be told to take a reasonable view of the meaning of the question, and in cases where there is any doubt, to note in his or her answer what view of the meaning he or she does take; but an Invigilator or other member of the School may remedy defects in the form of the printed examination papers, such as a defective rubric or a serious misprint, by announcement.

22.7 Once the examination has started, invigilators should collect the attendance slips and check Student ID cards; where a candidate has no card, the candidate's Attendance Form and script books together should be annotated by an Invigilator and lodged with the Head of School who shall satisfy himself or herself of the bona fides of the student before releasing the scripts for marking.

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<sup>20</sup> This permission will normally be in the form of a set of arrangements for an open-book or other non-traditional style of examination and will form part of the information provided to students at the beginning of the course that is being examined.

<sup>21</sup> The extent to which collaboration may be allowed will form part of the information provided to students at the beginning of the course.

<sup>22</sup> Any change in this regulation requires the prior agreement of the Senate.

### **Improper Behaviour of Candidates**

22.8 If an Invigilator has reason to suspect a candidate of giving or receiving information in the examination room, the candidate's name and table number should be noted and the circumstances reported to the Clerk of Senate. If copying or other improper behaviour can be clearly established, the Invigilator may require the candidate(s) concerned to leave the examination room and shall report the circumstances to the Clerk of Senate.<sup>23</sup>

### **First Aid Cover and Fire Safety**

22.9 A copy of the First Aid notice and Fire Safety notice on display in every Examination Hall will be provided to invigilators.

### **Conclusion of Examination**

22.10 The end of the examination period must be announced. All scripts must be collected from each candidate individually and retained by the Invigilators on behalf of the School. The Library envelope should be sent to the University Librarian by internal mail. The School envelope should be taken or sent back to the School. Before leaving the room, an Invigilator in each subject must complete a report to the Registry on the form provided showing the number of candidates at the examination and the number of scripts collected: this report should be handed to the Janitor on duty.

22.11 On return to the School, Invigilators must check the scripts received against the list of candidates and cross-check with the Candidate's Attendance Form in the event of any discrepancy. To preserve the anonymity of scripts all Candidate Lists and Attendance Forms must be lodged with the Head of School or other designated co-ordinator before the scripts are distributed for marking.

### **Illegible Examination Scripts**

22.12 If examiners find a substantial part of an examination script to be illegible, the candidate in question will be required to come to the University to dictate their script to a third party in the presence of an invigilator. The invigilator will be in possession of a copy of the script in question in order to follow the candidate's dictation of their script. A charge will normally be levied for this procedure.

## **23 APPOINTMENT OF EXTERNAL EXAMINERS FOR TAUGHT COURSES AT UNDERGRADUATE AND POSTGRADUATE LEVEL**

23.1 External examiners are usually appointed for four years, normally commencing on 1 October and completing their term of office on 30 September four years later. Once an external examiner's four-year term of office has expired, he or she may not be re-appointed as an external examiner for the University until four years have elapsed.

Occasionally, an external examiner may have been appointed for a term of office of less than four years. In such cases, the examiner's term of office may be extended, on application to the Senate Office.

The Senate Office advises Heads of School when an external examiner's appointment is due to expire and requests that steps be taken to appoint a replacement, except by agreement of the Senate.

### **Appointment Process**

1. Head(s) of School completes a nomination form (see [www.gla.ac.uk/services/senateoffice/qea/externalexaminers](http://www.gla.ac.uk/services/senateoffice/qea/externalexaminers)) and signs it. The form must be signed and endorsed by the Head(s) of School.
2. The form is then passed to Senate Office for approval.
3. After consideration and approval, an appointment letter is sent to the examiner. Copies of this appointment letter are also sent to the Head of School and College Head of Student & Academic Administration.

### **Appointment**

When external examiners are appointed, they receive an information pack containing the following:

- Note of Guidance for External Examiners for Undergraduate and Postgraduate Courses
- Note of Guidance on Fees and Expenses
- Code of Assessment for Undergraduate and Taught Postgraduate Programmes
- Examiners' Report Form
- Remuneration Payment Form
- General Dental Council Book (Dental Examiners only).

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<sup>23</sup> Details of the University's Procedures for Managing the Improper Behaviour of Candidates during a Written Examination can be found on the Registry website at: [www.glasgow.ac.uk/registry/staff/examinations/improperbehavior](http://www.glasgow.ac.uk/registry/staff/examinations/improperbehavior)

## 24 EXAMINATION AND OTHER ASSESSMENT ARRANGEMENTS FOR STUDENTS WITH DISABILITIES

### Procedure

24.1 A student with a disability or specific learning difficulty should contact the University's Disability Service at the earliest opportunity to allow adequate time for appropriate arrangements to be made. Supporting evidence should be brought to the interview with the Disability Adviser.

24.2 Students with a specific learning difficulty, such as dyslexia, should provide the Disability Service with recent professional evidence which includes recommendations for support in examinations. The assessment report should normally be dated not more than three years prior to entry onto the course. The dyslexia assessment should have been conducted by a Chartered Educational Psychologist accredited by the British Psychological Society. If the report is considered not fit for purpose, the University will require the student to be re-assessed. Arrangements can be made with the Disability Service for students to have an updated re-assessment carried out.

24.3 It is the responsibility of the Clerk of Senate to approve all examination or assessment arrangements for students with disabilities, both temporary and permanent. In the absence of the Clerk of Senate this responsibility is delegated to the Director of the Senate Office. The approval will normally remain valid for the student's graduating curriculum, provided the circumstances remain broadly similar. If there is a significant change in the student's circumstances, or in the arrangements needed, fresh evidence and new approval is required.

24.4 Following the Clerk of Senate's approval the necessary information will be entered in the WebSURF student record system. This will trigger an electronic email alert to the Exams section of Registry as well as the student's Adviser of Studies and the Disability Co-ordinators within his/her academic School.

[www.glasgow.ac.uk/disability/contactinformation/dcs/](http://www.glasgow.ac.uk/disability/contactinformation/dcs/)

It is the responsibility of Disability Coordinators to ensure that the approved examination or assessment arrangements are made at School level, including any invigilation, accommodation or equipment requirements. Disability Coordinators must also ensure that all relevant internal and external examiners are informed. The Disability Service and the Registry can be consulted should any enquiries arise.

24.5 Before each examination diet the Registry will extract from the student record system a list of all current disabled students for whom examination arrangements have been agreed and this list will be sent to Schools.

Disability Coordinators will also be sent a list of students taking courses in their Schools for whom arrangements have been approved. (This list will normally accompany the final version of the timetable for each diet of examinations.)

24.6 In cases of temporary disability the Clerk of Senate should be notified by the Head of School as soon as he or she becomes aware of the problem. All arrangements for students with temporary disabilities must be approved by the Clerk of Senate. The remit of the Disability Service does not extend to students with a temporary disability.

### Range of Provisions

24.7 Examples of examination arrangements include:

- extra time
- separate accommodation
- use of a scribe
- use of a reader
- use of equipment or materials

Each of these is described in the paragraphs below.

#### Extra time to sit an examination

24.8 Depending on the student's disability and any recommendations made by an assessor, the student may be granted extra time to sit an examination. This is likely to be fifteen minutes extra in each hour. The extra time granted will in most cases be before the start of the examination or, failing which, after the end of the examination. In the case of some disabled students, it may be necessary to grant rest breaks for the candidate at intervals during the course of the examination.

24.9 Heads of School and Invigilators should ensure that students granted extra time experience as little disruption as possible as a result of the arrival or departure of other candidates.

#### Separate accommodation to sit an examination

24.10 An arrangement to provide separate accommodation to sit an examination may be required to meet the needs of a range of students with a disability, but is most usually required when the use of a scribe or a reader is recommended. The presence of a separate Invigilator is always required in these circumstances.

#### Use of a scribe

24.11 A scribe may be employed when recommended in a needs assessment by the Disability Service. A student who requires a scribe for a temporary disability should seek advice from their School in the first instance.

24.12 Selection of a scribe. School staff (not the student) are responsible for the selection of a scribe who:

- is familiar with the subject(s) concerned;
- has no personal interest in the success of the candidate;
- is not a relative of the candidate;
- is not a teacher who is involved in the candidate's study of the subject;
- is not a student taking the same course as the candidate;
- is of good hearing;
- has clearly legible handwriting;
- is a person acceptable to the candidate;
- should be selected in good time prior to any examination.

The Disability Service can be consulted if there are difficulties with the recruitment of a suitable scribe.

24.13 Duties of a scribe

The scribe's duty is to transcribe only what is dictated or written by the candidate;

The scribe may exercise discretion regarding spelling, punctuation etc;

Except with the agreement of the Disability Coordinator or when specifically employed as both scribe and reader, the scribe may not read the question paper rubrics or the questions to the candidate;

The scribe may read back the candidate's responses to the candidate, as requested;

The scribe should converse with the candidate only insofar as this is necessary to clarify his or her instructions;

If it is deemed necessary, the scribe may be instructed by the candidate to draw maps, diagrams, graphs, etc., but in such instances, the scribe should do no more than follow the student's explicit instructions;

Generally speaking, the aim of the scribe is to ensure that the candidate is not disadvantaged by his or her disability or condition, while getting no unfair assistance.

[www.glasgow.ac.uk/services/disability/informationforstaff/informationaboutexamarrangements/](http://www.glasgow.ac.uk/services/disability/informationforstaff/informationaboutexamarrangements/)

24.14 Practice with the candidate

It is advisable for the scribe and the candidate to have the opportunity to practise answering a question paper under examination conditions.

Scribes should be selected sufficiently far in advance of the examination to allow for such practice.

24.15 Payment of a scribe

Students in receipt of Disabled Students' Allowance (DSA) may claim the cost of a scribe under the 'Non-Medical Personal Help' Section D of the DSA. In the event of delay in reimbursement from DSA it may be possible for the University to help by providing a loan or grant from Student Finance in Registry.

[www.glasgow.ac.uk/services/registry/students/studentfinance/emergency/](http://www.glasgow.ac.uk/services/registry/students/studentfinance/emergency/)

The student is responsible for any payment due for the services of a scribe. The hourly rate is that payable to Postdoctoral Demonstrators as given in the University's *Guidelines and Rates of Pay for Part-time staff*. These rates are also available on the Web at: [www.glasgow.ac.uk/humanresources/policies/a-g/atypical\\_work/](http://www.glasgow.ac.uk/humanresources/policies/a-g/atypical_work/)

Students who require a scribe and are not eligible for DSA, should refer themselves to the Disability Service for further information and advice on payment arrangements.

24.16 Change in intention to use a scribe

If permission to use a scribe has been granted, but the student does not use the scribe, the student should be referred back to the Disability Service for a review of exam arrangements before the next diet of exams.

#### **Use of a reader**

24.17 In some circumstances, a reader may be employed in place of a scribe or as well as a scribe, and in such circumstances similar arrangements to those above will apply.

#### **Use of a computer in an examination**

24.18 Where the Clerk of Senate has given permission for a student to use a computer in an examination, the Disability Coordinator shall ensure that invigilation is arranged. A computer cluster is available for use in examination diets in room 735 in the Library. Printing facilities are also provided via pen drives supplied by the cluster manager. At present Schools may also make local arrangements to facilitate a student's use of a computer.

#### **Anonymous Marking of Scripts**

24.19 The overriding principle is fairness to *all* candidates. This requires that, as far as possible, a uniform and consistent approach be adopted in the marking of anonymous scripts in credit-bearing examinations.

24.20 The script books used by disabled students for whom examination arrangements have been approved should not be identifiable in any way. (Sometimes, though, as when the use of a word-processor has been approved, breaking of anonymity may be unavoidable.) Coloured paper will not be approved for use in script books; coloured overlays should be used instead, if required. Question papers may, however, be printed on coloured paper.

24.21 Appropriate information about a candidate's disability will be made known to and taken proper account of at, and only at, the meeting of the relevant Board of Examiners.

24.22 If, for any reason, a candidate is not provided with the approved arrangements (e.g. extra time) the Invigilator should report the circumstances to the Head of School concerned who will inform the relevant Board of Examiners. The Board of Examiners will determine the appropriate compensation.

## 25 CODE OF PRACTICE FOR SPECIAL INTERNATIONAL EXAMINATION ARRANGEMENTS

25.1 Special international examination arrangements may be made for students in certain cases. Such arrangements will normally only be authorised for examinations which take place outside semesters 1 and 2. Such students will normally have their place of ordinary residence outside the UK and have difficulty returning to the University to sit examinations. In exceptional circumstances students whose place of ordinary residence is in the UK may also have international examination arrangements made in terms of clause 5 below.

### 25.2 Procedure

1. Any international student requesting special arrangements to be made should submit the request to the Head of the Registry at the earliest opportunity to allow time for the special arrangements to be made. (Requests must, in any case, be submitted prior to the relevant enrolment period for the examinations.)
2. The Head of the Registry will check that the student's recorded place of ordinary residence is outside the UK and that a suitable location for the examination can be found. This will normally be a British Council Centre in the country of residence. Where one does not exist an arrangement may be made by the Head of Registry with a partner institution of the University of Glasgow in the country of residence. Failing this the student must travel to the nearest British Council or return to the University of Glasgow to undertake the examination.

The agreement of the relevant Head of School will be sought regarding the appropriateness of the arrangements proposed.

3. All necessary arrangements will be made by the Registry.
4. The international examination must take place at the same time as the examination held in Glasgow.
5. Any requests for special arrangements away from Glasgow outwith the terms of these rules will require the approval of the Clerk of Senate as well as the appropriate Head of School.
6. Students will be required to pay an administrative charge to cover the costs of the special arrangements made. Details of current charges are available from the Registry.

## 26 CODE OF PROCEDURE FOR APPEALS BY STUDENTS AGAINST ACADEMIC DECISIONS

The Code of Procedure for Appeals by Students against Academic Decisions is governed by Resolution No. 570 of the University Court which came into effect on 1 September 2006.

### 26.1 Introduction

The University has a duty to maintain and enhance the quality of provision for students and to provide an effective system for handling appeals and complaints. This section states the procedure for regulating appeals against academic decisions affecting students other than decisions taken in respect of proceedings under the Code of Student Conduct which is found in Section 32 or the Complaints Procedure which is contained in Section 29.

### 26.2 Principles

26.2.1 A student should have a full opportunity to raise an appeal against an academic decision without fear of disadvantage and in the knowledge that confidentiality shall be respected.

26.2.2 Registered students should be directed to the website containing the Code of Procedure for Appeals by Students against Academic Decisions and should be provided with advice concerning sources of support and advice including the Students' Representative Council.

26.2.3 Clear guidance should be provided on the University website to direct a student to sources of advice with regard to the University's compliance with the Data Protection Act and the Freedom of Information Act.

26.2.4 Members of College Appeals Committees and the Senate Appeals Committee should be appointed annually and should receive an annual briefing. A member should normally serve for a period of three years.

26.2.5 A representative of the student body who is present at an appeal as an observer should be given appropriate guidance.

26.2.6 The Senate Appeals Committee and each College Appeals Committee should provide an annual report to Senate containing a review of its activities in relation to academic appeals.

26.2.7 Where an appeal is upheld, the University should defray reasonable and proportionate incidental expenses necessarily incurred by the student in the process of pursuing the appeal. Incidental expenses do not include the cost of obtaining legal advice. An appellant may decide to be represented by a lawyer. This expense is not considered to be necessary as the processes of the University are provided as an alternative to the process of judicial review.

26.2.8 The University reserves the right to suspend procedures for appeal if the student behaves inappropriately. In such cases the Clerk of Senate or his/her nominee shall suspend procedures and advise the student accordingly. Misconduct may be deemed to be in breach of the Code of Student Conduct and disciplinary proceedings invoked.

### 26.3 Definition of an Appeal

26.3.1 An appeal is defined as a request for a review of a decision of an academic body charged with making judgements concerning student progression, assessment or awards.

26.3.2 A student may appeal (request a review of an academic decision) on the grounds of defective or unfair procedure by the academic body or a failure of the academic body to take account of medical or adverse personal circumstances submitted in accordance with the Code of Assessment (See Section 16).

26.3.3 A student may appeal on the grounds of medical or adverse personal circumstances that were not previously presented to the relevant academic body, if good reason is provided for the failure to present these circumstances in accordance with the standard procedure.

26.3.4 The provision for medical evidence or evidence of adverse personal circumstances is not designed to compensate for underperformance due to these circumstances nor are Examiners expected to infer how a candidate might have performed if unaffected. Where a candidate's performance is borderline between grades or classifications of Honours, provision of such evidence shall not necessarily raise the candidate to the higher grade or classification.

26.3.5 The provision for taking account of adverse medical or personal circumstances in the Code of Assessment concerns the sudden unforeseen onset of illness or adverse personal circumstances affecting the student. It is not intended to apply to chronic or persistent illness or to long-term adverse personal circumstances affecting a student's preparation for examinations and/or attendance at examinations or the submission of written work by the due date. **Examiners will mark and classify the performance as it stands and will not judge undemonstrated capability.** Where there is chronic illness, good cause shall only be established where the candidate's performance has been compromised by a sudden severe episode of the illness.

**26.3.6 A student may not appeal to a College or to the Senate Appeals Committee against an academic decision in respect of marks awarded for academic work (other than the imposition of a penalty<sup>24</sup>), decisions of examiners or other matters of academic judgement unless the grounds of the appeal are contained in §26.3.2 and §26.3.3 above.**

**26.3.7 A former student may not appeal once he/she has graduated from the University. By graduating, the former student is deemed to have accepted the recommendation of the Board of Examiners and the decision of the appropriate College. Exceptionally, if evidence emerges that the conduct of the Board of Examiners was defective or that the Board was deprived of essential information, an appeal may be allowed.**

### 26.4 The Appeal Process

26.4.1 The Senate is charged by the *Universities (Scotland) Acts* with a duty to superintend the teaching of the University. This is understood to include examining. The Senate has authorised the establishment of College Committees to hear appeals in the first instance, as specified in the Code of Procedure for Appeals to a College Appeals Committee, which is set out below in Section 27.

26.4.2 A student may further appeal against the decision of the relevant College Appeals Committee to the Senate. The Code of Procedure for Appeals to the Senate is set out, after the College Appeals Code (see Section 28).

26.4.3 Where the appeal is made to the Senate on the grounds that the disposal at College level was manifestly unreasonable, the letter of appeal must clearly and fully specify in what respects the student believes the College Appeals Committee was mistaken in its decision.

26.4.4 Section 6(2) of the *Universities (Scotland) Act, 1889*, gives the University Court power to review any decision of the Senate. The University Court has devolved its responsibilities in this respect to an external adjudicator<sup>25</sup>. Although the decision of the external adjudicator is not legally binding on the University Court, the expectation is that the University Court shall accept the decision and any accompanying recommendations.

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<sup>24</sup> For example, an appeal may be made against a reduction in grade or secondary band imposed under the University's *Penalties for Late Submission of Coursework* which are stated in the Code of Assessment (see Section 16).

<sup>25</sup> External adjudication will be provided by the Scottish Public Services Ombudsman ([www.spsso.org.uk/](http://www.spsso.org.uk/)).

## 27 CODE OF PROCEDURE FOR APPEALS TO A COLLEGE APPEALS COMMITTEE

(For Undergraduate, Taught Postgraduate and Research Postgraduate Students)

The Code of Procedure for Appeals to a College Appeals Committee is governed by Resolution No. 570 of the University Court which came into effect on 1 September 2006.

### 27.1 Informal Resolution

Prior to submitting a formal appeal to College, students are advised to discuss the matter with an Adviser of Studies or equivalent, Supervisor, Course Co-ordinator or Head of Student & Academic Administration in an attempt to resolve the matter informally. The Students' Representative Council will provide the services of a trained student advocate to assist or to represent a student in seeking an informal resolution. A copy of the Code of Procedure for Appeals shall be provided to the student and to his or her representative.

### 27.2 College Appeals Committee - Jurisdiction

27.2.1 The jurisdiction of the College Appeals Committee shall comprise all academic decisions concerning progress, assessment or award other than decisions taken in respect of proceedings under the Code of Student Conduct which is contained in Section 32, the Complaints Procedure which is contained in Section 29 or the Procedure for Determining Fitness to Practise which is contained in Section 34.

27.2.2 The Committee shall not have authority to alter an academic decision. If relevant factors are raised by the appeal which should have been made known to the Board of Examiners or which the Board failed to take into account, the Committee shall instruct the Board to reconvene to reconsider the assessment.

27.2.3 The Committee shall not have authority to permit the resubmission of a thesis for a degree by research where a Committee of Examiners following due process, has recommended rejection of the thesis or resubmission for a lower degree. If the appeal reveals failure on the part of a College to meet the standards set by the Code of Practice for Postgraduate Research Degrees, the student may raise a complaint under the Complaints Procedure contained in Section 29 of the *University Calendar*.

### 27.3 Lodging an Appeal

#### Time within which an appeal is to be lodged and late appeals

27.3.1 Where an appeal lies against an academic decision in terms of §26.3; *Definition of an Appeal*, the appeal or an intimation of intention to appeal shall be submitted in writing to the Head of Student & Academic Administration for the attention of the Head of College within 10 working days<sup>26</sup> of the intimation to the student of the decision against which the student is appealing. Where an intention to appeal is submitted, the full appeal including the grounds and the remedy shall be submitted within 20 working days of the date of the letter intimating intention to appeal.

