

British Institute of Technology Ltd  
Trading As  
British Institute of Technology, England  
(BITE)

Manual of General Regulations  
2025

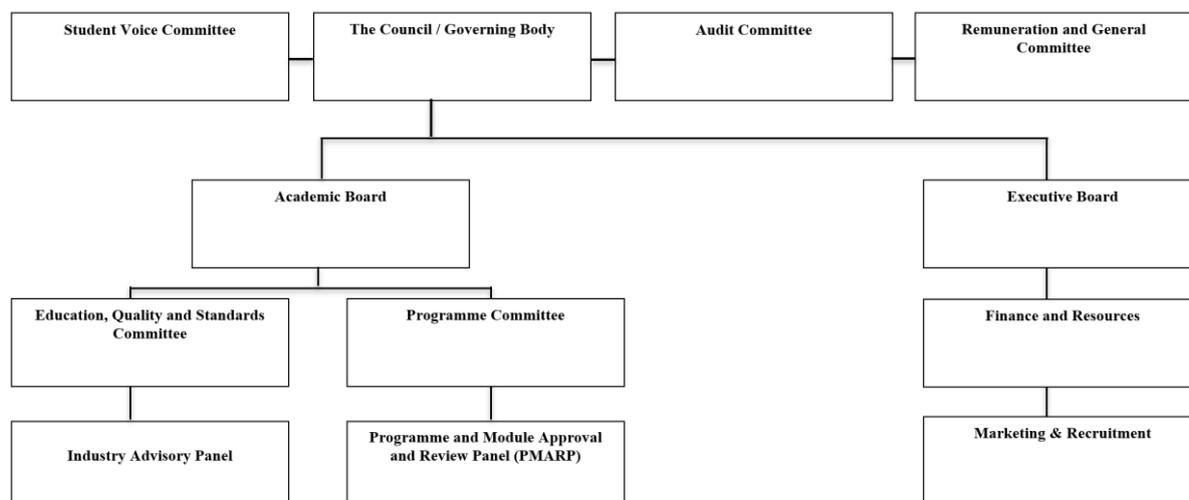
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## Regulatory Framework and Governance



### Regulatory Framework

The regulatory framework is intended to ensure that:

The aims set out in our mission statement are pursued effectively

There is public confidence in the quality of our programmes and scholarship, and in the standards of our academic awards

Students and staff have a robust framework for the management of academic award programmes

The framework is also flexible in design. This means that we can respond to the changes in OfS guidance and society while safeguarding British Institute of Technology, England as an academic community.

### Institute Governance

The Institute's Board of Directors (The Council) is the governing body. The Council is the ultimate decision-making body of the Institute. The Council approves and delegates powers to the Audit Committee, Remuneration and General Committee, Executive Committee and the Academic Board respectively to operate transparently and accountably with integrity as per the management and governance arrangements and the terms of reference.

Terms of reference:

(1) The Council is responsible for determining the educational character and mission of the Institute and for overseeing its activities.

(2) The Academic Board is the primary academic authority approved by the Council. The Academic Board implements the quality and standards required by the regulators and university partners including:

- Reports to the Council.
- Safeguard Institute's OfS and regulatory bodies compliance.
- Approve higher education programmes.
- Approve research areas.
- Advise the Executive Committee upon the planning, development and oversight and resourcing of all academic work of the Institute including teaching, learning and assessment.
- To approve all academic policies and where appropriate, propose revisions to Institute policies and procedures.
- Oversight of the quality and academic standards of the Institute's educational provision.
- Receiving and reviewing student data on access, success and progression.
- Overseeing academic disciplinary and appeals procedures.
- Oversight and approval of programme development practices, including signing-off on proposed programme modifications or withdrawals.
- Reviewing the level of engagement of students and taking considered steps to engage student representatives as partners in the assurance and enhancement of their educational experience.
- To receive the minutes of defined sub committees holding delegated authority from the Academic Board.
- To receive and advise the Council on documentation for all external bodies e.g. OfS QAA; other regulatory bodies.
- Reviewing aspects of the Institute's Strategic Plan as it applies to the quality of academic matters.
- Reviewing collaborative partnerships.
- Reviewing preliminary application process for regulatory bodies.

### The Compliance Committee

The Compliance Committee includes the compliance officers, the registrar, and the head of finance, as well as representation from the Health and Safety Committee, the Ethics Sub-Committee and the Academic Board. Its purpose is to foster a compliance culture. It monitors and reports on all matters relating to compliance with legal requirements and regulatory bodies and formulates actions to ensure on-going compliance. It reports to the Executive Committee and the Audit Committee also receives the minutes and proposed actions.

### The Access and Participation Committee

The Access and Participation Committee considers the level of recruitment, engagement, and progression. It receives all relevant intersectional data across programmes, levels, disability, gender, age and ethnicity relating to recruitment factors, such as location, retention and progression, degree classification and employment outcomes. The committee proposes actions to adapt and improve support for applicants and students. It reports to the Academic Board which receives the minutes and actions.

(3) The Executive Committee is approved by the Council and is the Institute's senior management team with responsibility:

- 1) To adhere and implement the delegated task of the