27.3.2 An application for an extension of time for submitting i) an intimation to appeal beyond 10 working days, or ii) a full appeal letter beyond 20 working days, shall be made in writing to the Head of Student & Academic Administration for the attention of the Head of College and shall include sufficient information concerning the nature of the appeal, shall state the grounds on which an extension of time is sought and be accompanied by such evidence of medical or other adverse personal circumstances as are relevant to the application.

27.3.3 The timescale of 10 working days to intimate an intention to appeal combined with 20 working days to submit an appeal is designed to provide sufficient time for preparation of the appeal. Appellants are responsible for ensuring that arrangements such as; consultations with representatives, and data requests made under Data Protection or Freedom of Information legislation, are initiated at the beginning of the process. In considering any request from an appellant for an extension to the normal timescale for submission of an appeal, the timeliness of the appellant's own actions will be taken into account.

27.3.4 An application for extension of time for submitting an appeal, or intimation to appeal, shall not be granted unless the Convener of the College Appeals Committee is satisfied that the student was precluded from appealing within 20 working days as a result of serious illness or other circumstances which are both exceptional and relevant to the appeal.

27.3.5 A letter of appeal or other documents required for the consideration of an appeal shall be treated as having been given or sent on the day that it is received by the Head of Student & Academic Administration; and any letter or document sent to any person including the student in connection with the appeal shall, if sent to the person's last notified address, be treated as having been given or sent on the day that it was posted.

#### Grounds for Appeal

27.3.6 A College Appeals Committee shall entertain an appeal against a decision of an academic body only on the following grounds:

- i) unfair or defective procedure;

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<sup>26</sup> For the purposes of this Code, Monday to Friday are counted as working days except when the University is closed for a Public Holiday (as listed at [www.gla.ac.uk/services/humanresources/policies/h-o/holidays/publichols/](http://www.gla.ac.uk/services/humanresources/policies/h-o/holidays/publichols/)). Saturdays and Sundays are not counted as working days.

- ii) a failure to take account of medical or other adverse personal circumstances;
- iii) there are relevant medical or other adverse personal circumstances which for good reason have not previously been presented.

27.3.7 In the case of a claim of unfair or defective procedure, evidence in the form of written statements or formal documents such as the Minute of the Board of Examiners must be provided. Advice on a subject data access request can be obtained from the Data Protection Office at:

[www.glasgow.ac.uk/dpfoioffice/a-ztopics/subjectaccessrequestsar/](http://www.glasgow.ac.uk/dpfoioffice/a-ztopics/subjectaccessrequestsar/)

27.3.8 In the case of a claim of a failure to take account of medical or other adverse personal circumstances, the student shall be referred to §26.3; *Definition of an appeal*.

#### **Content of a letter of appeal to a College**

27.3.9 A letter of appeal should be concise and shall state:

the name and address of the student and the telephone number and email address, if available;

the decision appealed against;

all the grounds for the appeal: additional grounds may be admitted subsequently only at the discretion of the Convener; additional grounds presented at a hearing may lead to adjournment of the hearing;

the remedy or remedies which the student seeks;

the name and address of any person whom the student has appointed as a representative or who will accompany the student at the hearing;

whether the student wishes to be present at an oral hearing or whether he/she is content for the appeal to be considered without his/her presence.

#### **Evidence of medical or other adverse personal circumstances**

27.3.10 A student who wishes to appeal on grounds of medical or other adverse personal circumstances shall provide a medical report<sup>27</sup> from his/her General Practitioner, or Hospital Consultant. The medical report shall detail the severity, duration and possible impact of the medical condition on the student's academic performance. Where the student wishes to appeal on the grounds of adverse personal circumstances, a written statement by an independent witness must be provided. The report shall detail the severity, duration and possible impact of the circumstances.

27.3.11 Where the student has failed to notify the Head of Registry and or the School Administrator of medical or other adverse personal circumstances in compliance with §16.41 of the Code Assessment, the letter of appeal shall contain a statement explaining the exceptional circumstances which prevented notification within the stated time.

### **27.4 College Appeals Committee - Constitution**

27.4.1 Each College shall establish a College Appeals Committee (hereinafter referred to as the Committee) which shall have full powers to decide appeals.

27.4.2 The Committee shall be constituted as follows:

- i) The Committee shall be convened by the Head of College or his/her nominee
- ii) Up to fourteen members will be drawn from the membership of the College, with representation from each of the Schools within the College. The membership will be individuals with experience of assessment, teaching and supervision at undergraduate and postgraduate (including research) levels. One member shall be appointed as the Vice-Convener.
- iii) Members of other College Appeals Committees of the University may also be co-opted onto the College Appeals Committee to hear specific appeals with the proviso that they must not have had any involvement with the academic decision being appealed against.

27.4.3 The membership of the Committee shall be reported to Senate annually. Members shall normally serve for a period of three years.

27.4.4 No member of the Senate Appeals Committee shall be entitled to serve on the Committee. Where a member of the Committee has participated directly in the decision appealed against, that member shall not sit for that individual appeal.

27.4.5 The quorum of the Committee to consider a specific student appeal shall be three; this shall comprise the Convener, plus at least two members who can each be drawn from either section ii) or iii) in §27.4.2 above.

27.4.6 The Committee may have the assistance of a legal adviser.

27.4.7 The Head of Student & Academic Administration of the College concerned or his/her nominee shall act as Clerk to the Committee.

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<sup>27</sup> A charge in excess of £20 may be made by a GP for provision of a medical report.

## 27.5 Consideration of Appeals

### Power to give directions

27.5.1 The Head of College or his/her nominee may direct the student (or his or her representative) or any party to the proceedings to furnish additional evidence, information or explanation as may be thought to be appropriate.

27.5.2 A direction to the student (or his or her representative) shall state the period of time by which the student shall respond in writing following which the appeal may be dismissed by the Head of College or Convener of the College Appeals Committee.

### Preliminary disposal

27.5.3 The Head of College or his/her nominee in consultation with two members of the College Appeals Committee may make a preliminary disposal in order to accelerate a decision or where the student is no longer available for a hearing. The Convener of the Committee may:

- i) dismiss the appeal because the subject-matter does not fall within the scope of §27.3.5;
- ii) dismiss the appeal because no competent grounds have been stated or because the appeal is frivolous or vexatious or because the appeal is out of time or because the student failed to comply with a direction made;
- iii) dismiss the appeal because it does not establish a *prima facie* case that the decision appealed against involved defective or unfair procedure, or a failure to take relevant evidence of adverse personal circumstances into account;
- iv) dismiss the appeal because the evidence submitted could reasonably have been presented to the Board of Examiners or other academic body;
- v) refer the appeal directly to the appropriate academic body responsible for the application of the progress regulations or to the Board of Examiners with whatever guidance or direction he/she considers appropriate;
- vi) refer the appeal to a full hearing before the College Appeals Committee. Provision of a hearing does not imply that a *prima facie* case has been established.

27.5.4 The Convener of the Committee may also take such other interim action by way of direction as he/she deems appropriate.

27.5.5 The Clerk to the Committee shall state in the letter to the student (or his or her representative) intimating the outcome of the preliminary disposal the reasons for the decision and shall provide the papers which were considered by the Committee.

27.5.6 An appeal which has been dismissed under preliminary disposal may be reinstated if the student (or his or her representative) makes representations with reasons why the case should not have been dismissed<sup>28</sup>. The representation and the reasons shall be made in writing within 10 working days of the date of letter intimating the outcome of the preliminary disposal.

## 27.6 Arrangements for a Hearing Before the College Appeals Committee

### Timing of the hearing

27.6.1 When a hearing is required, the Committee shall meet within 20 working days of receipt of the letter of appeal. Where this is not possible the appellant should be informed before the end of the 20 day period and be given the reason(s) for the delay.

### Preparation of papers

27.6.2 The Clerk of the Committee shall:

- i) request reports and information including information relating to the manner in which the decision appealed against was reached;
- ii) request the attendance of any person or persons whose presence is necessary for the hearing of the appeal;
- iii) provide the student (or his or her representative), normally 10 working days in advance of the hearing, with a copy of all papers which will be before the Committee and the names of those persons who will be in attendance. The papers will normally be sent by Recorded Delivery/University Courier or may at the student's request be collected in person.
- iv) notify the student (or his or her representative) no less than 5 working days prior to the hearing of the date, time and location of the hearing and the names of the members of the Committee who will consider the case.

## 27.7 Attendance at Hearing

27.7.1 Where the student is prevented from attending by ill health, the hearing shall normally be deferred on submission of medical evidence. If the student does not attend on the date appointed and no notification of the absence has been

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<sup>28</sup> An appeal would be reinstated if it were shown that the College had overlooked an aspect of the original appeal. An appeal should be forwarded to the Senate Appeals Committee in cases where the appellant considers there to be new evidence relevant to the appeal, or that the disposal of the appeal by College was manifestly unreasonable or involved defective procedure.

received, if the Convener is satisfied that the student has received due notice of the hearing, the Committee may proceed to deal with the case and to reach a decision in the student's absence.

27.7.2 The student shall have the right to be accompanied at the hearing by one of the following: a parent or guardian; a fellow student or other friend or to be formally represented by an Officer of the Students' Representative Council; a member of the University staff or any other appointed representative. Where the student seeks to have two individuals in attendance, one shall attend as an observer only.

27.7.3 The student may name any person or persons he/she wishes to be present to provide evidence on his/her behalf. The name of any person or persons called by the student to provide evidence shall be provided to the Clerk of the Committee no later than 10 working days before the date of the hearing. The student shall be responsible for arranging the attendance of such persons at the hearing with the exception of members of staff of the University who shall be notified of the date, time and location of the hearing by the Clerk to the Committee.

27.7.4 If any person or persons are unable or unwilling to attend the hearing, the Convener of the Committee shall be responsible for deciding if the hearing should proceed on the date arranged or be deferred. A written statement may be presented by any person who has been invited to attend the hearing but is not available at the date specified.

27.7.5 The hearing shall be held in private. Strict confidentiality shall be observed.

### **27.8 Expert Advice**

27.8.1 Where the Committee requires the advice of an expert to deal with a question of fact or special difficulty, such an expert shall provide a written report and where appropriate shall be invited to attend the hearing to provide evidence.

### **27.9 Procedure for the Conduct of a Hearing**

27.9.1 The Committee shall rely only on evidence presented at the hearing. Unauthorised electronic recordings of previous meetings or events will not be admissible as evidence at the hearing.

27.9.2 The hearing shall be conducted in the presence of all persons invited to attend to provide evidence.

27.9.3 Any unauthorised electronic recording of the hearing is expressly forbidden by the University.

#### **Statements**

27.9.4

- i) At the hearing, the Convener shall invite the student and his or her representative to make a statement. If the student declines the invitation to make a statement, the Committee shall reserve the right to question the student directly.
- ii) The Committee shall then address any questions to the relevant parties including those appearing to advise the Committee and shall afford the student and his/her representative an opportunity to question the persons involved through the Convener.
- iii) The Committee shall consider any request from any person present at the hearing to make a statement or to put questions through the Committee to anyone whom the Committee has examined.
- iv) The Committee shall afford the student an opportunity to make a final statement or to have one made on his or her behalf.
- v) The Convener shall seek confirmation from all parties that all necessary and relevant information has been conveyed to the Committee, that the questioning is complete and that in the opinion of the student, the hearing has been conducted in a fair manner.

#### **Deliberation of the Committee**

27.9.5 Thereafter all persons except the Committee, its Clerk and any legal adviser appointed to advise the Committee shall retire while the Committee considers its decision. The Committee shall reach its decision or defer the decision pending further investigations.

#### **Rules of evidence**

27.9.6 In reaching its decision, the College Appeals Committee shall not be bound by the rules of evidence. The Committee shall attempt to ascertain all relevant facts with a view to coming to a reasonable disposal.

#### **Adjournment**

27.9.7 At any stage the Convener may adjourn the hearing if he/she considers this to be necessary.

### **27.10 Disposal**

27.10.1 The Committee shall decide the matter at the conclusion of its consideration of the appeal or as soon as possible thereafter.

27.10.2 The Committee may decide by a majority.

27.10.3 The Committee may:

- i) dismiss the appeal because the subject matter of the appeal does not fall within the scope of §26.3;
- ii) dismiss the appeal because the decision appealed against did not involve defective or unfair procedure, or a failure to take relevant medical or adverse personal circumstances into account;
- iii) refer the appeal to the appropriate committee or to a Board of Examiners with whatever guidance or direction it considers appropriate;
- iv) uphold the appeal and grant whatever remedy it considers fair in the circumstances which does not involve overturning an academic judgement.

27.10.4 The decision and the reasons for the decision, with reference to any findings of fact, will be provided in writing to the student and his or her representative by Recorded Delivery normally within 10 working days of the decision being determined. If it is not possible to provide the decision and the reasons for the decision within this timescale, the student will be informed of the reason for the delay and a new timescale will be provided.

27.10.5 Where an appeal is upheld, the University shall defray reasonable and proportionate incidental expenses necessarily incurred by the student in the process of pursuing the appeal.

27.10.6 Incidental expenses are those which arose out of the pursuit of an appeal. They might include travelling expenses or photocopying expenses. Expenses should be reasonable and proportionate. The claim should be supported by evidence in the form of receipts. Where the claim relates to travel expenses, these should be at the lowest rate that could be obtained taking account of the circumstances of the claim.

27.10.7 A claim for expenses should be made on a Complaints Expenses form and submitted to the Director of the Senate Office within 20 working days of the date of the letter of outcome of the appeal.

### **27.11 Annual Review**

The College Appeals Committee shall review its proceedings annually.

## **28 CODE OF PROCEDURE FOR APPEALS TO THE SENATE APPEALS COMMITTEE**

The Code of Procedure for Appeals to the Senate Appeals Committee is governed by Resolution No. 570 of the University Court which came into effect on 1 September 2006.

### **28.1 Senate Assessors for Appeals**

28.1.1 The Senate shall appoint from its members two Senate Assessors for Student Appeals, one of whom shall be the Senior Senate Assessor for Student Appeals and the other shall be his or her deputy. Any of the duties of the Senior Senate Assessor may be performed by the deputy Senate Assessor.

The term of office shall normally be three years.

28.1.2 The duties of the Senate Assessors for Student Appeals shall include consideration of the admissibility of late appeals, directing the student with respect to further information, consideration of appeals under the preliminary disposal procedure, convening a hearing before the Senate Appeals Committee, notifying the outcome to the student and reporting the outcome with any recommendations to Senate.

### **28.2 Jurisdiction of the Senate Appeals Committee**

28.2.1 The Senate Appeals Committee shall consider appeals by Undergraduate Students, Taught Postgraduate Students and Research Postgraduate Students against a decision of a College Appeals Committee which falls within the scope of grounds for an appeal to Senate.

28.2.2 The Committee shall not have authority to alter the decision of a Board of Examiners. If relevant factors are raised by the appeal which should have been made known to the Board of Examiners or which the Board failed to take into account, the Committee shall instruct the Board to reconvene to reconsider the assessment.

28.2.3 The Committee shall not have authority to permit the resubmission of a thesis for a degree by research where a Committee of Examiners following due process, has recommended rejection of the thesis or resubmission for a lower degree. If the appeal reveals failure on the part of a School or a College to meet the standards set by the Code of Practice for Postgraduate Research Degrees, the student may raise a complaint under the Complaints Procedure contained in Section 29 of the *University Calendar*.

### **28.3 Lodging an Appeal**

#### **Time within which an appeal is to be lodged and late appeals**

28.3.1 Where an appeal lies against a decision of the College Appeals Committee in terms of §28.4.1 below, the appeal or an intimation of intention to appeal shall be submitted in writing to the Director of the Senate Office for the attention of

the Senior Senate Assessor for Student Appeals, within 10 working days<sup>29</sup> of the intimation to the student of the decision against which the student is appealing. Where an intention to appeal is submitted, the full appeal shall be submitted within 20 working days of the date of the letter intimating the intention to appeal.

28.3.2 An application for an extension of time for submitting i) an intimation to appeal beyond 10 working days, or ii) a full appeal letter beyond 20 working days, shall be made in writing to the Director of the Senate Office for the attention of the Senior Senate Assessor for Student Appeals and shall include sufficient information concerning the nature of the appeal, shall state the grounds on which an extension of time is sought and be accompanied by such evidence of medical or other adverse personal circumstances as are relevant to the application.

28.3.3 The timescale of 10 working days to intimate an intention to appeal combined with 20 working days to submit an appeal is designed to provide sufficient time for preparation of the appeal. Appellants are responsible for ensuring that arrangements such as; consultations with representatives, and data requests made under Data Protection or Freedom of Information legislation, are initiated at the beginning of the process. In considering any request from an appellant for an extension to the normal timescale for submission of an appeal, the timeliness of the appellant's own actions will be taken into account.

28.3.4 An application for extension of time for submitting an appeal, or an intimation to appeal, shall not be granted unless the Senior Senate Assessor for Student Appeals or his or her deputy, is satisfied that the student was precluded from appealing within 20 working days, or intimating the appeal within 10 working days, as a result of serious illness or other circumstances which are both exceptional and relevant to the appeal.

28.3.5 A letter of appeal or other documents required for the consideration of an appeal shall be treated as having been given or sent on the day that it is received by the Director of the Senate Office; and any letter or document sent to any person including the student in connection with the appeal shall, if sent to the person's last notified address, be treated as having been given or sent on the day that it was posted.

#### **28.4 Grounds for Appeal**

28.4.1 An appeal may be made to the Senate Appeals Committee against a decision of a College Appeals Committee only on the grounds that:

- i) new evidence has emerged which could not reasonably have been produced to the College Appeals Committee and/or
- ii) there has been defective procedure by the College in its disposal of the appeal and/or
- iii) the disposal at College level was manifestly unreasonable.

28.4.2 Evidence of medical or other adverse personal circumstances must be provided in accordance with the Code of Assessment (§16.41 - §16.48).

28.4.3 In the case of a claim of unfair or defective procedure, evidence in the form of written statements or formal documents such as the Minute of the Board of Examiners must be provided. Advice on a subject data access request can be obtained from the Data Protection Office at:

[www.glasgow.ac.uk/dpfoioffice/a-ztopics/subjectaccessrequestsar/](http://www.glasgow.ac.uk/dpfoioffice/a-ztopics/subjectaccessrequestsar/)

28.4.4 Where the student claims that the disposal at College level was unreasonable; the student must state in writing the respects in which he/she believes that the College Appeals Committee was mistaken in its decision.

#### **28.5 Content of a Letter of Appeal to the Senate Appeals Committee**

28.5.1 A letter of appeal should be concise and shall state:

- i) the name and address of the student and the telephone number and email address, if available;
- ii) the decision appealed against;
- iii) all the grounds for the appeal: additional grounds may be admitted subsequently only at the discretion of the Convener; additional grounds presented at the hearing may lead to adjournment of the hearing;
- iv) the remedy or remedies which the student seeks;
- v) the name and address of any person whom the student has appointed as a representative or who will accompany the student at the hearing;
- vi) whether the student wishes to be present at an oral hearing or whether he/she is content for the appeal to be considered without his/her presence.

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<sup>29</sup> For the purposes of this Code, Monday to Friday are counted as working days except when the University is closed for a Public Holiday (as listed at [www.gla.ac.uk/services/humanresources/policies/h-o/holidays/publichols/](http://www.gla.ac.uk/services/humanresources/policies/h-o/holidays/publichols/)). Saturdays and Sundays are not counted as working days.

28.5.2 Where a student has failed to present to the College Appeals Committee medical or other adverse personal circumstances, the letter of appeal shall contain a statement explaining the exceptional circumstances which prevented this evidence from being presented previously.

## **28.6 Senate Appeals Committee - Constitution**

28.6.1 The Committee shall be constituted as follows:

- i) The Senior Senate Assessor for Student Appeals or his/her deputy shall convene the Committee.
- ii) Five members of Senate nominated by each College to serve for a period of three years. The nominees will be individuals with experience of assessment, teaching and supervision at undergraduate and postgraduate (including research) levels. The nominees will not be members of any College Appeals Committee. One member shall be appointed as a Senate Assessor for Student Appeals and shall be the deputy to the Senior Assessor.

28.6.2 The membership of the Committee shall be reported to Senate annually. Members shall normally serve for three years.

28.6.3 A representative of the student body may attend the hearing in the role of observer unless the appellant has expressed the wish that no such representative shall be present.

28.6.4 Where a member of the Committee has participated directly in the decision appealed against or has an affiliation to the School(s) in which the appellant has been studying, that member shall not sit for that appeal.

28.6.5 The quorum of the Committee shall be five. Exceptionally the Committee shall have powers to co-opt up to two members of Senate in order to obtain a quorum.

28.6.6 The Committee may have the assistance of a legal adviser.

28.6.7 The Director of the Senate Office or his or her deputy shall act as Clerk to the Committee.

## **28.7 Consideration of Appeals**

### **Power to give directions**

28.7.1 Upon receipt of a written appeal, the Senior Senate Assessor for Student Appeals or his or her deputy may direct the student (or his or her representative) or any party to the proceedings, to furnish additional evidence, information or explanation as may be thought to be appropriate.

28.7.2 A direction to the student (or his or her representative) shall state the period of time by which the student shall respond in writing following which the appeal may be dismissed by the Senior Senate Assessor.

### **Preliminary disposal**

28.7.3 The Senior Senate Assessor for Student Appeals or his/her deputy in consultation with two members of the Senate Appeals Committee may make a preliminary disposal in order to accelerate a decision or where the student is no longer available for a hearing. The Senior Senate Assessor may:

- i) dismiss the appeal because the subject-matter of the appeal does not fall within the scope of §28.4 above;
- ii) dismiss the appeal because no competent grounds have been stated or because the appeal is frivolous or vexatious or because the appeal is out of time or because the student failed to comply with a direction made in terms of §28.7.1 and §28.7.2 above;
- iii) dismiss the appeal because it does not establish a *prima facie* case that disposal at College level involved defective or unfair procedure, or a failure to take relevant medical evidence or adverse personal circumstances into account or was manifestly unreasonable;
- iv) dismiss the appeal because the new evidence submitted by the student could reasonably have been presented to the College Appeals Committee;
- v) set aside the decision of the College Appeals Committee and refer the appeal to the appropriate academic body responsible for the application of the progress regulations or to the Board of Examiners with whatever guidance or direction it considers appropriate;
- vi) refer the appeal to the College Appeals Committee with whatever guidance or direction it considers appropriate, which may include a direction that the appeal is heard again by a Committee which is not constituted by any member who was involved in the first decision;
- vii) refer the appeal to the Senate Appeals Committee for a full hearing. Provision of a hearing does not imply that a *prima facie* case has been established.

28.7.4 The Senior Senate Assessor or his or her deputy may also take such other interim action by way of direction as he or she deems appropriate.

28.7.5 The Clerk to the Committee shall state in the letter to the student (or his or her representative) intimating the outcome of the preliminary disposal the reasons for the decision and shall provide the papers which were considered by the Committee.

28.7.6 An appeal which has been dismissed under preliminary disposal may be reinstated if the student (or his or her representative) makes representation stating the reasons why the appeal should not have been dismissed. The representation and the reasons shall be made in writing to the Senate Office within 10 working days of the date of the letter intimating the outcome of preliminary disposal. The Senior Senate Assessor in consultation with his or her deputy shall decide whether to reinstate the appeal.

## **28.8 Arrangements and Procedure for a Hearing**

### **Timing of the hearing**

28.8.1 When a hearing is required, the Committee shall meet within 20 working days of receipt of the letter of appeal or as soon thereafter as it practicable.

### **Preparation of papers**

28.8.2 The Clerk of the Committee shall:

- i) request a copy of the papers which were before the College Appeals Committee and a report of the hearing including information relating to the manner in which the decision appealed against was reached;
- ii) request any other reports or information relevant to the appeal
- iii) request the Convener of the College Appeals Committee to provide a written response to the statements made in the letter of appeal and to name any person or persons the College wishes to appear to provide evidence;
- iv) provide the student (or his or her representative), normally 10 working days in advance of the hearing, with a copy of all papers which will be before the Committee and the names of those persons who will be in attendance. The papers will normally be sent to the student by Recorded Delivery/University Courier or may at the student's request be collected in person.
- v) notify the student (or his or her representative) no less than 5 working days prior to the hearing of the date, time and location of the hearing and the names of the members of the Committee who will consider the case.

## **28.9 Attendance at Hearing**

28.9.1 Where the student is prevented from attending by ill health, the hearing shall normally be deferred on submission of medical evidence. If the student does not attend on the date appointed and no notification of the absence has been received, if the Senior Senate Assessor or his/her deputy is satisfied that the student has received due notice of the hearing, the Committee may proceed to deal with the case and to reach a decision in the student's absence.

28.9.2 The student shall have the right to be accompanied at the hearing by one of the following: a parent or guardian; a fellow student or other friend or to be formally represented by an Officer of the Students' Representative Council; a member of the University staff or any other appointed representative. Where the student seeks to have two individuals in attendance, one shall attend as an observer only.

28.9.3 The student may name any person or persons he/she wishes to be present to provide evidence on his/her behalf. The name of any person or persons called by the student to provide evidence shall be provided to the Clerk of the Committee no later than 10 working days before the date of the hearing. The student shall be responsible for arranging the attendance of such persons at the hearing with the exception of members of staff of the University who shall be notified of the date, time and location of the hearing by the Clerk to the Committee.

28.9.4 If any person or persons are unable or unwilling to attend the hearing, the Senior Senate Assessor for Student Appeals shall be responsible for deciding if the hearing shall proceed on the date arranged or be deferred. A written statement may be presented by any person who has been invited to attend the hearing but who is not available at the date specified.

28.9.5 The hearing shall be held in private. Strict confidentiality shall be observed.

## **28.10 Expert Advice**

Where the Committee requires the advice of an expert to deal with a question of fact or special difficulty, such an expert shall provide a written report and where appropriate shall be invited to attend the hearing to provide evidence.

## **28.11 Procedure for the Conduct of a Hearing**

28.11.1 The Committee shall rely only on evidence presented at the hearing. Unauthorised electronic recordings of previous meetings or events will not be admissible as evidence at the hearing.

28.11.2 The hearing shall be conducted in the presence of all persons invited to attend to provide evidence.

28.11.3 Any unauthorised electronic recording of the hearing is expressly forbidden by the University.

### **Statements**

28.11.4 At the hearing:

- i) The Convener shall invite the student and his or her representative to make a statement. If the student declines the invitation to make a statement, the Committee shall reserve the right to question the student directly.

- ii) The Committee shall then address any questions to the relevant parties including those appearing to advise the Committee and shall afford the student and his/her representative an opportunity to question the persons involved through the Convener.
- iii) The Committee shall consider any request from any person present at the hearing to make a statement or to put questions through the Committee to anyone whom the Committee has examined.
- iv) The Committee shall afford the student an opportunity to make a final statement or to have one made on his or her behalf.
- v) The Convener shall seek confirmation from all parties that all necessary and relevant information has been conveyed to the Committee, that the questioning is complete and that in the opinion of the student, the hearing has been conducted in a fair manner.

#### **Deliberation of the Committee**

28.11.5 Thereafter all persons except the Committee, its Clerk and any legal adviser appointed to advise the Committee shall retire while the Committee considers its decision. The Committee shall reach its decision or defer the decision pending further investigations.

#### **Rules of evidence**

28.11.6 In reaching its decision, the Senate Appeals Committee shall not be bound by the rules of evidence. The Committee shall attempt to ascertain all relevant facts with a view to coming to a reasonable disposal.

#### **Adjournment**

28.11.7 At any stage the Convener may adjourn the hearing if he/she considers this to be necessary.

### **28.12 Disposal**

28.12.1 The Committee shall decide the matter at the conclusion of its consideration of the appeal or as soon as possible thereafter.

28.12.2 The Committee may decide by a majority.

28.12.3 The Committee may:

- i) dismiss the appeal because the subject matter of the appeal does not fall within the scope of §26.3;
- ii) dismiss the appeal because the disposal at College level did not involve defective or unfair procedure, or a failure to take relevant medical or adverse personal circumstances into account or was not manifestly unreasonable;
- iii) dismiss the appeal because the new evidence submitted by the student could reasonably have been produced to the College Appeals Committee
- iv) dismiss the appeal because the appeal is frivolous or vexatious; or if it is considered that the student suffered no material prejudice
- v) refer the appeal to the appropriate College Committee or to a Board of Examiners with whatever guidance or direction it considers appropriate
- vi) uphold the appeal and grant whatever remedy it considers fair in the circumstances which does not involve overturning an academic judgement.

28.12.4 The decision and the reasons for the decision, with reference to any findings of fact, will be provided in writing to the student and his or her representative by Recorded Delivery normally within 10 working days of the decision being determined. If it is not possible to provide the decision and the reasons for the decision within this timescale, the student will be informed of the reason for the delay and a new timescale will be provided.

28.12.5 Where an appeal is upheld, the University shall defray reasonable and proportionate incidental expenses necessarily incurred by the student in the process of pursuing an appeal.

28.12.6 Incidental expenses are those which arose out of the pursuit of an appeal. They might include travelling expenses or photocopying expenses. Expenses should be reasonable and proportionate. The claim should be supported by evidence in the form of receipts. Where the claim relates to travel expenses, these should be at the lowest rate that could be obtained taking account of the circumstances of the claim.

28.12.7 A claim for expenses should be made on a Complaints Expenses form and submitted to the Director of the Senate Office within 20 working days of the date of the letter of outcome of the appeal.

### **28.13 Reference Back to a College**

28.13.1 The Senate Appeals Committee may decide to refer the matter to the College Appeals Committee where it considers:

- i) that evidence made available to the Senate Appeals Committee had not been presented to the College Appeals Committee, or
- ii) that there had been defective procedure at the College level, or

iii) that the decision of the College Appeals Committee had been manifestly unreasonable.

28.13.2 In the first case, the Senate Appeals Committee may decide to refer the matter to the College Appeals Committee as originally constituted to hear the appeal in order to permit that Committee to hear the case *ab initio*.

28.13.3 In the second and third cases, the matter shall be considered by a newly constituted College Appeals Committee.

28.13.4 Where an appeal is made to the Senate against the decision of the College Appeals Committee following a reference back, it shall be competent for the Senior Senate Assessor for Student Appeals or his/her deputy, in consultation with at least two other members of the original Appeals Committee, either to dismiss the appeal or to recall the Senate Appeals Committee to hear the case.

#### **28.14 Annual Review**

28.14.1 The Senate Appeals Committee shall review its proceedings annually including a review of actions taken in respect of recommendations to Senate.

28.14.2 This shall conclude the internal processes of the University.

#### **28.15 Independent External Review**

If the appellant is dissatisfied with the outcome of an appeal to Senate, he/she shall have the right to a review by an external adjudicator<sup>30</sup>, details of which shall be available from the Senate Office.

## **29 COMPLAINTS PROCEDURE**

### **29.1 Introduction**

The University has a duty to maintain and enhance the quality of its provision and to provide an effective system for handling appeals and complaints. This section provides the procedure for investigating and resolving complaints where the complaint does **not** relate to an academic decision on progress, assessment or award directly affecting the complainant. A complaint concerning an academic decision of this nature is considered under the Appeals Code contained in Sections 26, 27 and 28.

### **29.2 Principles**

29.2.1 Complainants should have a full opportunity to raise individually or collectively, matters of proper concern to them without fear of disadvantage and in the knowledge that privacy and confidentiality will be respected.

29.2.2 While privacy and confidentiality will be respected, it will be necessary to reveal the identity of the complainant in the course of the investigation and the complainant should be informed at the outset that the details of the complaint and his/her identity will be revealed to individuals from whom a response is required in the process of investigating the complaint.

29.2.3 Every effort should be made to resolve the matter quickly at the source of the complaint.

29.2.4 The procedures should be straightforward, fair and transparent.

29.2.5 The procedure should operate in accordance with the University's Equal Opportunities Policy which requires that complainants will be treated fairly and consistently without discrimination.

29.2.6 Complainants should be directed to the University website for information on the complaints procedure and should be directed to where they can seek advice including the Students' Representative Council:

[www.glasgowstudent.net/](http://www.glasgowstudent.net/)

29.2.7 Information and documentation material to the complaint should be provided by the complainant and by the University while taking account of the privacy, confidentiality and reasonable interests of any relevant third parties. Unauthorised electronic recordings of previous meetings or events will not be admissible as evidence for the complaint.

29.2.8 The University should provide a process for investigating a complaint and for reviewing the investigation and its outcome.

29.2.9 The investigation of a complaint should normally commence within 10 working days<sup>31</sup> of receipt of the complaint. As far as is practicable, all parties should be kept informed every 10 working days of the progress of the investigation.

29.2.10 A complaint should only be raised by a third party in the case of a person under the age of 18, or where the complainant has provided written authority for a third party to act on his/her behalf.

<sup>30</sup> External adjudication will be provided by the Scottish Public Services Ombudsman ([www.spsso.org.uk/](http://www.spsso.org.uk/)).

<sup>31</sup> For the purposes of this Procedure, Monday to Friday are counted as working days except when the University is closed for a Public Holiday (as listed at [www.gla.ac.uk/services/humanresources/policies/h-o/holidays/publichols/](http://www.gla.ac.uk/services/humanresources/policies/h-o/holidays/publichols/)). Saturdays and Sundays are not counted as working days.

29.2.11 A formal record should be kept at each stage of consideration of the complaint specifying the details of the complaint, the nature of any investigation and the outcome including any actions taken. The complainant should be provided with a letter detailing the outcome.

29.2.12 Where a complaint is upheld, the University should defray reasonable and proportionate incidental expenses necessarily incurred by the complainant in the process of pursuing the complaint.

29.2.13 Where a complaint is upheld and there is evidence that the University's provision fell significantly below the standard which could reasonably have been expected, the University should provide reasonable and proportionate compensation.

29.2.14 Where a complaint is upheld, the University should ensure that appropriate remedial action is taken.

29.2.15 When the internal processes provided by the University have been completed, the complainant should be provided with a completion of procedures letter and details of the process of external review.

29.2.16 The University reserves the right to suspend procedures of this Code if the complainant behaves inappropriately. In such cases the Clerk of Senate or his/her nominee shall suspend procedures and advise the complainant accordingly. If the complainant is a student, misconduct may be deemed to be in breach of the Code of Student Conduct and disciplinary proceedings invoked.

29.2.17 The University is not under an obligation to investigate frivolous, vexatious or malicious complaints or complaints previously dealt with or to enter into further correspondence if a reasonable response has been provided.

### **29.3 Definition of a Complaint**

29.3.1 A complaint is defined as an expression of grievance or dissatisfaction to the effect that the University (which includes its employees and its students) has failed in its dealings with the complainant to meet either its own promised standards or standards that could reasonably be expected.

29.3.2 If the complaint concerns an academic decision relating exclusively to the complainant, it is likely that the matter should be considered under the Code of Procedure for Appeals. If the complaint concerns the quality of supervision or teaching which the complainant considers contributed to a failure to achieve a required academic standard, the matter is better considered under the Complaints Procedure.

### **29.4 Who May Raise a Complaint and Within What Timescale**

29.4.1 Any person including a registered student, former student, graduate of the University or applicant may raise a complaint. In the case of a complaint raised jointly, a lead person shall be identified who will represent those raising the complaint.

29.4.2 A complaint from a registered student shall not normally be considered if it is received more than 12 months after the last incident to which the complaint refers. If the complainant is not a student, or is a former student, the complaint shall not normally be considered more than 6 months after the last incident to which the complaint refers. An extension to this time limit shall be granted only where the Clerk of Senate accepts as reasonable, the explanation for the delay in presenting the complaint.

29.4.3 It may be appropriate for a complaint against a student by a member of staff to be considered under the Harassment Policy and Procedures for staff provided by the Human Resources Department:

[www.glasgow.ac.uk/humanresources/policies/h-o/harassmentpolicy](http://www.glasgow.ac.uk/humanresources/policies/h-o/harassmentpolicy)

29.4.4 A complaint raised by a student against a member of staff shall normally be considered under this Complaints Procedure.

### **29.5 Extent of Authority of the Complaints Procedure**

29.5.1 A complaint which is upheld in whole or in part may result in a revision to University policy or procedure or an alteration to the practice of an academic or administrative department, or support service. It may result in a change to supervisory, teaching or assessment arrangements.

29.5.2 A complaint, even if upheld, will not result in a change to an academic decision. If this is the desired outcome, the matter should be referred to the College Appeals Committee.

29.5.3 A complaint against a student, even if upheld, shall not lead directly to the imposition of a penalty but may be referred to the Senior Senate Assessor for Student Conduct for investigation under the Code of Student Conduct.

29.5.4 A complaint against a member of staff, even if upheld, shall not lead directly to disciplinary action but may be referred to the Director of the Human Resources Department for investigation under the appropriate procedure.

### **29.6 Informal Consideration of a Complaint**

29.6.1 Prior to submitting a formal complaint, complainants should discuss the matter with the Head of School, Head of the Administrative Department or Support Service, an Adviser of Studies, Supervisor, Course Co-ordinator, College Administrator or other member of staff in an attempt to resolve the matter informally.

29.6.2 Students may also seek advice from the Students' Representative Council (SRC) Advice Centre.

[www.glasgowstudent.net/advice/](http://www.glasgowstudent.net/advice/)

29.6.3 Complaints concerning the quality or organisation of programmes of study should be referred in the first instance to the appropriate Staff/Student Committee through the Class/Year Representative or the Students' Representative Council (SRC) representative for the relevant area. A list of representatives can be obtained from the SRC who may assist a student in seeking an informal resolution.

[www.glasgowstudent.net/](http://www.glasgowstudent.net/)

29.6.4 Where the complaint relates to bullying, harassment, racial discrimination or an infringement of equal rights, students should refer to the University's Equality and Diversity web page before submitting a formal complaint.

Guidance can be found on the following website:

[www.glasgow.ac.uk/humanresources/policies/a-g/equalitypolicy](http://www.glasgow.ac.uk/humanresources/policies/a-g/equalitypolicy)

29.6.5 International students may also discuss the matter with the International Student Adviser in an attempt to resolve the matter informally.

29.6.6 Research students should normally discuss the matter with the Graduate School Administrator before submitting a formal complaint.

## **29.7 Formal Consideration of a Complaint (Stage 1)**

29.7.1 If a complainant remains dissatisfied after making a reasonable attempt to resolve the complaint through an informal process he/she shall have the right to invoke the formal procedure described below.

29.7.2 The complainant may be represented or advised by the Students' Representative Council or by any other formally appointed representative. It is expected that the complainant will attend in person any meeting concerning the investigation of the complaint. (See §29.9 below which states the University policy with regard to expenses incurred by a complainant.)

29.7.3 Where the complaint is against a student, the student complained against may be represented by the Students' Representative Council or by any other appointed representative.

29.7.4 Where the complaint is against a member of staff, the member of staff may be represented by a Union official or any other representative.

29.7.5 The details of the complaint shall be set out on the Complaint Form (Stage 1). The name and address of any representative appointed by the complainant shall be stated. The complaint shall be submitted to the senior member of staff responsible for provision in the area of the complaint. If the complaint is against that senior member of staff, the complaint shall be submitted to the person next in seniority in the management structure

29.7.6 The general categories of complaints are listed below with the appropriate website to assist with the identification of the senior member of staff:

### **The quality of a programme of study in terms of its content or its delivery**

Head of School/Division/Centre

[www.glasgow.ac.uk/Departments/](http://www.glasgow.ac.uk/Departments/)

### **The quality or accuracy of advice provided by an Adviser of Studies, timetabling clashes, restrictions of choice within a degree programme**

Chief Adviser of Studies in the College concerned.

[www.glasgow.ac.uk/Departments/](http://www.glasgow.ac.uk/Departments/)

### **The quality of research supervision and or quality of facilities for research**

College Dean of Graduate Studies.

[www.glasgow.ac.uk/Departments/](http://www.glasgow.ac.uk/Departments/)

### **The management of an application for admission to a programme of study**

Director of the Recruitment, and International Office.

<http://www.gla.ac.uk/services/rio/>

In cases where admissions are managed by Colleges or Schools, the complaint will be forwarded to the Head of the relevant admissions office.

**Bullying, harassment, racial discrimination, infringement of equal opportunities<sup>32</sup>**

Head of School/Division/ Centre or Head of Administrative Department or Support Service where the complaint arose.<sup>33</sup>  
The Equality and Diversity Unit will provide advice on the conduct of the investigation<sup>34</sup>.

**Guidance on Harassment<sup>35</sup>**

There is not, and probably cannot be, a single simple definition. This is because harassment takes many forms, occurs on a variety of grounds and may be directed at an individual or group of individuals. It is not the intention of the harasser but the conduct itself and the impact on the recipient which primarily determines what constitutes harassment. The impact of harassment can result in the recipient feeling discomfort or humiliation or may adversely affect the recipient's performance, undermine progress or create a threatening or intimidating study or work environment. It can also provoke aggressive, retaliatory attitudes and actions. Certain behaviour will be, by its nature or severity unwelcome even on a single occasion.

Social interaction within the University community involving mutually acceptable behaviour should be distinguished from harassment. However, it should be borne in mind that what is initially acceptable to some may be offensive to others.

**Examples of unacceptable behaviour**

Complaints may be raised in relation to the following, although this list is neither exclusive nor exhaustive and other forms of behaviour may be regarded as harassment, discrimination, victimisation or bullying.

**Sexual Harassment**

- physical conduct ranging from the invasion of personal space and/or inappropriate touching to serious assault
- verbal, written and e-mail harassment through derogatory remarks, jokes, insults, offensive language, gossip and slander
- sexually suggestive and unwelcome comments or derogatory remarks including any regarding the sexual orientation or preference of an individual
- unwanted requests or pressure for sexual favours
- unjustifiable exclusion, e.g. withholding information, not talking to, not including in discussions or meetings, or exclusion from social occasions
- sexual graffiti or displays of pornographic or degrading pictures or objects in the University environment including pornographic displays on computer screens
- intrusion by pestering, spying, following, stalking, etc.
- unfair allocation of work and responsibilities
- incitement to commit any of the above

**Racial Harassment**

- physical conduct ranging from the invasion of personal space and/or inappropriate touching to serious assault
- verbal, written and e-mail harassment through derogatory remarks, jokes, insults, offensive language, gossip and slander
- displays of racially suggestive or degrading pictures, graffiti or object in the workplace
- unjustifiable exclusion, e.g. withholding information, not talking to, not including in discussions or meetings, or exclusion from social occasions
- intrusion by pestering, spying following, stalking, etc.
- unfair allocation of work and responsibilities
- incitement to commit any of the above

**Bullying and Intimidation**

- physical conduct ranging from the invasion of personal space and/or inappropriate touching to serious assault
- verbal, written and e-mail harassment through derogatory remarks, jokes, insults, offensive language, gossip and slander
- open aggression, threats, shouting, unpredictable outbursts
- deliberately setting objectives with unreasonable deadlines or changing objectives unfairly

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<sup>32</sup> This would cover complaints surrounding maternity and paternity issues. The University's *Student Maternity, Maternity Support and Adoption Policy* describes its expected standards and provision for students in relation to maternity and paternity matters.

<sup>33</sup> In cases where a complaint is against a student who is not located in a specific academic School, the complaint should be submitted to the Chief Adviser of Studies for the College in which the student is registered. Details of Chief Advisers of Studies are available at [www.gla.ac.uk/students/study/advisers/](http://www.gla.ac.uk/students/study/advisers/)

<sup>34</sup> The Equality and Diversity Unit can offer assistance in the definition of harassment and provide guidance on current legislation on equality and discrimination. EDU has no role in the investigation, judgement or conclusion of the complaint.

<sup>35</sup> The University has appointed Harassment Advisers who are available to members of the University, including students, who have concerns about harassment. The Harassment Advisers can provide advice on action that can be taken to address harassment, and in particular, the University's policies and procedures in this area.

- belittling, marginalising or ridiculing; taking credit for someone else's work but never taking the blame if something goes wrong
- frequent unjustifiable criticism about minor things
- twisting something someone says or does
- threatening disciplinary or other action deliberately to intimidate
- unjustifiable exclusion, e.g. withholding information, not talking to, not including in discussions or meetings, or exclusion from social occasions
- intrusion by pestering, spying, following, stalking, etc.
- unfair allocation of work and responsibilities
- inappropriate or derogatory remarks in connection with performance, particularly in front of other students and/or staff
- incitement to commit any of the above

Further information is available in the University's Student Harassment Statement which is available online at

[www.gla.ac.uk/services/equalitydiversity/harassment/students/](http://www.gla.ac.uk/services/equalitydiversity/harassment/students/)

The University's Equality and Diversity Policy is in place for both students and staff and is implemented by a suite of policies covering the following specific strands of equality:

*(For Staff and Students)*

Religion or Belief Policy

Disability Policy

Sexual Orientation Policy

Race Equality Policy

*(For Staff)*

Harassment Policy

Age Discrimination Policy (incorporating Retirement Policy)

Part Time Working Policy

All of the above policies are available online at

[www.glasgow.ac.uk/humanresources/policies](http://www.glasgow.ac.uk/humanresources/policies) and should be referred to if complaints in these areas arise.

#### **The management of a request under the Data Protection Act**

Data Protection Officer

[www.glasgow.ac.uk/dataprotection](http://www.glasgow.ac.uk/dataprotection)

#### ***The quality of provision by an administrative Department or support service***

Head of the appropriate administrative Department or support service

[www.glasgow.ac.uk/services](http://www.glasgow.ac.uk/services)

29.7.7 The senior member of staff listed above shall normally be responsible for conducting the investigation but where it is anticipated that an investigation may be complex or sensitive, he/she may appoint an investigator to conduct the investigation on his/her behalf.

29.7.8 The investigation of a complaint shall normally commence within 10 working days of receipt of the complaint. As far as is practicable, all parties shall be informed every 10 working days of the progress of the investigation.

29.7.9 A copy of the complaint shall be sent to the person(s) against whom the complaint is raised and a written response shall be requested.

29.7.10 Normally the complainant and the person(s) against whom the complaint is raised shall meet separately with the investigator. If there is agreement from both parties, a joint meeting shall be held in addition to or instead of separate meetings.

29.7.11 The investigator shall be entitled to consider all evidence available, written or otherwise, although unauthorised electronic recordings of previous meetings or events will not be admissible.

29.7.12 The investigator may issue a summary of the facts so that the parties can comment on any material inaccuracies.

29.7.13 If the investigation is carried out on behalf of the senior member of staff, the investigator shall submit a written report to the senior member of staff.

29.7.14 Where the complaint is upheld in whole or in part, the senior member of staff shall determine or shall recommend:

- a) a course of action which he/she considers to be fair in the circumstances or
- b) that the complaint may have merit but would be better considered in another forum

29.7.15 Where a particular course of action is required or recommended, the member of staff with responsibility for the investigation, shall ensure that the action has been carried out within a reasonable timescale.

29.7.16 At the conclusion of the investigation, the member of staff responsible for the investigation shall complete Sections 3 and 4 of the Complaints form (Stage 1). A letter shall be sent to the complainant and, any person(s) complained against, stating the outcome of consideration of the complaint, the reasons for any decision reached and a statement of any action or actions arising from consideration of the complaint. A copy of the completed Complaints Form (Stage 1) shall be sent with the letter of outcome.

29.7.17 The member of staff listed in §29.7.6 above, is not under obligation to investigate frivolous, vexatious or malicious complaints or complaints previously dealt with or to enter into further correspondence if a reasonable response has been provided.

## 29.8 Review of a Complaint (Stage 2)

29.8.1 Where a complainant considers that a complaint has not been given proper consideration under the procedure described in §29.7 above, namely Stage 1 of the procedure or where the complainant is not satisfied with the outcome of the consideration of the complaint under Stage 1, the complainant may request a review of the complaint.

29.8.2 A complaint which has not been considered by the procedure described in §29.7 above, namely Stage 1 of the procedure or where consideration has commenced but has not been completed under Stage 1, shall be referred to the appropriate member of staff listed in §29.7.

29.8.3 The complainant may be represented or advised by the Students' Representative Council or by any other appointed representative. It is expected that the complainant will attend in person any meeting concerning the review of the investigation of the complaint.

29.8.4 Where the complaint is against a student, the student complained against may be represented by the Students' Representative Council or by any other appointed representative.

29.8.5 Where the complaint is against a member of staff, the member of staff may be represented by a Union official or any other appointed representative.

29.8.6 A request for a review of a complaint shall be submitted to one of the reviewers listed in §29.8.9 below on the Complaint Form (Stage 2) within 10 working days of the intimation to the complainant of the outcome of the investigation of the complaint under Stage 1 of the procedure.

29.8.7 The complainant shall state the grounds for requesting a review of the investigation and shall submit the completed Complaint Form (Stage 1) with a copy of the correspondence and documentation relating to the investigation.

29.8.8 An application for an extension of the time beyond 10 working days shall not be granted unless the Reviewer is satisfied that the complainant was precluded from requesting the review as a result of serious illness or other circumstances which are both exceptional and relevant to the complaint.

29.8.9 The review shall be carried out by a reviewer identified by the category of complaint as listed below:

- a) **Academic complaints** relating to such matters as quality of programmes, delivery of programmes, academic advice, quality of supervision or facilities and admission to a programme of study.

Reviewer: One of the Senate Assessors for Academic Complaints appointed by the Senate. (Complaints Form to be sent to the Director of the Senate Office).

- b) **Equal opportunities complaints** relating to such matters as bullying, harassment, racial discrimination, infringement of equal opportunities.

Reviewer: Line Manager of the senior member of staff responsible for the investigation at Stage 1 of the procedure. The Equality and Diversity Unit will provide advice on the conduct of the review<sup>36</sup>.

- c) **Compliance with legislation complaints** relating to such legislation as the Data Protection Act, Race Relations Amendment Act and the Disability Discrimination Act.

Reviewer: Secretary of Court

- d) **Quality of Administrative Departments and Support Services complaints** relating to such services as the Accommodation Service, Computing Service, Registry, Senate Office, Student Counselling and Advisory Service, Sport and Recreation Service, Library, University Health Service.

Reviewer: Head of Division

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<sup>36</sup> The Equality and Diversity Unit can offer assistance in the definition of harassment and provide guidance on current legislation on equality and discrimination. EDU has no role in the investigation, judgement or conclusion of the complaint.

29.8.10 The reviewer shall declare any material interest in the complaint and shall, where there is a material interest, refer the complaint to his/her deputy.

29.8.11 The reviewer shall normally commence the process of review within 10 working days of receipt of the complaint. As far as practicable all parties shall be informed every 10 working days of the progress of the investigation.

29.8.12 The reviewer shall send a copy of the Complaint Form (Stage 2) to the member of staff who was responsible for the investigation at Stage 1 of the procedure with a request for a response to the issues raised. The person(s) against whom the complaint was first raised shall be notified of the Stage 2 Review. The reviewer may seek additional information from the complainant or others associated with the complaint.

29.8.13 Face to face meetings shall be held if required. The complainant and the person(s) complained against shall have the right of representation at such meetings.

29.8.14 The reviewer shall be entitled to consider all evidence available, written or otherwise, although unauthorised electronic recordings of previous meetings or events will not be admissible.

29.8.15 The reviewer may issue a summary of the facts so that the parties can comment on any material inaccuracies

29.8.16 Where the complaint is upheld in whole or in part, the reviewer shall determine or shall recommend:

- a) a course of action which he/she considers to be fair in the circumstances or
- b) that the complaint may have merit but would be better considered in another forum

29.8.17 Where a particular course of action is determined or recommended, the reviewer shall ensure that the action has been carried out within a reasonable timescale.

29.8.18 At the conclusion of the review, the reviewer shall complete Sections 3 and 4 of the Complaints form (Stage 2). A letter shall be sent to the complainant by Recorded Delivery, and also to any person(s) complained against, stating the outcome of consideration of the complaint, the reasons for any decision reached and a statement of any action or actions arising from consideration of the complaint. A copy of the completed Complaints Form (Stage 2) shall be sent with the letter of outcome.

29.8.19 In addition to the letter of outcome, the complainant shall receive a letter stating that the internal processes of the University are complete.

29.8.20 The reviewer is not under an obligation to investigate frivolous, vexatious or abusive complaints or complaints previously dealt with or to enter into further correspondence if a reasonable response has been provided.

### **29.9 Policy for the Payment of Incidental Expenses**

29.9.1 The University may pay reasonable and proportionate incidental expenses necessarily incurred by the complainant if a complaint is upheld.

29.9.2 Incidental expenses are those which arose out of the pursuit of the complaint. They might include travelling expenses or photocopying expenses. Expenses should be reasonable and proportionate. The claim should be supported by evidence of the expenditure in the form of receipts. Where the claim relates to travel expenses, these should be at the lowest rate that could be obtained taking account of the circumstances of the claim.

29.9.3 Incidental expenses do not include the cost of obtaining legal advice. A complainant may decide to be represented by a lawyer. This expense is not considered to be a necessary expense as the processes of the University are provided as an alternative to the process of judicial review.

29.9.4 A claim for expenses should be made on a Complainant Expenses Form and submitted to the Director of the Senate Office within 20 working days of the date of the letter of outcome from the investigator or reviewer of the complaint.

### **29.10 Policy for the Payment of Compensation**

29.10.1 The University may pay compensation if a complaint is upheld.

29.10.2 Compensation is intended to make restitution for costs necessarily incurred by the complainant during a period of study or to compensate for inconvenience or distress where the investigation or review revealed that the University's provision has fallen significantly below the standard which could reasonably have been expected.

29.10.3 Where a complainant considers that there has been personal loss or damages arising from the circumstances of the complaint, a claim for compensation shall be stated in the remedy on the Complaints Form (Stage 1).

29.10.4 A decision by the University to award compensation shall not prejudice the right of the complainant to pursue a judicial review.

### 29.11 Policy on Unacceptable Action by Complainants

If a complainant acts in an unacceptable manner, the response of the University will be guided by the policy of the Scottish Public Services Ombudsman<sup>37</sup>. In accordance with §29.2.16 above, the University may suspend procedures if a complainant behaves inappropriately.

### 29.12 Independent External Review

If a complainant is dissatisfied with the outcome of an investigation and internal review of a complaint, he/she shall have the right to an external review<sup>38</sup>, details of which shall be available from the Senate Office.

### 29.13 Report of Academic Complaints to Senate

A report on the academic complaints reviewed by the Senate Assessors for Academic Complaints shall be made annually to Senate.

### 29.14 Freedom of Information Act

The University has a separate review procedure for complaints relating to the handling of any requests for information subject to the terms of either the Freedom of Information (Scotland) Act 2002 or the Environmental Information (Scotland) Regulations 2004. The Freedom of Information Request Review Procedure can be viewed at [www.gla.ac.uk/foi/reviewprocedure.html](http://www.gla.ac.uk/foi/reviewprocedure.html).

## 30 REGULATIONS AND CODE OF CONDUCT FOR USE OF INFORMATION TECHNOLOGY FACILITIES IN THE UNIVERSITY OF GLASGOW<sup>39</sup>

### Introduction

30.1 These Regulations apply to the use of all computer software, digital information, data networks and computer systems used for University purposes by any Staff, Students, Visitors or others granted access. This includes use of any computer system or digital information accessed over the campus data network or remotely via the Joint Academic Network (JANET) or otherwise.

1. The Rules in Part 1 apply to any member of the University making use of IT Facilities described above.
2. The Rules in Part 2 apply to members of the University in relation to software copyright and the *Code of Conduct for the use of Software* described therein.
3. The Rules in Part 3 apply to any member of the University in relation to the use of data and application of the *Data Protection Principles* described therein.
4. The Rules in Part 4 relate to the use of computer systems by members of the University. It is the responsibility of Users to become familiar with the Rules that apply to the particular IT Facilities and systems they utilise for University purposes.
5. The Rules in Part 5 relate specifically to the use of computer systems run by the Computing Service.

30.2 Any Staff, Students, Visitors or others granted access to Information Technology facilities who breach these Regulations may be dealt with by the appropriate disciplinary procedures in force within the University of Glasgow. A breach of these Regulations may constitute a criminal offence.

### Definitions

#### Appropriate Authority:

an individual or a group of individuals under whose control a System is placed;

#### System or IT Facility:

a system or facility which is within the scope of these Regulations as described above;

#### User:

any person or persons granted authority to use a System or Systems whether such authority is granted to them individually or by reason of their being a member or part of a group which is authorised to use a System. Authority will only be granted to a person or group where that person or group agrees to be bound by these Regulations.

#### User ID:

a form of unique identifier which is given to a User by the Appropriate Authority which, together with a personal password of the User, is used to identify and authenticate the User when accessing a System.

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<sup>37</sup> The SPSO Policy on Unacceptable Actions by Complainants may be found at: [www.glasgow.ac.uk/media/media\\_104911\\_en.doc](http://www.glasgow.ac.uk/media/media_104911_en.doc)

<sup>38</sup> External review will be provided by the Scottish Public Services Ombudsman ([www.spsso.org.uk/](http://www.spsso.org.uk/)).

<sup>39</sup> Also at [www.glasgow.ac.uk/services/it/regulationscommitteesandpolicies](http://www.glasgow.ac.uk/services/it/regulationscommitteesandpolicies)

### Acceptable Use of IT Facilities

30.3 This section, which is available separately, is an integral part of the regulations, but is intended to convey the ethos of the full regulations in an informal style.

1. Before any use is made of computing or networking facilities in the University you must register as a user. If you are a student or a member of staff of the University you are required to adhere to the University's policies and procedures. If your status is properly recorded in the relevant administrative databases you can register as a computer user by a standard process. If you are not a student or a member of staff, as part of the registration process you will sign a form which states that you have read the *Regulations and Code of Conduct for the Use of IT Facilities* and agree to be bound by them. These are a formal statement of the rules that apply to the use of the facilities. Copies of these regulations are posted on notice boards and are published in the *University Calendar*. This document is an informal guide to what constitutes acceptable behaviour when using the University's computing facilities and which will help guarantee conformance with these regulations.
2. When you register you will be given a user id and a password. This user id is your personal identification and along with your password serves to authenticate you to the system and to grant access to the facilities you are authorised to use. You must keep your password secure and secret. You should not allow any other individual to access the computer facilities by way of your user id nor should you use or attempt to use the facilities through someone else's user id. You should not do anything that attempts to find out another users user id/password combination. All of these activities are technically offences under the *Computer Misuse Act, 1990*. In general, your use of the computing facilities should not interfere with or cause difficulties for other users. Any attempt to gain access to information or facilities owned by another user and to which you have not been granted authorisation is prohibited.
3. As a user you will have access to electronic mail facilities. These are provided to improve communications among staff and students for matters relating to their roles within the University and for career development. Personal use is permitted so long as it is demonstrably reasonable and judicious. It should be noted that sending electronic mail to a bulletin board or even to a list of recipients constitutes publishing the contents and the *Guidelines for Electronic Publishing* should be followed.
4. As a user you will also have access to the vast quantities of information that is available on the internet, particularly via the World Wide Web. Again these facilities are provided to enable access to information relevant to your work within the University and for career development. Personal use is again permitted so long as it is demonstrably reasonable and judicious. Specifically use should not involve access to material of a nature which might bring discredit to you or the University, e.g. material of a pornographic, criminal or offensive nature. If you need to access information as part of your particular university work which might be questionable, you should clear this use in advance with your Head of School and the Director of the Computing Service should be notified.
5. There are many ways that as a user you will be able to make information available to other users, both other users of the University's network or externally to users of the internet. In particular, many of you will be able to publish material on the World Wide Web. The *Guidelines for Electronic Publishing* should be followed, and nothing should be published in this way which could be considered to be discreditable. Again, if publication of questionable material is essential as part of your academic work, this should be cleared with your Head of School and the Computing Service.
6. The University operates on the basis of trust. However, if there are reasonable grounds for suspecting that an individual is engaging in activities which are in breach of the regulations or of the various guidelines, the University reserves the right to investigate fully. In the event that misuse is suspected the University will take appropriate action to investigate the matter which may include direct monitoring of the use made by the user. Such monitoring will require the permission of the Secretary of the University Court or his or her nominee. If misuse is established, disciplinary action will be taken, referring the matter to the police in the event of contravention of legislation.
7. As a feature of your use of the computing facilities you will gain access to a large amount of software and other computer based information. Virtually all of this material is subject to copyright. Copies of this material may not be made without the approval of the copyright owner; software in particular may not be copied for use on other machines nor may it be passed on to other people or even other users within the University unless explicit permission to do so has been obtained.

### Part 1. General Rules

30.4 Users must ensure that their use of IT Facilities complies with all applicable laws. These include the following:

*Data Protection Acts, 1984 and 1998*  
*Telecommunications Act, 1984*  
*Computer Copyright Software Amendment Act, 1985*  
*Copyright, Designs and Patents Act, 1988*  
*Computer Misuse Act, 1990*  
*Criminal Justice and Public Order Act, 1994*

30.5 Members of the University using computing equipment owned, leased or operated by the University or connecting their own equipment to the University Network must comply with the regulations set down by any Appropriate Authority within the University. Users must ensure that network connections are not utilised for unauthorised access to Systems. Users seeking further information about network usage should consult the Director of the Computing Service. Rules that

apply to centrally operated equipment are delineated in Part 5. Where other special rules may apply, the advice of the Director of the Computing Service, or other Appropriate Authority should be sought before any commitments are made. These special rules will cover payments due to the University for the use of its equipment and will protect the University from any claims for damages etc. which may arise from such use.

30.6 The University will not accept unreserved responsibility for any loss of software or data which has not been entered into a system backed up regularly by the University, nor for any inconvenience caused to users of IT Facilities by such loss or by any breakdown of computing equipment.

30.7 IT Facilities may not be used in a way which improperly interferes with other Users' legitimate use of the facilities. Users may not by any wilful or deliberate act endanger the integrity of the equipment, its system programs or any other stored information. 'Hacking' and other unauthorised use of computing equipment, whether situated on University premises or elsewhere, is explicitly forbidden.

30.8 Any commercial exploitation of programs developed using University IT Facilities must be carried out according to regulations issued by the University from time to time. Information on these regulations can be obtained from the Director of Research and Enterprise.

## **Part 2. Rules for Use of Software**

30.9 Users must ensure that all the requirements of the agreements or contracts under which licensed software is made available by the University (including Public Domain or 'Shareware' conditions of use) are maintained and must comply with any published usage restrictions. They must also comply with the Code of Practice for the Use of Software, given below.

### **Code of Practice for the Use of Software**

- a) Software will be used for educational purposes only, unless explicit arrangements have been made for other purposes. A definition of 'Educational Use' is provided below.
- b) The University will maintain a central record of software available for use in the Institution together with details of licensing arrangements. (Records of centrally licensed software are maintained by the Computing Service. Schools are responsible for maintaining lists of currently held software and for establishing the legality of all their holdings.)
- c) All users of software are expected to make themselves aware of the conditions under which it may be used before starting to use a particular product.
- d) The University will organise arrangements for back-up, copying and distribution of software and documentation subject to the conditions of the licence. (This activity is supported by the Computing Service.)
- e) In the event of termination of the licence, users will be notified and should endeavour to remove all active copies of the software and take steps to ensure that archive copies are not used.

### **Definition of 'Educational Use'**

30.10 The Educational Use of a Software Product is use by any person authorised under the terms of the Licensee for the purposes of the normal business of an Educational Establishment. Such use of the Software Product includes the following:

- a) Teaching.
- b) Research.
- c) Personal educational development.
- d) Administration and management of courses and the educational policy of the Educational Institution.
- e) Development work associated with any of the above.

The following are excluded:

- a) Consultancy or services where the Software Product is commercially exploited.
- b) Work of significant benefit to the employer of students on industrial placement or part-time courses.

## **Part 3. Rules Concerning the Use of Data**

30.11 Members of Staff processing personal data are responsible for ensuring that this is carried out in accordance with the *Data Protection Acts, 1984 and 1998*, and with the Data Protection Principles (see below). Any holdings of personal data must be registered internally with the University's Data Protection Officer. The control of students using such data is the responsibility of the member of staff supervising them. The Secretary of Court shall have the power to withdraw access to IT Facilities from any person deemed to be in breach of the requirements of the Act, and to require the modification or deletion of personal data in order to ensure compliance with the Act. Copies of Guidelines on the Act are available from the Data Protection Officer. It is the user's responsibility to comply with these guidelines; in particular the Senate Regulations concerning the disclosure of examination marks must be observed. Users must treat as privileged any information not provided or generated by themselves which may become available to them through their use of IT Facilities; no part of such information may be copied, modified, disseminated or used without the permission of the appropriate person or body.

30.12 Users of personal data should take appropriate security measures against unauthorised access to, or alteration, disclosure or destruction of, that data and against its accidental loss or destruction.

#### **The Data Protection Principles**

1. Personal data shall be processed fairly and lawfully and not processed unless certain conditions are met and in the case of "sensitive" personal data further conditions are met. [processing includes collection]
2. Personal data shall be obtained for one or more specified and lawful purposes and must not be processed in any manner that is incompatible with that purpose or purposes.
3. Personal data shall be adequate, relevant and not excessive in relation to the purpose or purposes for which they are processed.
4. Personal data shall be accurate and, where necessary, kept up to date.
5. Personal data held for any purpose or purposes shall not be kept for longer than is necessary for that purpose or those purposes.
6. Personal data shall be processed in accordance with the rights of data subjects under the 1998 Act.

[An individual shall be entitled at reasonable intervals and without undue delay or expense:

to be informed by any data user whether he holds personal data of which that individual is the subject;  
and to have access to any such data held by a data user;  
and where appropriate: to have such data corrected or, in some cases, destroyed.]

7. Appropriate technical and organisational measures shall be taken against unauthorised or unlawful processing of personal data and against accidental loss or destruction of, or damage to, personal data.
8. Personal data shall not be transferred to a country outside the European Economic Area, unless that country or territory ensures an adequate level of protection for the rights and freedoms of data subjects in relation to the processing of personal data.

#### **Part 4. Rules for the Use of All IT Facilities**

30.13 Each System will be under the control of an Appropriate Authority.

30.14 The Appropriate Authority of a System has the power to set out the conditions of use of that System by a User and to modify these from time to time.

30.15 The conditions of use will include the Appropriate Authority issuing a User ID to a user and will require the User to adopt a personal password for the purposes of identifying and authenticating the User when accessing a System.

30.16 Any authority granted to a User to use a System is limited to the User to whom authority has been granted, in particular:

- a) authority given to a User may not be extended or transferred to any other person or persons;
- b) the User may not allow any other person (whether a User or otherwise) to access a System by way of his or her personal User ID and personal password. A User is required to keep and maintain as secret his or her personal password;
- c) a User must not use or access a System for any illegal or unauthorised purpose;
- d) a User must not store or to make publicly accessible any data, text, image or programme which is unlawful or, whether lawful or not, is discreditable to the University or does not accord with the aims or objectives of the University.

Access to a system without appropriate authority constitutes, at least, a technical offence under the Computer Misuse Act.

30.17 The Director of the Computing Service shall have the power to remove from the University data network, any System which is interfering with the operation of the network or which is being used for purposes which contravene these regulations.

#### **Part 5. Rules for the Use of Computing Service IT Facilities**

30.18 No person or persons may use the facilities of the Computing Service without due authorisation given, where required, by the Computing Service on behalf of the University. Computing Service facilities may be utilised by members of the University in accordance with the appropriate arrangements for access and booking.

30.19 Permission to access computer systems and data networks is given on the understanding that the facilities are used only for approved purposes and only by the person or persons by whom or on whose behalf the request or booking was made. Use must not be made of computing resources allocated to another person or group of persons unless such use has been specifically authorised by the Computing Service.

30.20 Any user of confidential information is responsible for the confidentiality of this information. The Service cannot give any warranty or undertaking about the security or confidentiality of data or other material submitted to or processed

by the Computing Service or otherwise deposited or left in the Computing Service areas, except for data and other material covered by the *Data Protection Act* and notified to the Computing Service under the provisions of Rule 3.

30.21 Although the Computing Service will take all possible care to prevent the corruption of information, it cannot guarantee the integrity of information stored on its equipment. Users should make particular arrangements to protect their information from the effects of computer viruses. It is the responsibility of the User to maintain adequate backup copies of valuable information.

30.22 In the event of an apparent breach of these rules by a User, the Director of the Computing Service has the authority summarily to withdraw the facilities allowed to the User.

30.23 Use of Computers by Students.

1. Permission is granted to students to access computer systems to carry out only bona fide University work and for other approved purposes. Where a specific allocation of computer resources has been made, a student is not entitled to authorise any other person to use his or her facilities, nor to use facilities provided for anyone else, save with the permission of a Member of Staff having overall responsibility for the work. If a student has been given access to group facilities, use of them must be strictly limited to the purpose for which access to them was authorised. Students must observe local rules that apply in the case of particular microcomputer clusters.
2. *Bona fide* University work is that authorised and supervised by a responsible Member of Staff. Work carried out in fulfilment of course requirements meets this condition; other work is permitted only subject to its being authorised by and supervised by a Member of Staff.
3. Where a student violates the Regulations and Code of Conduct set out above, minor infringements shall be dealt with by the Director of the Computing Service or his or her nominee. The Director of the Computing Service may report major breaches of the Regulations and Code of Conduct to the Clerk of Senate or the Head of the Senate Office for action under the Code of Student Conduct where there was *prima facie* evidence of intention to breach the Regulations and Code of Conduct, and where sanctions beyond those set out in the Code dealing with minor infringements might be invoked.

## 31 PLAGIARISM STATEMENT

### Introduction

31.1 The University's degrees and other academic awards are given in recognition of a student's personal achievement. All work submitted by students for assessment is accepted on the understanding that it is the student's own effort.

31.2 Plagiarism is defined as the submission or presentation of work, in any form, which is not one's own, without acknowledgement of the sources. Plagiarism includes inappropriate collaboration with others. Special cases of plagiarism can arise from a student using his or her own previous work (termed auto-plagiarism or self-plagiarism). Auto-plagiarism includes using work that has already been submitted for assessment at this University or for any other academic award.

31.3 The incorporation of material without formal and proper acknowledgement (even with no deliberate intent to cheat) can constitute plagiarism. Work may be considered to be plagiarised if it consists of:

- a direct quotation;
- a close paraphrase;
- an unacknowledged summary of a source;
- direct copying or transcription.

With regard to essays, reports and dissertations, the rule is: if information or ideas are obtained from any source, that source must be acknowledged according to the appropriate convention in that discipline; and any direct quotation must be placed in quotation marks and the source cited immediately. Any failure to acknowledge adequately or to cite properly other sources in submitted work is plagiarism. Under examination conditions, material learnt by rote or close paraphrase will be expected to follow the usual rules of reference citation otherwise it will be considered as plagiarism. Schools should provide guidance on other appropriate use of references in examination conditions.

31.4 Plagiarism is considered to be an act of fraudulence and an offence against University discipline. Alleged plagiarism, at whatever stage of a student's studies, whether before or after graduation, will be investigated and dealt with appropriately by the University.

31.5 The University reserves the right to use plagiarism detection systems, which may be externally based, in the interests of improving academic standards when assessing student work.

## Referral

31.6 Where a student is suspected of plagiarism<sup>40</sup> the member of staff shall refer the case to the Head of School<sup>41</sup> or his or her nominee (hereinafter referred to as Head of School) along with all appropriate documentary evidence (the piece of work in question duly marked-up, a copy of the original source of the plagiarism, information on the contribution of the piece of work to the overall assessment, etc). Any further consideration of that piece of work by the School shall be held in abeyance until the procedures set out below have been completed. The student shall be informed in writing that his or her marks have been withheld pending an investigation of suspected plagiarism. As part of any such investigation the University may review previously assessed material and rescind published marks or grades if necessary.

31.7 The Head of School shall assess the extent of the suspected plagiarism and, if necessary, consult with the Senior Senate Assessor for Student Conduct. The Head of School will deal with suspected cases that are first offences and not considered to be severe. The Head of School will refer all suspected second offences and cases of severe plagiarism directly to the Clerk of Senate or to the Director of the Senate Office for investigation under the provisions of the Code of Student Conduct.

31.8 Whilst there is no definitive list, examples of cases which would be regarded as severe plagiarism include:

- i) any case of serious and or blatant plagiarism when considered in relation to the student's level of study and length of exposure to the procedures, practices and regulations of the University;
- ii) a first offence where a reduction in marks would put at risk the student's degree or direct progression;
- iii) any case, regardless of extent, where it is inappropriate to deal with it within a School.

## Procedure before the Head of School

31.9 At all times the principles of natural justice shall be observed.

31.10 With respect to cases that are first offences and not considered to be severe, the Head of School shall interview the student concerned. He or she can also interview any students who have allegedly allowed their work to be copied. As soon as practicable, the student will be informed in writing of the alleged offence and of the requirement to attend for interview. The student will also be provided with a copy of the marked-up piece of work in advance of the interview.

31.11 The student shall have the right to be accompanied, assisted or represented at the interview by one of the following: a parent or guardian; a fellow student or other friend; an Officer of the Students' Representative Council; a member of University staff, or any other representative. At the beginning of the interview, the Head of School will ascertain who is to be the spokesperson for the student (the student or a representative). The foregoing notwithstanding, the Head of School shall have the right to question the student directly, where necessary.

31.12 The Head of School shall have a member of support staff present to keep a record of the meeting.

31.13 At the interview, the student will be shown a copy of his or her work, duly marked-up and be given a clear explanation of what he or she has allegedly done. The student will be given the opportunity to justify the work and be invited to admit or deny responsibility.

31.14 If the Head of School is satisfied beyond all reasonable doubt that an offence has occurred he or she may impose an academic penalty, which will take account of the extent of the plagiarism. The Head of School may reduce the marks or results up to the point where the academic rating for the piece of work in question is reduced to Grade H. Consideration will also be given to resubmission opportunities; the maximum mark that can be awarded to any resubmission is the pass mark appropriate to the degree programme being followed. The student shall be given instruction about plagiarism and the necessity of properly acknowledging and referencing sources.

If it is judged that the case is of a more serious nature than first believed, the Head of School may refer the case onwards for consideration by the Senate Assessors for Student Conduct.

31.15 If the Head of School is not satisfied that an offence has occurred but considers that the student has engaged in poor academic practice then the student should receive a warning, instruction about plagiarism and the necessity of properly acknowledging and referencing sources.

31.16 The student will be notified in writing of the outcome by the School. The School will send a copy of this letter to the Senate Office to be kept on record. The existence of a record for a particular student will be made known to any other School seeking to assess the seriousness of other issues (see §31.6 and §31.7).

31.17 If it is judged that there is no case for the student to answer, the student will be informed in writing and the piece of work in question will be marked in accordance with normal arrangements, without penalty. The Senate Office does not need to be notified of such instances.

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<sup>40</sup> If a student suspects a fellow student of plagiarism then he or she should speak to a member of staff in the School concerned. The identity of the student making the report shall remain confidential.

<sup>41</sup> Where the Head of School has a potential conflict of interest (e.g. teaches or examines on the course concerned) then he or she should pass the case to another senior member of academic staff in the School. In the case of small Schools, where it may not be possible to pass the case to another senior member of academic staff, the case should be passed to the Head of a cognate School.

31.18 The Head of School shall inform the Board of Examiners of any reduction in marks. The Board of Examiners shall not have the authority to revisit or alter academic penalties imposed by this process.

### **Right of Appeal**

31.19 The student shall have the right of appeal to the Senate Assessors for Student Conduct in respect of any penalty imposed by the Head of School. A student who wishes to appeal must do so in writing to the Director of the Senate Office within 14 days of the date of the issue of the written decision of the Head of School.

31.20 The Senate Assessors for Student Conduct will consider an appeal against the penalty imposed by a Head of School only on the grounds that:

- i) new evidence has emerged which could not reasonably have been produced to the Head of School;
- ii) there has been defective procedure at the Head of School level;
- iii) the penalty imposed by the Head of School was clearly unreasonable.

The letter of appeal must clearly specify the details of any new evidence, the manner in which the procedures were defective or in what respects he or she believes the Head of School has erred or been mistaken in imposing a penalty. The letter should also specify the remedy that the student seeks.

### **Plagiarism in the Work of a Graduate**

31.21 The University will investigate any suspected case of plagiarism in the work of a graduate, which has already been assessed for an award of the University, to determine if the nature and extent of the plagiarism had been material to the award of the degree, diploma or certificate, or class within the degree.

31.22 All such cases will be considered as severe plagiarism. The Head of School will conduct an investigation and refer the case to the Clerk of Senate or the Director of the Senate Office in accordance with §31.7 above.

## **32 CODE OF STUDENT CONDUCT**

The Code of Student Conduct is governed by Resolution No. 617 of the University Court which at the time of going to print is in draft form.

### **Basis of Jurisdiction**

32.1 Under the Universities (Scotland) Acts all students of the University are subject to the jurisdiction of the Senate, in respect both of their studies and of their conduct. In this regard, the Senate shall act through Assessors and a Student Conduct Committee. Students attending Associated Institutions are, in addition, subject to the conduct and disciplinary procedures of these Institutions (published separately); but no such student may be subject to this Code and the equivalent procedure of an Associated Institution in respect of the same student conduct offence.

32.2 All students are subject to the Code of Student Conduct in respect of:

- a) activities in which they engage in their capacity as students of the University; or
- b) services of facilities they enjoy by virtue of being a student of the University; or
- c) their presence in the vicinity of, or their access to, any premises owned, leased or managed by the University; or
- d) any activity that would not otherwise be covered by a), b) or c) above, but is considered to affect adversely the safety, interests or reputation of the University, its students, employees or authorised representatives.

32.3 This Code does not seek to reflect or incorporate the approach of the criminal law. Nevertheless, at all times the principles of natural justice shall be observed.

### **Student Conduct Offences**

32.4 All students of the University are required at all times to be of good behaviour and to observe all regulations which may be made from time to time by the University. By registering, or by enrolling on any University course, a student becomes subject to University regulations, including this Code. For avoidance of doubt the University may take action under the Code of Student Conduct in respect of a breach of duty even although the student concerned is no longer registered or enrolled at the University.

32.5 It is understood that students' behaviour may be affected by some health conditions. However, the University has a duty to ensure that members of the University community are not subjected to unacceptable behaviour, and as such, allegations of inappropriate behaviour will be investigated under this Code. Where health or disability may be a contributing factor in the incident under consideration, reports or evidence of the condition or disability will be taken into account. Where student conduct is found to be unacceptable as a result of a health condition or disability, the University will endeavour to offer appropriate support to assist the student with the management of their condition.

32.6 There is no definitive list of student conduct offences but, without prejudice to the generality of the foregoing, the following would be regarded as student misconduct. For the purposes of this §32.6, "Person" shall mean any student of

the University; any employee of the University; any visitor to the University; any subcontractor employed by the University or any other authorised representative of the University whatsoever.

- i) Making use of unfair means in any University assessment or assisting a candidate making use of such unfair means;
- ii) Engaging in misconduct in research;
- iii) Disrupting, or interfering with, any academic, administrative, sporting, social or other University activity;
- iv) Obstructing, or interfering with, the functions, duties or activities of any Person;
- v) Behaving in a disorderly, threatening, offensive, indecent or violent manner or using threatening, offensive or indecent language (whether expressed orally, in writing, or conveyed by electronic means), without prejudice to a student's right to the freedom of thought or expression;
- vi) Behaving in a way likely to cause injury to any Person or impair safety;
- vii) Discriminating against any Person on grounds such as age, disability, gender, political or religious beliefs, race, ethnic or national origin, sexual orientation or socio-economic background;
- viii) Harassing any Person;
- ix) Engaging in fraud, deception, misrepresentation, personation or other forms of dishonesty (including the falsification or serious misuse of University documents, including degrees, diplomas and certificates) in relation to the University or in connection with holding any office in the University or in relation to being a student of the University;
- x) Damaging or defacing University property or the property of any Person;
- xi) Stealing or misappropriating University property (including funds) or the property of any Person;
- xii) Misusing or making unauthorised use of University premises or items of property, including misusing IT facilities or safety equipment;
- xiii) Deliberately doing, or failing to do, anything which thereby causes the University to be in breach of a statutory obligation;
- xiv) Possessing, using or supplying a controlled drug as defined by the Misuse of Drugs Act 1971 (as amended from time to time);
- xv) Failing, upon request, to disclose name and other relevant details to an officer or employee of the University in circumstances where it is reasonable to require that such information be given;
- xvi) Making false, frivolous, malicious or vexatious complaints, without prejudice to a student's right to raise academic and other concerns through formal procedures;
- xvii) Conduct that brings the reputation of the University into disrepute;
- xviii) Conduct that is likely to render a student unfit to practise any particular profession to which the student's course leads directly;
- xix) Failing to comply with a previously-imposed penalty under this Code.

32.7 Detailed regulations and policies governing, for example, libraries, the use of IT facilities, *Turnitin* (plagiarism software), the use of automatically processed personal data (in connection with academic work), membership of the University student unions, Halls of Residence and other University accommodation and the Sport and Recreation Service are published separately. Minor breaches of these regulations may be dealt with in accordance with the provisions of these regulations; major breaches of these regulations may be dealt with under the provisions of this Code.

### **Misconduct and the Criminal Law**

32.8 Where the University believes that a criminal offence may have been committed, it may refer the matter to the police.

32.9 A finding of guilt or an acquittal in a criminal court shall not preclude proceedings under this Code in respect of the same incident.

32.10 The University may, at its discretion, await the outcome of any criminal proceedings before deciding whether to initiate any internal action in respect of alleged criminal misconduct.

32.11 The University may, at its discretion, suspend any internal action under the Code of Student Conduct in respect of alleged criminal misconduct to await the outcome of any criminal proceedings.

32.12 Where a student is convicted of an offence, that conviction may be relied upon as evidence in any University conduct proceedings provided that the circumstances leading to that conviction are directly relevant to those proceedings.

32.13 Any sentence or order pronounced by a criminal court shall be taken into account in the imposing of any penalty under this Code.

### Assessors for Student Conduct

32.14 The Senate shall appoint from its members a minimum of five Assessors for Student Conduct (hereafter described as Assessors), who shall hold office for a period of four years. The Senate shall appoint annually for one year a Senior Assessor from amongst the Assessors. No Assessor shall be a member of the Student Conduct Committee. Any of the duties of the Senior Assessor may be performed by any of the Assessors.

### Student Conduct Committee

32.15 A Student Conduct Committee shall be appointed by the Senate. The Committee shall be convened by the Principal who may delegate his or her authority to one of the Vice Principals or, in the case of appeals considered by the Student Conduct Committee, the Clerk of Senate. The remaining composition of the Committee shall be five members of the Senate nominated by each College who shall be persons of experience, one of whom shall retire annually; four currently registered students at least one of whom shall be the President or Vice President of Students' Representative Council. Student members shall be nominated annually before Christmas by the Students' Representative Council. Five members shall constitute a quorum which shall include the Convener and at least three College members of the Committee. Decisions of the Committee shall be by a majority, with the Convener having a casting vote, if necessary. The Committee may have the assistance of a legal adviser.

### Referral

32.16 The Clerk of Senate, or his or her nominee, shall have the power to take action to suspend a student from either all or part of the University where he or she is of the opinion that it is necessary to take such action pending further investigation under this Code.

32.17 Any allegation that a student of the University has engaged in misconduct may be reported by or through an officer or member of staff of the University, or by or through any student, to the Senior Assessor through the Director of the Senate Office. Unauthorised electronic recordings of previous meetings or events will not be admissible as evidence at the hearing.

### Procedure Before the Assessors

#### Allegation that a student of the University has engaged in misconduct

32.18 Prior or subsequent to an interview with the student against whom an allegation under §32.17 is made, the Assessors are entitled to conduct such investigation as they consider appropriate. Such investigation may include interviews with the person who reported the alleged misconduct and officers, members of staff and students of the University and, if necessary, members of the public. After such investigation the Assessors may decide not to proceed any further with the case.

32.19 If the identity of the student against whom an allegation under §32.17 is known, or believed to be known, he or she may be required to attend for an interview with the Assessors. Where a student of the University is alleged to have engaged in misconduct which in the opinion of the University is of a serious nature, the Senior Senate Assessor in consultation with another Assessor may, having determined there is a *prima facie* case, make a preliminary disposal to refer the case directly to the Senate Student Conduct Committee for a full hearing.

32.20 As soon as practicable the student will be informed in writing and be provided with details of the alleged misconduct and of the requirement to attend for interview.

32.21 Exceptionally, where circumstances prevent a student attending an interview in person (such as, through illness or where a student is overseas), the Assessors may decide to take evidence by way of a written statement as opposed to the appearance of the student and or his or her representative before the Assessors. The Assessors will consider any such written statement in the same way as any oral statement.

32.22 The student shall have the right to be accompanied, assisted or represented at the interview by one of the following: a parent or guardian; a fellow student or other friend; an Officer of the Students' Representative Council; a member of University staff, or any other appointed representative. At the interview, the Assessor will ascertain who is to be the spokesperson for the student (himself or herself or a representative). Nonetheless, the Assessors shall have the right to question the student directly, where necessary. Those accompanying or assisting shall be given the opportunity to contribute at the invitation of the Assessor conducting the interview. The Assessors shall be assisted by a clerk who will take a record of the meeting.

32.23 Any unauthorised electronic recording of the hearing is expressly forbidden by the University.

32.24 At the interview the student shall be informed of the particulars of the alleged misconduct, be given the opportunity to respond and be invited to admit or deny responsibility.

32.25 If responsibility is admitted or if the case is determined under §32.26 (b)(i) on the basis of beyond reasonable doubt:

- a) the Assessors shall invite the student, or any representative, to make a statement in explanation or extenuation of the misconduct or in mitigation of the penalty;
- b) thereafter, the Assessors may, as appropriate:
  - i) admonish the student;

- ii) issue a reprimand or a severe reprimand;
  - iii) order the student to make restitution, without financial limit, for damage done to University or private property or costs incurred by the University or another party;
  - iv) impose a monetary penalty not exceeding £200;
  - v) order the student to perform some duty in the service of the University up to a maximum of 24 hours, no more than 2 hours to be undertaken consecutively and subject to such supervision as the Assessor may decide;
  - vi) rescind the result of an assessment or examination diet;
  - vii) impose an academic penalty in the case of an academic offence;
  - viii) suspend the student from the University, or part of the University, for a period not exceeding twelve weeks, or permit the student to continue subject to conditions;
  - ix) select any combination of the above.
- c) The Assessors shall inform the relevant Board of Examiners where an academic penalty is imposed. The Board of Examiners shall not revisit or alter the penalty imposed.
- d) The Assessors may also require the student to write a letter of apology to a wronged party.
- e) In the event that a monetary penalty is imposed or where restitution is required, the timing and method of payment will be at the discretion of the Assessors.
- f) Should the Assessors consider that the penalties or actions available to them are inadequate, they may refer the matter to the Student Conduct Committee.
- g) The student has the right of appeal to the Student Conduct Committee in respect of any penalty or condition imposed by the Assessors. The procedures are set out under §32.34 - §32.37 below.

32.26 If responsibility is not admitted, the Assessors may:

- a) determine that no further action is required; or
- b)
  - i) in the case of minor misconduct, determine the case on the basis of beyond reasonable doubt based on the evidence available. The procedures under §32.25 then apply; or
  - ii) in the case of serious misconduct, refer the matter to the Student Conduct Committee; or
- c) conduct further investigations, as permitted under §32.18 and then proceed as in (a) or (b) above.

#### **Appeal to the Senate Assessors for Student Conduct**

32.27 A student has the right of appeal to the Senate Assessors for Student Conduct against a penalty imposed by a Head of School under the Plagiarism Statement or by another university officer as set out in §32.7 above.

32.28 The Assessors will consider an appeal against the penalty imposed only on the grounds that:

- a) new evidence has emerged which could not reasonably have been produced at the first stage;
- b) there has been defective procedure at the first stage
- c) the penalty imposed was clearly unreasonable.

The letter of appeal must clearly specify the details of any new evidence, the manner in which the procedures were defective or in what respects the student believes the Head of School or other officer have been mistaken in imposing a penalty. The letter should also specify the remedy that the student seeks.

32.29 Upon receipt of a written appeal, the Senior Assessor, after consultation with one other Assessor, may:

- a) dismiss the appeal because it is out of time or the appellant has failed to bring the appeal within any of the grounds specified in §32.28 (a)-(c) above;
- b) refer the appeal for consideration where grounds for appeal are established.

32.30 Where grounds for appeal are established, the appellant shall have the right to appear before the Assessors if he or she wishes and to be accompanied, assisted or represented at the interview by one of the following: a parent or guardian; a fellow student or other friend; an Officer of the Students' Representative Council; a member of University staff, or any other appointed representative.

32.31 The Head of School or other officer shall be at the hearing.

32.32 Thereafter, the procedure will be:

- a) the appeal will be heard by at least two Assessors;
- b) the Assessors shall invite the student, or someone on his or her behalf, to make a statement;
- c) the Assessors are entitled to question the student;

- d) the Assessors shall invite the Head of School or other officer exercising discipline to present a response to the appeal;
- e) thereafter, all persons except the Assessors and the clerk shall retire while the Assessors consider their decision and shall return to hear that decision delivered
- f) in determining the appeal against a penalty, the Assessors may:
  - i) take into account any record of previous breaches of University discipline admitted by or proved against the student;
  - ii) set aside, vary, or confirm the penalty imposed by the Head of School or other officer exercising discipline.

#### **Outcome of the Interview or Hearing with the Assessors**

32.33 The Assessors shall normally announce to the student the outcome of the interview or hearing at its conclusion. The student shall be informed in writing of the outcome within 10 working days<sup>42</sup>.

#### **Appeal to the Student Conduct Committee**

32.34 A student who wishes to appeal to the Senate Student Conduct Committee against a penalty or condition imposed by the Assessors or against the decision of the Assessors in disposing of an appeal at an earlier stage must do so in writing to the Director of the Senate Office within 10 working days of the date of the issue of the written decision of the Assessor for Student Conduct.

32.35 The Committee shall consider an appeal against a penalty or condition imposed by the Assessors or against the decision of the Assessors in disposing of an appeal at an earlier stage only on the grounds that:

- a) new evidence has emerged which could not reasonably have been produced at the Assessor stage;
- b) there has been defective procedure at the Assessor stage;
- c) the penalty or condition imposed by the Assessors or the disposal of an appeal at the Assessor stage was clearly unreasonable, as appropriate.

32.36 The letter of appeal must clearly specify the details of any new evidence, the manner in which the procedures were defective or in what respects he or she believes the Assessors have been mistaken in their decision. The letter should also specify the remedy that the student seeks.

32.37 An appeal against the decision of the Senate Assessors for Student Conduct shall normally have the effect of suspending, for the duration of the appeal proceedings, any penalty or condition imposed. The Clerk of Senate shall, nevertheless, have the right to not suspend a penalty or condition on the recommendation of the Senate Assessors for Student Conduct. In such cases the Clerk of Senate shall inform the appellant of the decision and the reasons for that decision. This provision shall not apply to a suspension under §32.16 of this Code.

32.38 The Convener of the Student Conduct Committee may make a preliminary disposal. The Convener may at his or her discretion consult with two members of the Student Conduct Committee in making a preliminary disposal and may:

- i) dismiss the appeal because the subject-matter of the appeal does not fall within the scope of §32.36 above;
- ii) dismiss the appeal because no competent grounds have been stated or because the appeal is frivolous or vexatious or because the appeal is out of time;
- iii) dismiss the appeal because it does not establish a *prima facie* case that disposal by the Assessors involved defective or unfair procedure, or a failure to take relevant medical evidence or adverse personal circumstances into account or was manifestly unreasonable;
- iv) dismiss the appeal because the new evidence submitted by the student could reasonably have been presented to the Assessors;
- v) refer the appeal to the Student Conduct Committee for a full hearing. Provision of a hearing does not imply that a *prima facie* case has been established.

32.39 The Convener may also take such other interim action by way of seeking further information as he or she deems appropriate.

32.40 The Clerk to the Student Conduct Committee shall state in the letter to the student intimating the outcome of the preliminary disposal the reasons for the decision and shall provide the papers which were considered by the Committee.

32.41 An appeal which has been dismissed under preliminary disposal may be reconsidered under preliminary disposal on only one further occasion if the student makes representation stating the reasons why the appeal should not have been dismissed. The representation and the reasons shall be made in writing within 10 working days of the date of the letter intimating the outcome of preliminary disposal.

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<sup>42</sup> For the purposes of this Code, Monday to Friday are counted as working days except when the University is closed for a Public Holiday (as listed at [www.gla.ac.uk/services/humanresources/policies/h-o/holidays/publichols/](http://www.gla.ac.uk/services/humanresources/policies/h-o/holidays/publichols/)). Saturdays and Sundays are not counted as working days.

### Procedure Before the Student Conduct Committee

32.42 Where a student has his or her case referred to the Student Conduct Committee:

- a) because of preliminary disposal; or
- b) because of denial of responsibility; or
- c) because the penalties or actions available are considered by the Assessor to be inadequate, or
- d) where a student appeals against the penalties or conditions imposed by the Assessors or the decision of the Assessors in disposing of an appeal at an earlier stage.

The Assessors shall furnish to the Committee a written statement of the circumstances of the case, a copy of which shall be sent to the student before the hearing by the Committee.

32.43 At least 10 working days before the hearing the Clerk of the Student Conduct Committee (the Director of the Senate Office, or his or her nominee) shall send to the student notice of the hearing and particulars of the alleged misconduct and, where appropriate, the penalty or condition imposed by the Assessor or other relevant officer.

32.44 The student shall be entitled to be accompanied, assisted or represented at the hearing by one of the following: a parent or guardian; a fellow student or other friend; an Officer of the Students' Representative Council; a member of University staff, or any other appointed representative. The student shall inform the Clerk of the Committee at least 5 working days before the hearing of the name of any legal representative.

32.45 At the request of the student the Student Conduct Committee may decide to take evidence by way of a written statement as opposed to the appearance of the student and or his or her representative before the Committee provided all the other parties to the case agree. The Committee will consider any such written statement in the same way as any oral statement.

32.46 At the hearing, the Convener will ascertain who is to be the spokesperson for the student (himself or herself or a representative). The Committee shall nevertheless have the right to question the student directly, where necessary. Those accompanying or assisting shall be given the opportunity to contribute at the invitation of the Convener.

32.47 Other persons may attend meetings of the Student Conduct Committee at the discretion of the Committee.

32.48 Any unauthorised electronic recording of the hearing is expressly forbidden by the University.

32.49 If the student, who has denied responsibility before the Assessor, wishes to accept responsibility he or she may do so in writing to the Clerk of the Student Conduct Committee before the hearing of the case. The case will then be referred back to the Assessors for consideration in accordance with §32.25.

#### Referral under Preliminary Disposal or Denial of responsibility

32.50 Where the case involves a reference from the Assessors under preliminary disposal or because of denial of responsibility:

- a) evidence shall be led by, or on behalf of, an Assessor;
- b) the Committee is entitled to question any witnesses;
- c) the student is entitled, but cannot be required, to give evidence on his or her behalf,
- d) the student, or someone on his or her behalf, is entitled to cross-examine any witnesses called by, or on behalf of, the Assessor;
- e) the student is entitled to call witnesses and to examine them, and to produce before the Committee any evidence relevant to the case;
- f) the Assessor, or someone acting on his or her behalf, is entitled to cross-examine any witnesses called on behalf of the student;
- g) at the conclusion of the evidence, the student, or someone acting on his or her behalf, and the Assessor, or someone acting on his or her behalf, may make submissions on the evidence;
- h) thereafter, all persons except the Committee and its Clerk and any legal adviser appointed under §32.15 shall retire while the Committee considers its decision and shall return to hear that decision delivered;
- i) the Committee shall determine whether the case presented by, or on behalf of, the Assessor is established on the balance of probabilities
- j) if the case is established:
  - i) the Committee shall invite the student, or someone on his or her behalf, to make a statement in explanation or extenuation of the misconduct;
  - ii) the student and anyone accompanying shall retire while the Committee considers its decision and shall return to hear that decision delivered;

- iii) the Student Conduct Committee may impose such penalty or condition as it considers appropriate. The outcome may include suspension or expulsion. In making its decision, the Committee shall confirm whether it recommends to the Clerk of Senate that any of its penalties or conditions should not be suspended if the student submits an appeal against the Committee's decision (see §32.64 of this Code).

k) if the case is not established it will be at an end.

**Penalties or actions available to the Assessors are considered inadequate**

32.51 Where the Assessors have referred the case because the penalties or actions available were considered by the Assessors to be inadequate:

- a) the Committee shall invite the Senior Senate Assessor to present the report;
- b) the Committee shall then invite the student, or someone on his or her behalf, to make a statement in explanation or extenuation of the misconduct;
- c) the Committee is entitled to question the student;
- d) thereafter, all persons except the Committee and its Clerk and any legal adviser appointed under §32.15 shall retire while the Committee considers its decision and shall return to hear that decision delivered;
- e) the Student Conduct Committee may impose such penalty or condition as it considers appropriate. The outcome may include suspension or expulsion. In making its decision, the Committee shall confirm whether it recommends to the Clerk of Senate that any of its penalties or conditions should not be suspended if the student submits an appeal against the Committee's decision (see §32.64 of this Code).

**Appeal against a penalty or condition imposed by the Assessors or against the decision of the Assessors in disposing of an appeal at an earlier stage**

32.52 Where the student has appealed against a penalty or condition imposed by an Assessor or against the decision of the Assessors in disposing of an appeal at an earlier stage:

- a) the student and the Assessors are entitled to call witnesses;
- b) the Committee shall invite the student, or someone on his or her behalf, to make a statement;
- c) the Committee is entitled to question the student and any witnesses;
- d) the Committee shall invite the Assessor to comment;
- e) thereafter, all persons except the Committee and its Clerk and any legal adviser appointed under §32.15 shall retire while the Committee considers its decision and shall return to hear that decision delivered;
- f) in determining the appeal against a penalty, condition, or the decision of the Assessors in disposing of an appeal at an earlier stage, the Committee may:
  - i) take into account any record of previous breaches of the Code of Student Conduct admitted by or proved against the student;
  - ii) set aside, vary, or confirm the decision of the Assessors

**Decision of the Student Conduct Committee**

32.53 The decision of the Committee shall normally be announced to the student at the conclusion of the hearing. The student shall be informed in writing of the decision within 10 working days.

**Failure to Appear**

32.54 Subject to the provision of medical or other reasonable grounds, if the student does not appear on the date appointed and the Senate Assessors for Student Conduct or the Student Conduct Committee are satisfied that he or she has received due notice to appear, the Assessors or the Committee may proceed to deal with the charge and, if it is found to be proved, impose the appropriate penalty in his or her absence.

**Failure to Comply with the Code of Student Conduct**

32.55 Where a student has failed to comply, without good reason, with the Code of Student Conduct whether by non-attendance at an interview with the Senate Assessors or at a hearing of the Student Conduct Committee or by defaulting on the penalties or conditions imposed, the Clerk of Senate, or his or her nominee, may refuse to allow the student to register or graduate pending compliance.

**Appeal Against a Decision of the Student Conduct Committee**

32.56 A student has the right of appeal against a decision of the Student Conduct Committee except in cases under §32.34 - §32.37 of this Code where the decision relates to an appeal against a penalty or decision of the Senate Assessors for Student Conduct.

32.57 Any appeal shall be submitted in writing to the Senate Office within 10 working days from the issue of the written decision of the Student Conduct Committee (i.e. the date of the letter of decision). It is not sufficient to appeal solely on

the ground that the appellant disagrees with the Committee's decision: the appellant's statement of appeal must clearly specify in what respect(s) he or she believes the Committee to have been mistaken in its decision.

32.58 Additional grounds for the appeal may be admitted subsequently only at the discretion of the Convener; additional grounds presented at a hearing may lead to the adjournment of the hearing.

32.59 The Clerk of Senate shall convene a hearing of a Student Conduct Appeal Committee which is a committee of Senate drawn from the membership of the Senate Student Conduct Committee. The quorum shall be four and no member shall have had any previous involvement with the case. If the Clerk of Senate has had prior involvement with the case, he or she shall nominate an alternative convener who shall be of an equivalent level of seniority within the University (e.g. a Vice Principal). The Committee may have the assistance of a legal adviser. The Student Conduct Appeal Committee shall have full powers to decide the appeal and shall report its decision to Senate. Decisions of the Student Conduct Appeal Committee shall be by a majority, with the Convener having the casting vote, if necessary.

32.60 The Convener of the Student Conduct Committee shall furnish to the Student Conduct Appeal Committee a written statement of the circumstances of the case, a copy of which shall be sent to the appellant before the hearing. The Convener of the Student Conduct Committee, or his or her nominee, shall attend the hearing.

32.61 The papers shall be sent to the appellant at least 10 working days prior to the meeting to provide reasonable time for the preparation of the case. He or she may be accompanied at the hearing by a representative. The appellant shall inform the Clerk of the Student Conduct Appeal Committee at least 5 working days before the hearing of the name of any representative.

32.62 Subject to the provision of medical or other reasonable grounds, if the appellant does not appear on the date appointed and the Student Conduct Appeal Committee is satisfied that he or she has received due notice to appear, the Student Conduct Appeal Committee may proceed to consider the case and make its judgement in his or her absence.

32.63 At the hearing:

- a) the Committee shall invite the appellant, or someone on his or her behalf, to make a statement;
- b) the Committee is entitled to question the appellant or his or her representative;
- c) the Committee shall invite the Convener of the Student Conduct Committee, or his or her nominee, to comment;
- d) thereafter, all persons except the Student Conduct Appeal Committee and its Clerk and any legal adviser appointed under §32.59 shall retire while the Committee considers its decision and shall return to hear that decision delivered;
- e) in determining the appeal against a penalty or the decision of the Student Conduct Committee the Committee may:
  - i) take into account any record of previous breaches of the Code of Student Conduct admitted by or proved against the appellant;
  - ii) set aside, vary, or confirm the decision of the Student Conduct Committee and may confirm, reduce or increase any penalty imposed by the Student Conduct Committee.

32.64 An appeal against the decision of the Student Conduct Committee shall normally have the effect of suspending, for the duration of the appeal proceedings, any penalty or condition imposed. The foregoing notwithstanding, the Clerk of Senate shall have the right to continue a penalty or condition on the recommendation of the Student Conduct Committee. In such cases the Clerk of Senate shall inform the appellant of the decision and the reasons for that decision. **This provision shall not apply to a suspension under §32.16 of this Code.**

32.65 The decision of the Student Conduct Appeal Committee will be final and there shall be no further opportunity for appeal against that decision within the University.

32.66 The University reserves the right to suspend procedures for appeal within this Code if the student behaves inappropriately. In such cases the Clerk of Senate or his/her nominee shall suspend procedures and advise the student accordingly. Misconduct may be in breach of the Code of Student Conduct and further conduct proceedings invoked.

### Independent External Review

32.67 Section 6(2) of the *Universities (Scotland) Act, 1889*, gives the University Court power to review any decision of the Senate. The University Court has devolved its responsibilities in this respect to an external adjudicator<sup>43</sup>. Although the decision of the external adjudicator is not legally binding on the University Court, the expectation is that the University Court shall accept the decision and any accompanying recommendations.

32.68 If a student is dissatisfied with the outcome of an appeal against a student conduct decision, he/she shall have the right to an external review, details of which shall be available from the Senate Office.

### Records and Reports

#### Student Conduct Records

32.69 The Senate Office shall keep records of meetings the Assessors hold with students, and also of the proceedings of the Student Conduct Committee. Such records shall be retained for a minimum of six academic sessions after the

<sup>43</sup> External adjudication will be provided by the Scottish Public Services Ombudsman ([www.spsso.org.uk](http://www.spsso.org.uk)).

incident under investigation; and, if longer than this, for the remaining duration of the student's registration with the University.

#### **Reports to Senate**

32.70 The Senate Assessors for Student Conduct will provide an Annual Report, stating the number and types of misconduct found to have been committed and the disposals thereof, to the Senate at its first meeting of each session. The Student Conduct Committee will provide a report, stating its disposal of any misconduct or appeals heard by the Committee, to the Senate at its next regular meeting.

#### **The Student Record**

32.71 Details of any penalty imposed by the Assessors or the Student Conduct Committee shall be held in the record of the student concerned in the Senate Office.

### **33 FITNESS TO PRACTISE**

33.1 The Senior Senate Assessor for Student Conduct shall report to the appropriate Head of School the details of any breach of the University Code of Student Conduct concerning a student on a programme of study subject to fitness to practise procedures where the offence indicates a breach of or non-compliance with the relevant Code of Professional Conduct and Fitness to Practise. This will occur where responsibility for the offence has either been admitted by the student or where the case has been established by the Senate Assessors for Student Conduct or the Disciplinary Committee.

### **34 PROCEDURE FOR DETERMINING FITNESS TO PRACTISE**

The Procedure for Consideration of Fitness to Practise is governed by Resolution No. 565 of the University Court which came into effect on 1 October 2004.

#### **Introduction**

34.0.1 Where a programme of study requires the student to act in the course of practical training in a quasi-professional role in relation to patients, children, clients or service-users or where the qualification provides a direct licence to practise, the University has a duty to ensure that the student is fit to practise. Students registered for these programmes of study are subject to separate fitness to practise procedures. The aims of the procedures are:

- a) to protect present or future patients, children, clients or service users;
- b) to comply with the requirements of professional bodies;
- c) to protect the health and well being of students and to ensure that they are provided with appropriate advice concerning the requirements of the professional body they seek to join;
- d) to protect the institution against legal action brought by someone claiming to have suffered loss as a result of a student proving during training or after qualification to be unfit to practise.

To these ends, fitness to practise is assessed not only in terms of academic attainment but is assessed in accordance with relevant professional concerns and expectations.

#### **Principles**

##### **34.1 School Code of Professional Conduct and Fitness to Practise**

Schools providing programmes of study leading to the degrees listed below shall prepare a School Code of Professional Conduct and Fitness to Practise derived from any related code developed by the relevant professional or accrediting body for students, trainees or other members of the profession.

##### **School of Medicine**

MBChB

BDS

BN

Doctorate in Clinical Psychology

##### **School of Education**

BEd

Professional Graduate Diploma in Education

Postgraduate Diploma in Education

BTechnolEd

BTechStudies

MA with teaching qualification  
BA Community Development  
BA in Childhood Practice

**School of Veterinary Medicine**

BVMS

**34.2 Students and the Code**

- i) A student registered for one of the programmes of study which are subject to fitness to practise procedures may be treated differently from other students of the University if there is any question as to whether he or she is a fit and proper person to practise his or her intended profession.
- ii) All new entrants to programmes of study which are subject to fitness to practise procedures shall undergo training before the end of the first semester of the first year of study, designed to explain the nature and effect of the School Code of Professional Conduct and Fitness to Practise. The training shall address the relevance of compliance and non-compliance with the Code in respect of their progress on the programme.
- iii) Continuing students on programmes of study which are subject to fitness to practise procedures shall be provided with a copy of the current School Code of Professional Conduct and Fitness to Practise within the first five weeks of each session and their attention drawn to any changes.
- iv) Where a student has failed to comply with a School Code of Professional Conduct and Fitness to Practise the student may be required to leave the programme of study.

**34.3 Applicants and Publicity**

- i) Where fitness to practise procedures apply to a programme of study this shall be noted in the publicity material for the programme (including the University Prospectus) and a copy of the School Code of Professional Conduct and Fitness to Practise shall be made available on request or via the internet.
- ii) Applicants shall be made aware when fitness to practise procedures apply to the programme of study for which they have applied and the implications of this. A copy of the School Code of Professional Conduct and Fitness to Practise shall be provided with the final confirmation of admission.

**34.4 Breaches of the Code**

**Informal resolution**

- i) Where a breach of the Code occurs or where there is a pattern of behaviour or an issue of persistent ill health, which has a bearing on fitness to practise, the School shall document the issue and agree with the student appropriate action and a deadline by which any action must take place. Where possible the matter shall be dealt with informally. The School shall ensure that the student is made aware of the support services which are available: such as Adviser of Studies or equivalent, the Barclay Medical Centre, Student Counselling and Advisory Service, Student Disability Service and Students' Representative Council.

**Formal procedure**

- ii) If the agreed action is not carried out or there has been a repetition of the breach or the breach is considered by the Head of School to be of sufficient seriousness that the informal process is inappropriate, the School Administrator shall write to the student informing him/her that the matter will be referred for formal consideration by the School Fitness to Practise Committee. The student shall be advised of the reason for the referral.
- iii) Any referral shall follow the procedure set out below.

**Appeal process**

- iv) A student may appeal against any decision of the School Fitness to Practise Committee to the Senate Fitness to Practise Committee in accordance with the procedure set out below.
- v) A student who has a concern about how a matter has been handled at any stage, may raise the matter in terms of Complaints Procedure, (See Section 29 above).

**34.5 Members of Committee**

- i) Schools providing a programme of study leading to any of the degrees listed in §34.1 above shall establish a School Fitness to Practise Committee the members of which are appointed annually. Members shall normally serve for three years.
- ii) The Senate shall establish a Senate Fitness to Practise Appeals Committee, the members of which shall be appointed annually. Members shall normally serve for three years.
- iii) Members of staff responsible for managing matters concerning fitness to practise and members of School and Senate Fitness to Practise Committees shall receive an annual briefing.
- iv) External members and student members of School and Senate Fitness to Practise Committees shall be given appropriate guidance.

### 34.6 Reports

The School Fitness to Practise Committees and the Senate Fitness to Practise Appeals Committee shall provide an annual report to Senate.

### Procedure for Consideration of Fitness to Practise

#### 34.7.1 Initial (informal) Procedure

- i) Any breach of a School Code of Professional Conduct and Fitness to Practise must be reported in writing to the Head of the School in which the student is studying. The report must be signed and dated by the person or persons responsible for making the referral. In exceptional circumstances, the Head of School may permit the identity of the person making the report to remain confidential where it is considered necessary to protect the interests of the person making the allegation.
- ii) On receipt of a written report, the Head of School may refer the matter to the appropriate Programme Director, or Head of Subject, who shall investigate the matter, interview the student and consult such persons as it is deemed necessary to determine the facts of the case. Where possible the matter shall be resolved informally with the agreement of the student and any one affected. Support, assistance or advice shall be provided.
- iii) At this informal stage, a student may be accompanied by a family member or a friend but shall not normally be permitted to be represented formally by a member of the SRC or other formally appointed individual at any interview relating to fitness to practise.
- iv) A record shall be kept of a referral, of any interview concerning the referral and of any action subsequently taken.

#### 34.7.2 Referral to the School Fitness to Practise Committee

- i) A student shall be referred to the School Fitness to Practise Committee in the following circumstances:
  - a) where a minor breach is repeated and is considered by the Head of School to constitute a pattern of behaviour which is not compliant with the School Code of Professional Conduct;
  - b) where a review of the progress made by the student following action under the informal procedure indicates that the breach of the School Code of Professional Conduct and Fitness to Practise remains;
  - c) where a reported breach of the Code is deemed by the Head of School to be of sufficient seriousness to warrant immediate referral to the School Fitness to Practise Committee rather than resolution by the informal procedure.

#### 34.7.3 Referral by the Head of School to the Senior Senate Assessor for Student Conduct

- i) If on receipt of a report, the Head of School considers that a breach of the University Code of Student Conduct has occurred, the student shall be referred in the first instance to the Senior Senate Assessor for Student Conduct. When the case has been considered under the Code of Student Conduct, the Senior Senate Assessor for Student Conduct shall report to the Head of School the outcome of consideration of the case and any ensuing action under the Code of Student Conduct.

#### 34.7.4 Referral by the Senior Senate Assessor for Student Conduct to the Head of School

- i) The Senior Senate Assessor for Student Conduct shall report to the Head of School, the details of any breach of the University Code of Student Conduct concerning a student on a programme of study subject to fitness to practise procedures where the offence indicates a breach of or non-compliance with the School Code of Professional Conduct and Fitness to Practise. This will occur where responsibility for the offence has either been admitted by the student or where the case has been established by the Senate Assessors for Student Conduct or the Disciplinary Committee or where the student has been convicted of a criminal offence.
- ii) On receipt of a report from the Senior Senate Assessor for Student Conduct, the Head of School may take such immediate action including suspension designed to protect patients, children, clients or service users as he or she thinks fit but shall not refer the matter to the School Fitness to Practise Committee until the time permitted for an appeal under the Code of Student Conduct has elapsed without any appeal being lodged or until any appeal has been heard and a decision adverse to the student has been reached.

#### 34.7.5 Suspension of Study

- i) The Head of School may suspend the student's studies and may limit access to University facilities or to placement premises pending investigation under this procedure where suspension is justified to protect the interests of patients, children, clients or service users, the student concerned, other students or members of staff of the University.
- ii) The Head of School shall inform the student in writing of the details of any suspension.
- iii) The student shall have the right to call for a review of the suspension by the Head of School after 20 working days<sup>44</sup>.

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<sup>44</sup> For the purposes of this Procedure, Monday to Friday are counted as working days except when the University is closed for a Public Holiday (as listed at [www.gla.ac.uk/services/humanresources/policies/h-o/holidays/publichols/](http://www.gla.ac.uk/services/humanresources/policies/h-o/holidays/publichols/)). Saturdays and Sundays are not counted as working days.

- iv) The review of the suspension shall be conducted by a senior member of the College who has not been involved in the referral or the investigation of the referral and who is not a member of the standing School Fitness to Practise Committee.

#### **34.7.6 Investigation of a breach of the School Code of Professional Conduct and Fitness to Practise**

- i) On receipt of a written report relating to an issue which has either not been resolved by the informal procedure or has been repeated or is of sufficient seriousness to warrant referral to the School Fitness to Practise Committee, the Head of School, shall appoint an Investigating Officer who shall be a senior member of the School and who shall not be a member of the School Fitness to Practise Committee.
- ii) The Head of School shall inform the student in writing of the details of the referral and the name of the Investigating Officer and shall state the procedure for the investigation. The student shall be invited to provide a written statement to the Investigating Officer within 10 working days concerning the matters raised in the referral. The student shall have the right to representation by a member of the SRC or other formally appointed representative or to be accompanied by a family member or friend at any meeting with the Investigating Officer.
- iii) The Investigating Officer in the presence of another member of staff shall interview the student and shall interview any person or persons named in the referral or responsible for the referral. Details of the student's academic record and any other relevant documentation shall be made available to the Investigating Officer. The notes of the interviews shall be retained in the record of the investigation and a reference to the investigation shall be held in the student file.
- iv) The student may be required by the Investigating Officer to attend an Occupational Health Department or other relevant service in order to ascertain his/her fitness to practise.
- v) Strict confidentiality shall be observed throughout the course of the investigation.
- vi) The Investigating Officer shall submit a written report of the investigation to the Head of School normally within 20 working days of his/her appointment. The report shall include a recommendation relating to the continuation or otherwise of any suspension from study. The Head of School shall determine, on the basis of the Investigating Officer's report, whether to refer the case to a full hearing before the School Fitness to Practise Committee or to manage the case by the informal procedure or alternatively that no breach of the School Code of Professional Conduct and Fitness to Practise has occurred.
- vii) The Head of School shall inform the student and his/her representative in writing within 5 working days of receipt of the report from the Investigating Officer of his/her decision following the investigation.

#### **34.7.7 Retention of Records during the Investigation**

All papers relating to an allegation under investigation shall be held in a file clearly marked "under investigation" in the office of the Head of School. A reference to the investigation shall be held in the student's file.

#### **34.7.8 Constitution of the School Fitness to Practise Committee**

- i) The Committee shall be constituted as follows:
  - a) the Head of a cognate School as Convener;
  - b) four members drawn from a panel appointed by the School in which the student is studying;
  - c) a representative member of the relevant professional body concerned who is not a member of the University.
- ii) No person who has signed or co-signed a referral or who undertook the investigation of the alleged breach or was involved in an informal consideration of the alleged breach may sit on the Committee to consider the case.
- iii) The Committee may have the assistance of a legal adviser.
- iv) The School Administrator or his/her nominee shall act as Clerk to the Committee.
- v) The membership of a School Fitness to Practise Committee shall be reported to the Senate annually. Members shall normally serve for three years.

#### **34.7.9 Arrangements for a Hearing**

- i) Timing of a hearing

Where a hearing before the School Fitness to Practise Committee is required, the hearing shall normally take place within 15 working days of the date of the letter of notification from the Head of School to the student intimating the decision following the investigation.

- ii) Preparation of the papers

The Clerk of the Committee shall:

- a) provide the student (or his or her representative) with a copy of the original report submitted to the Head of School subject to any action taken to protect the anonymity of the person making the report in terms of §34.7.1 above;

- b) provide the student (or his or her representative) with a copy of the report if one has been prepared by an Investigating Officer;
  - c) invite the student (or his or her representative) to submit a written statement in response to the statements contained in the report(s);
  - d) invite the student (or his or her representative) to submit any other documentation which the student wishes the Committee to consider.
- iii) The student (or his or her representative) shall be provided no less than 10 working days in advance of the hearing, with a copy of all papers which shall be before the Committee and the names of those persons who shall be in attendance. The documents shall be sent by Recorded Delivery/University Courier to the student or may, at the student's request, be collected in person.
  - iv) The Clerk to the Committee shall notify the student (or his or her representative) no less than 5 working days prior to the hearing of the date, time and location of the hearing and the names of the members of the Committee who shall consider the case.

#### **34.7.10 Attendance at Hearing**

- i) The student shall be required to attend the hearing in person. Where the student is prevented from attending by ill health, the hearing shall normally be deferred on submission of medical evidence. If the student does not attend on the date appointed and no notification of the absence has been received, if the Convener is satisfied that the student has received due notice of the hearing, the Committee may proceed to deal with the case and to reach a decision in the student's absence.
- ii) The Head of School of the School or his/her appointed representative shall attend the hearing to present the circumstances of the referral and shall have the right to name any person or persons he/she wishes to be present to provide evidence relating to the referral.
- iii) The student shall have the right to be accompanied by one of the following: a parent or guardian; a fellow student or other friend; or to be formally represented by the Students' Representative Council or a member of the University staff or other appointed representative. Where the student seeks to have two individuals in attendance, one shall attend as an observer only.
- iv) The student may name any person or persons he/she wishes to be present to provide evidence on his/her behalf; however any such person is under no obligation to attend the hearing or provide written evidence. The name of any person or persons, called by the student, who have agreed to provide evidence shall be provided to the Clerk of the Committee no later than 10 working days before the date of the hearing. The student shall be responsible for arranging the attendance of such persons at the hearing with the exception of members of staff of the University who shall be notified of the date, time and location of the hearing by the Clerk to the Committee.
- v) If any person or persons are unable or unwilling to attend the hearing, the Convener of the Committee shall be responsible for deciding if the hearing should proceed on the date arranged or be deferred. A written statement may be presented by any person who has been invited to attend the hearing but is not available at the date specified.
- vi) The hearing shall be held in private. Strict confidentiality shall be observed.

#### **34.7.11 Professional Advice**

- i) Where the Committee requires the advice of an expert to deal with a question of fact or special difficulty, such an expert shall provide a written report and where appropriate shall be invited to attend the hearing to provide evidence.

#### **34.7.12 Procedure for the Conduct of a Hearing**

- i) The Committee shall rely only on evidence presented at the hearing. Unauthorised electronic recordings of previous meetings or events will not be admissible as evidence at the hearing.
- ii) Statements:
  - a) at the hearing, the Convener shall invite the student and his or her representative to make a statement. If the student declines the invitation to make a statement, the Committee shall reserve the right to question the student directly;
  - b) the Head of School or his/her deputy shall present the circumstances of the case. The Committee shall then address any questions to the relevant parties including those appearing to advise the Committee or called to provide evidence and shall afford the student and his/her representative an opportunity to question the persons involved through the Convener;
  - c) the Committee shall consider any request from any person present at the hearing to make a statement or to put questions through the Committee to anyone whom the Committee has examined;
  - d) the Committee shall afford the student an opportunity to make a final statement or to have one made on his or her behalf;

- e) the Convener shall seek confirmation from all parties that all necessary information has been conveyed to the Committee, that, in their opinion, the questioning is complete and that in the opinion of the student, the hearing has been conducted in a fair and reasonable manner.
- iii) Thereafter all persons except the Fitness to Practise Committee, its Clerk and any legal adviser appointed to advise the Committee shall retire while the Committee considers its decision. The Committee shall reach its decision or defer the decision pending further investigations.
- iv) In reaching its decision the Fitness to Practise Committee shall not be bound by the rules of evidence. The Committee shall attempt to ascertain all relevant facts with a view to coming to a reasonable disposal.
- v) At any stage the Convener may adjourn the hearing if he/she considers this to be necessary.
- vi) Any unauthorised electronic recording of the hearing is expressly forbidden by the University.

#### **34.7.13 Disposal**

- i) The Committee shall decide the matter at the conclusion of its consideration of the referral or as soon as possible thereafter.
- ii) The Committee may decide by a majority.
- iii) Where the Committee is of the view that no breach of the Code has occurred, it shall permit the student to continue the programme of study.
- iv) Where the Committee decides that a breach of the Code has occurred, the Committee may:
  - a) permit the student to continue the programme of study under close specified supervision and thereafter within a specified time to demonstrate fitness to practise to the satisfaction of the Head of School by whatever means the Committee shall decide or by whoever the Committee shall appoint or
  - b) require the student to repeat a specified part or parts of the programme of study and thereafter to demonstrate fitness to practise to the satisfaction of the Head of School or
  - c) suspend the student from the programme of study for a specified period in order to undergo a medical assessment or medical treatment, or other form of remedy and thereafter to demonstrate fitness to practise to the satisfaction of the Head of School or
  - d) authorise any other action considered appropriate by the Committee to enable the student to continue the programme of study or
  - e) exclude the student permanently from the programme of study.
- v) Where a student is unable to demonstrate fitness to practise to the satisfaction of the Head of School at the conclusion of the specified period of supervision or completion of medical treatment or other form of remedy, the case shall be referred to the School Fitness to Practise Committee for further consideration.
- vi) The decision and the reasons for the decision, with reference to any findings of fact, shall be provided in writing to the student by Recorded Delivery / University Courier normally within 10 working days of the decision being determined. If it is not possible to provide the decision and the reasons for the decision within this timescale, the student shall be informed of the reason for the delay and a new timescale shall be provided.

#### **34.7.14 Records and Reports**

- i) The Clerk to the School Fitness to Practise Committee shall prepare a written report of the hearing. The report and the papers presented to the School Fitness to Practise Committee shall be held in a confidential file in the office of the Head of School. A reference to the report shall be held in the student's file until the conclusion of the programme of study after which the report shall be archived and retained for the anticipated professional life of the individual. The School Fitness to Practise Committee shall decide whether a report shall be submitted to the professional body.

#### **34.7.15 Annual Review**

- i) The School Fitness to Practise Committee shall review its proceedings annually.

### **Review by the Senate Fitness to Practise Appeals Committee**

#### **34.8.1 Jurisdiction of the Senate Fitness to Practise Appeals Committee**

- i) The Senate Fitness to Practise Appeals Committee shall consider appeals by students against a decision of a School Fitness to Practise Committee which falls within the scope of grounds for an appeal to Senate.

#### **34.8.2 Lodging an appeal**

##### ***Time within which an appeal is to be lodged and late appeals***

- i) Where an appeal lies against a decision of the School Fitness to Practise Committee in terms of §34.8.3 below, the appeal or an intimation of intention to appeal shall be submitted in writing to the Director of the Senate Office within 10 working days of the intimation to the student of the decision against which the student is appealing. Where an intention to appeal is submitted, the full appeal shall be submitted within 20 working days of the date of the letter intimating the intention to appeal.

- ii) An application for an extension of time for submitting an appeal beyond 20 working days shall be made in writing to the Director of the Senate Office for the attention of the Clerk of Senate and shall include sufficient information concerning the nature of the appeal, shall state the grounds on which an extension of time is sought and be accompanied by such evidence of medical or other adverse personal circumstances as are relevant to the application.
- iii) An application for extension of time for submitting an appeal shall not be granted unless the Clerk of Senate is satisfied that the student was precluded from appealing within 20 working days as a result of serious illness or other circumstances which are both exceptional and relevant to the appeal.
- iv) A letter of appeal or other documents required for the consideration of an appeal shall be treated as having been given or sent on the day that it is received by the Director of the Senate Office; and any letter or document sent to any person including the student in connection with the appeal shall, if sent to the person's last notified address, be treated as having been given or sent on the day that it was posted.

#### **34.8.3 Grounds for an appeal**

- i) An appeal may be made to the Senate Fitness to Practise Appeals Committee against a decision of a School Fitness to Practise Committee only on the grounds that:
  - a) new evidence has emerged which could not reasonably have been produced to the School Fitness to Practise Committee;
  - b) there has been defective procedure at School level;
  - c) the disposal by the School Fitness to Practise Committee was manifestly unreasonable.
- ii) In the case of a claim of unfair or defective procedure, evidence in the form of written statements or formal documents must be provided. Advice on a subject data access request can be obtained from the Data Protection Office at:  
[www.glasgow.ac.uk/dpfoioffice/a-ztopics/subjectaccessrequestsar](http://www.glasgow.ac.uk/dpfoioffice/a-ztopics/subjectaccessrequestsar)
- iii) Where the student claims that the disposal at School level was unreasonable; the student must state in writing the respects in which he/she believes that the School Fitness to Practise Committee erred in coming to its decision or was mistaken in that decision.

#### **34.8.4 Content of a letter of appeal**

- i) The letter of appeal shall state:
  - a) the name and address of the student and the telephone number and email address, if available;
  - b) the decision appealed against;
  - c) all the grounds for the appeal: additional grounds may be admitted subsequently only at the discretion of the Convener; additional grounds presented at the hearing may lead to adjournment of the hearing;
  - d) the remedy or remedies which the student seeks;
  - e) the name and address of any person whom the student has appointed as a representative or who will accompany the student at the hearing;

#### **34.8.5 Constitution of the Senate Fitness to Practise Appeals Committee**

- i) The Senate Fitness to Practise Appeals Committee shall be constituted as follows:
  - a) the Clerk of Senate as Convener;
  - b) the Senior Senate Assessor for Student Appeals or his/her deputy;
  - c) two members drawn from a panel made up of two nominees from each School with a fitness to practise procedure;
  - d) two representative members of the profession concerned who are not members of the University.
- ii) These six members shall constitute the quorum.
- iii) A representative of the student body may attend the hearing in the role of observer unless the subject of the referral has expressed the wish that no such representative shall be present.
- iv) No member of a School Fitness to Practise Committee shall be entitled to serve on the Committee. Where a member of the Committee has participated directly in the decision appealed against, that member shall not sit for that appeal.
- v) The Committee may have the assistance of a legal adviser.
- vi) The Director of the Senate Office or his/her nominee shall act as Clerk to the Committee.

**34.8.6 Consideration of appeals*****Power to give directions***

- i) Upon receipt of a written appeal, the Clerk of Senate may direct the student (or his or her representative) or any party to the proceedings, to furnish additional evidence, information or explanation as may be thought to be appropriate.
- ii) A direction to the student (or his or her representative) shall state the period of time by which the student shall respond in writing following which the appeal may be dismissed by the Clerk of Senate.

***Preliminary Disposal***

- iii) The Clerk of Senate after consultation with two members of the Senate Fitness to Practise Appeals Committee may make a preliminary disposal in order to accelerate a decision. The Clerk of Senate may:
  - a) dismiss the appeal because the subject-matter of the appeal does not fall within the scope of §34.8.3 above;
  - b) dismiss the appeal because no competent grounds have been stated or because the appeal is frivolous or vexatious or because the appeal is out of time or because the student failed to comply with a direction made in terms of §34.8.6(i) and (ii) above;
  - c) dismiss the appeal because it does not establish a *prima facie* case that disposal at School level involved defective or unfair procedure, or a failure to take relevant evidence of medical or other adverse personal circumstances into account or was manifestly unreasonable;
  - d) dismiss the appeal because the new evidence submitted by the student could reasonably have been presented to the School Fitness to Practise Committee;
  - e) refer the appeal to the School Fitness to Practise Committee with whatever guidance or direction it considers appropriate, which may include a direction that the appeal is heard again by a Committee which is not constituted by any member who was involved in the first decision;
  - f) refer the appeal to the Senate Fitness to Practise Appeals Committee for a full hearing.
- iv) The Clerk of Senate may also take such other interim action by way of direction as he or she deems appropriate
- v) The Clerk to the Committee shall state in the letter to the student (or his or her representative) intimating the outcome of the preliminary disposal the reasons for the decision and shall provide the papers which were considered by the Committee.
- vi) An appeal which has been dismissed under preliminary disposal may be reinstated if the student (or his or her representative) makes representation stating the reasons why the appeal should not have been dismissed. The representation and the reasons shall be made in writing within 10 working days of the date of the letter intimating the outcome of preliminary disposal

**34.8.7 Arrangements for a Hearing before a Senate Fitness to Practise Appeals Committee**

- i) Timing of the hearing - When a hearing is required, the Committee shall meet within 20 working days of receipt of the letter of appeal or as soon thereafter as is practicable.
- ii) Preparation of the papers
 

The Clerk of the Committee shall:

  - a) request a copy of the papers which were before the School Fitness to Practise Committee and a report of the hearing including information relating to the manner in which the decision appealed against was reached;
  - b) request any other reports or information relevant to the appeal;
  - c) request the Head of School to provide a written response to the statements made in the letter of appeal and to name any person or persons whom the Head of School wishes to appear to provide evidence;
  - d) provide the Committee and the student normally within 10 working days in advance of the hearing with a copy of all papers relevant to the appeal and the names of those persons who will be in attendance. The papers shall normally be sent to the student by Recorded Delivery or may at the student's request be collected in person;
  - e) notify the student no less than 5 working days prior to the hearing of the date, time and location of the hearing and the names of the members of the Committee who will consider the case.

**34.8.8 Attendance at Hearing**

- i) The student shall be required to attend the hearing in person. Where the student is prevented from attending by ill health, the hearing shall normally be deferred on submission of medical evidence. If the student does not attend on the date appointed and no notification of the absence has been received, if the Clerk of Senate is satisfied that the student has received due notice of the hearing, the Committee may proceed to deal with the case and to reach a decision in the student's absence.
- ii) The student shall have the right to be accompanied at the hearing by one of the following: a parent or guardian; a fellow student or other friend or to be formally represented by the Students' Representative Council or a member of

the University staff. Where the student seeks to have two individuals in attendance, one shall attend as an observer only.

- iii) The student may name any person or persons he/she wishes to be present to provide evidence on his/her behalf. The name of any person or persons called by the student to provide evidence shall be provided to the Clerk of the Committee no later than 10 working days before the date of the hearing. The student shall be responsible for arranging the attendance of such persons at the hearing with the exception of members of staff of the University who shall be notified of the date, time and location of the hearing by the Clerk to the Committee.
- iv) If any person or persons are unable or unwilling to attend the hearing, the Clerk of Senate shall be responsible for deciding if the hearing shall proceed on the date arranged or be deferred. A written statement may be presented by any person who has been invited to attend the hearing but who is not available at the date specified.
- v) The hearing shall be held in private. Strict confidentiality will be observed.

#### **34.8.9 Expert Advice**

- i) Where the Committee requires the advice of an expert to deal with a question of fact or special difficulty, such an expert shall provide a written report and where appropriate shall be invited to attend the hearing to provide evidence.

#### **34.8.10 Procedure for the Conduct of a Hearing**

- i) The Committee shall rely only on evidence presented at the hearing. Unauthorised electronic recordings of previous meetings or events will not be admissible as evidence at the hearing.
- ii) The hearing shall be conducted in the presence of all persons invited to attend to provide evidence.
- iii) Any unauthorised electronic recording of the hearing is expressly forbidden by the University.

#### **34.8.11 Statements**

- i) The procedure shall be as follows:
  - a) at the hearing, the Convener shall invite the student and his or her representative to make a statement. If the student declines the invitation to make a statement, the Committee shall reserve the right to question the student directly;
  - b) the Committee shall then address any questions to the relevant parties including those appearing to advise the Committee and shall afford the student and his/her representative an opportunity to question the persons involved through the Convener;
  - c) the Committee shall consider any request from any person present at the hearing to make a statement or to put questions through the Committee to anyone whom the Committee has examined;
  - d) the Committee shall afford the student an opportunity to make a final statement or to have one made on his or her behalf;
  - e) the Convener shall seek confirmation from all parties that all necessary information has been conveyed to the Committee, that the questioning is complete and that in the opinion of the student, the hearing has been conducted in a fair manner.
- ii) Thereafter all persons except the Senate Fitness to Practise Appeals Committee, its Clerk and any legal adviser appointed to advise the Committee shall retire while the Committee considers its decision. The Committee shall reach its decision or defer the decision pending further investigations.
- iii) In reaching its decision, the Senate Fitness to Practise Appeals Committee shall not be bound by the rules of evidence. The Committee shall attempt to ascertain all relevant facts with a view to coming to a reasonable disposal.
- iv) At any stage the Clerk of Senate may adjourn the hearing if he/she considers this to be necessary.

#### **34.8.12 Disposal**

- i) The Committee shall decide the matter at the conclusion of its consideration of the appeal or as soon as possible thereafter.
- ii) The Committee may decide by a majority.
- iii) The Committee may:
  - a) dismiss the appeal because the subject matter does not fall within the scope of §34.8.3;
  - b) dismiss the appeal because the new evidence produced by the student could reasonably have been produced to the School Fitness to Practise Committee;
  - c) dismiss the appeal because the disposal by the School Fitness to Practise Committee did not involve defective or unfair procedure or was not manifestly unreasonable;
  - d) refer the appeal to the School Fitness to Practise Committee with whatever guidance or direction it considers appropriate;

- e) uphold the appeal and grant whatever remedy it considers reasonable and practical in the circumstances.
- iv) Where an appeal is upheld, the University shall defray reasonable and proportionate expenses.
- v) The Clerk of Senate shall intimate the decision in writing to the student (or his or her representative) and to the appropriate University authorities.

#### 34.8.13 Reference back to a School

- i) The Senate Fitness to Practise Appeals Committee may refer a case back to a School Fitness to Practise Committee where it considers:
  - a) that evidence made available to the Senate Fitness to Practise Appeals Committee had not been presented to the School Fitness to Practise Committee, or
  - b) that there had been defective procedure at the School level.
- ii) In the first case, Senate Fitness to Practise Appeals Committee may decide to refer the matter to the School Fitness to Practise Committee as originally constituted to hear the appeal in order to permit that Committee to hear the case *ab initio*.
- iii) In the second case, the matter shall be considered by a newly constituted School Fitness to Practise Committee.
- iv) Where an appeal is made to the Senate Fitness to Practise Appeals Committee against the decision of the School Fitness to Practise Committee following a reference back, it shall be competent for the Clerk of Senate, in consultation with at least two other members of the original Senate Fitness to Practise Appeals Committee, either to dismiss the appeal or to recall the Senate Fitness to Practise Appeals Committee to hear the case.

#### 34.8.14 Reports to Senate and Annual Review

- i) The Clerk to the Senate Fitness to Practise Appeals Committee shall report the outcome of a hearing to the Senate at the Senate's next regular meeting. The report shall not identify the student. It shall detail the nature of the appeal. In the report, the Committee may if it desires include any recommendations related to the matter which has given rise to the appeal.
- ii) The Senate Fitness to Practise Appeals Committee shall review its proceedings annually.
- iii) This shall conclude the internal processes of the University.

#### Independent External Review

- i) If the appellant is dissatisfied with the outcome of an appeal to the Senate Fitness to Practise Appeals Committee, he/she shall have the right to an external review<sup>45</sup>, details of which shall be available from the Senate Office.

## 35 CODE OF PRACTICE ON UNACCEPTABLE BEHAVIOUR

### 35.1 Introduction

This Code sets out the University's approach to dealing with behaviour it deems unacceptable. All students and staff, their representatives, and members of the public with whom the University communicates, are covered by this Code, including those engaged with one or more of the University's other codes and procedures (e.g. Student Conduct, Complaints, Appeals or Fitness to Practise). Incidents of unacceptable behaviour are relatively infrequent, but where staff, students, or the work of the University are adversely affected, appropriate and relevant action will be taken.

### 35.2 Aims of the Code of Practice

35.2.1 To ensure the fair, honest and consistent treatment of all individuals with whom the University interacts, through any means of contact and communication.

35.2.2 To make the University community and members of the public aware of what constitutes unacceptable behaviour and the action that will be taken to manage this.

35.2.3 To ensure that University students and staff do not suffer as a result of the unacceptable behaviour of others and are not placed at risk.

### 35.3 Definition of Unacceptable Behaviour

35.3.1 It is understood that, in upsetting or distressing circumstances, and in certain forms or stages of ill health, people may act out of character and may become persistent, angry or upset. However, where it leads to aggressive behaviour or unreasonable demands, it is considered unacceptable. Similarly, behaviour which disrupts normal University activities, intentionally or not, is considered unacceptable. Members of the University community are entitled to be treated with respect and courtesy.

The University also has procedures for students and staff who consider that they are being harassed (see §35.7 below).

<sup>45</sup> External review will be provided by the Scottish Public Services Ombudsman ([www.spsso.org.uk](http://www.spsso.org.uk)).

### 35.3.2 Aggressive/Abusive Behaviour

Any behaviour or language (spoken or written) which causes staff or students to feel unduly concerned, afraid, threatened or abused is not acceptable. Aggressive/abusive behaviour might include any of the following:

- demeaning, abusive, indecent or offensive language or comments (including those in writing)
- threatening behaviour or language, or actual threats
- written, verbal or physical harassment
- comments that discriminate on the basis of sex, sexual orientation, race and ethnicity, age, disability, religion and belief or other irrelevant distinction
- unsubstantiated allegations
- use of aggressive or inappropriate gestures

### 35.3.3 Unreasonable Demands and Undue Persistence

The University will always aim to provide assistance where required, and will not refuse reasonable requests. However, where unreasonable demands are made, this will be considered to be unacceptable behaviour. Examples of unreasonable demands could include:

- demanding responses within inappropriate timescales;
- expecting staff to discuss complaints or grievances in a public context (such as lectures or seminars);
- persistent emails or mass circulation of emails;
- making lengthy or repeated phone calls and expecting attention from staff outside normal office hours;
- approaches to other members other people or agencies when due process has already commenced or has been completed.

Where demands impact on the work of the University, by taking up excessive amounts of time and therefore disadvantaging other areas of work, the University will consider this to be unacceptable.

Similarly, undue persistence will be viewed as unacceptable. The nature of the request may be reasonable, but the persistent behaviour in pursuing it may not be. This might include refusal to accept that the University can no longer assist, or the pursuit of a closed complaint, appeal or other matter with no new evidence. Again, this takes up excessive amounts of University time and resources.

### 35.3.4 Disruptive Behaviour

Behaviour which disrupts or interferes with any academic, administrative, sporting, social or other University activity is not acceptable. This may include:

- persistently interrupting others;
- behaviour which distracts others from the main activity, or disrupts the good order of the event;
- engaging in antisocial behaviour;
- aggressive or abusive behaviour (see above);

## 35.4 Management of Unacceptable Behaviour

35.4.1 The manner in which the University deals with unacceptable behaviour will depend on the nature and extent of the behaviour. This may range from asking the person to modify their behaviour or restricting contact with them, to invoking its disciplinary and conduct procedures or, in the most serious cases, the involvement of the police.

35.4.2 Where violent behaviour is actual or threatened, the incident will always be reported to the police. All personal contact with the person who acted in, or threatened, violence will be ended and further communication will take place only through a specific third party, or be restricted to written communication. The individual may also be suspended from the University, or prohibited from entering the University campus. The matter will also be dealt with under the Code of Student Conduct if the person is a registered student of the University, or under the University's staff disciplinary procedures if the person is an employee.

35.4.3 Where abusive language is used, either spoken or written, the person concerned will be asked to modify their language. The University will not respond to ongoing abusive correspondence and, it may also exercise its right to end personal communication with the individual concerned and require any future communication to take place through a third party. The matter is likely to be referred under the Code of Student Conduct if the person is a registered student of the University or to the University's staff disciplinary procedures if the person is an employee.

35.4.4 Persistent sending of email messages may result in suspension of the sender's University email account and blocking of incoming emails from external accounts. Disciplinary processes will be invoked for staff or students under the IT Code and the relevant disciplinary and conduct procedures.

35.4.5 The University has the right to end telephone calls where the caller is abusive, aggressive, threatening or uses offensive language. The caller will be asked to stop; it will be explained that this behaviour is not acceptable, and the call will be ended if the caller does not stop. The matter may be referred under the Code of Student Conduct if the person is a registered student of the University, or to the University's staff disciplinary procedures if the person is an employee.

35.4.6 Where unsubstantiated allegations against staff are made to, or in the presence of, a third party (for instance, in an email sent to a group of people, or at a meeting), the University may exercise its right to invoke disciplinary procedures against a student or member of staff and/or to initiate legal proceedings against any person.

35.4.7 Where unreasonable demands are made and/or undue persistence is used, the University may decide to restrict contact to certain days/times and with a nominated person, or to restrict communication to that made through a third party. This may happen where contact or demands are so excessive that they adversely affect the opportunity to carry out normal duties and provide a service to others.

35.4.8 Restrictions may subsequently be relaxed and normal relations re-instated if an agreement is reached with all parties and any conditions imposed continue to be met.

35.4.9 Where a complaint has been submitted under the University Complaints Procedure or a student has submitted a formal appeal against an academic decision, the University reserves the right to suspend the case until after any disciplinary or police procedure has been completed.

35.4.10 The University will always advise the person in writing of the action it intends to take, and the reason for it.

### **35.5 Appealing Against a Decision to Restrict or End Contact**

Anyone with whom we restrict or end contact under this Code has the right to appeal against this decision. In the case of a student, the appeal should be made, in writing, to the Clerk of Senate; and for staff, through the Staff Grievance Procedure.

### **35.6 Recording Unacceptable Behaviour**

Incidents of unacceptable behaviour may be recorded and kept on file for a minimum of six academic sessions, thereafter it shall be retained for the remaining duration of an individual's registration as a student or term of employment with the University. Any restrictions on contact made in accordance with §35.4.7 above will also be noted.

### **35.7 Other Relevant Information**

Student Harassment Statement ([www.gla.ac.uk/services/equalitydiversity/harassment/students/](http://www.gla.ac.uk/services/equalitydiversity/harassment/students/))

[Fitness to Practise Procedure \(Students\)](#)

[Code of Student Conduct \(Students\)](#)

SRC Advice Centre ([www.glasgowstudent.net/advice/](http://www.glasgowstudent.net/advice/))

[Complaints Procedure](#)

Religion and Belief Policy ([www.gla.ac.uk/services/humanresources/policies/p-z/religionpolicy/](http://www.gla.ac.uk/services/humanresources/policies/p-z/religionpolicy/))

Staff Harassment Policy ([www.gla.ac.uk/services/humanresources/policies/h-o/harassmentpolicy/](http://www.gla.ac.uk/services/humanresources/policies/h-o/harassmentpolicy/))

Disciplinary Procedures (Staff) ([www.gla.ac.uk/services/humanresources/policies/a-g/discipline/](http://www.gla.ac.uk/services/humanresources/policies/a-g/discipline/))

Staff Guidelines for Handling Student Mental Health Difficulties  
([www.gla.ac.uk/services/studentdisability/MentalHealth.pdf](http://www.gla.ac.uk/services/studentdisability/MentalHealth.pdf))

## **36 PROCEDURE FOR INVESTIGATING AND RESOLVING ALLEGATIONS OF RESEARCH MISCONDUCT**

36.1 The University Court has approved a Code and Procedure for dealing with allegations of misconduct in research. Copies may be obtained from the Senate Office or from the Office of the Vice-Principal (Research). The document is also available at: [http://www.gla.ac.uk/media/media\\_46632\\_en.pdf](http://www.gla.ac.uk/media/media_46632_en.pdf).

## **37 GOVERNING LAW**

37.1 If, after the conclusion of all appropriate procedures within the University for the determination of appeals or complaints or matters of discipline and after consideration by the Scottish Public Services Ombudsman for Higher Education, a student still wishes to seek redress through the Courts, then the procedures to be used shall be in accordance with Scots Law and the student thereby submits to the jurisdiction of the Scottish Courts. The submission to such jurisdiction shall not (and shall not be construed so as to) limit the right of the University to take proceedings against the student in any other Court of competent jurisdiction, nor shall the taking of proceedings in any one or more jurisdictions preclude the taking of proceedings in any other jurisdiction, whether concurrently or not.

## 38 COPYRIGHT REGULATIONS

38.1 Regulations under the *Copyright, Designs and Patents Act*, 1988, permit limited photocopying of material under copyright by individuals in connection with their research or private study. Under The Copyright and Related Rights Regulations 2003 this exception is reduced to fair dealing only for research for a non-commercial purpose, or for private study. There is also a new obligation that sufficient acknowledgement (e.g., the author's name plus a bibliographic citation) is required unless it is impractical. In brief, a single copy of no more than one article from any issue of a periodical and no more than 5% or 4,000 words, or one chapter may be copied without further restriction.

38.2 The 5% limit extends to poems, essays and other short literary works which are regarded as complete in themselves, and may not be copied in their entirety, without the permission of the copyright holder given in writing.

38.3 Photocopying beyond these limits can only be permitted if the material is not in copyright (i.e. in most cases if the author has been dead for more than seventy years) or if the owner of the copyright gives specific permission in each case.

38.4 The University has signed a licence with the Copyright Licensing Agency which covers photocopying and scanning for course use. Please see the library's web pages for more information [www.gla.ac.uk/services/library/gethelp/academicstaffsupport/onlinecoursematerialsservice/summaryofclablanketphotocopyingscanninglicence/](http://www.gla.ac.uk/services/library/gethelp/academicstaffsupport/onlinecoursematerialsservice/summaryofclablanketphotocopyingscanninglicence/). Library staff can answer queries regarding this licence at [eresources@lib.gla.ac.uk](mailto:eresources@lib.gla.ac.uk).

38.5 There are many further issues surrounding copyright and intellectual property rights which staff and students need to be aware of in the course of their everyday work in the University. Guidelines are available throughout the University web pages. The Learning & Teaching website ([www.gla.ac.uk/services/learningteaching/](http://www.gla.ac.uk/services/learningteaching/)) gives specific copyright regulations for using material in Moodle and Media production.

## 39 STATEMENT ON ALCOHOL, DRUGS AND SUBSTANCE MISUSE

39.1 Alcohol, drug or substance misuse is defined as the intermittent or continual use of alcohol or any drug or other substance which causes detriment to an individual's health, social functioning or work performance and which affects his or her efficiency, productivity, safety, attendance, punctuality or conduct. While the University recognises that such misuse is rare, it will not condone nor will it otherwise approve of excessive and inappropriate use of alcohol or the misuse of drugs either illicit or prescribed.

39.2 The University has a responsibility to ensure a safe and healthy working environment for all of its staff and students. This objective is put at risk by staff or students who misuse alcohol or other drugs. Students should be aware of the University's Code of Student Conduct and the University's Code of Behaviour for Students in Residences which may be applied to students as a result of alcohol, drug or substance misuse.

39.3 The University wishes to promote the health and well-being of its staff and students and to minimise problems arising from misuse of alcohol and drugs by encouraging safe and sensible drinking habits and a drug free lifestyle. The University will offer guidance and support and actively encourage members or employees known to have alcohol or drug related problems to seek appropriate help. However, the University will report to the Police all incidents involving the supply or taking of illegal drugs on its premises, as required by the *Misuse of Drugs Act*, 1971.

### List of Agencies for Advice or Guidance

Own General Practitioner

Glasgow Council on Alcohol Tel: 0141 226 3883

National Drugs Helpline Tel: 0800 776600

**INDEX**

<b>Contents</b>	<i>Page</i>
Appeals by Students .....	27
Appeals to a College Appeals Committee .....	29
Appeals to the Senate Appeals Committee .....	33
Assessment, Code of .....	7
Awards and Loans for Undergraduates .....	6
Calculators in Examinations .....	22
Carnegie Trust .....	6
Complaints Procedure .....	38
Computers in Examinations .....	21
Copyright Regulations .....	71
Dictionaries in Examinations .....	22
Discretionary Funds (Government) .....	6
Examination/Assessment Arrangements Students with Disabilities .....	25
Examination Enrolment, Degree Examinations .....	7
Examinations, Conduct in Written .....	21
Examinations, Special International Arrangements .....	27
External Examiners, Appointment for Taught Courses .....	24
Fees, Annual .....	5
Fitness to Practise .....	59
Fitness to Practise, Procedure for Determining .....	59
Governing Law .....	70
Graduation and General Council Membership .....	7
Hardship Funds (University) .....	6
Invigilation .....	22
Invigilation Rules .....	22
IT Facilities, Code of Conduct .....	45
Payment of Monies Due to the University .....	7
Personal Data .....	3
Plagiarism Statement .....	49
Prizes and Bursaries .....	7
Recreation Fee .....	7
Registration .....	2
Research Misconduct .....	70
Sponsio Academica .....	2
Statement on Alcohol, Drugs Misuse .....	71
Student Conduct, Code of .....	51
Students with Disabilities .....	4
Subordination to Law .....	2
Transcript Charges .....	7
Unacceptable Behaviour, Code of Practice .....	68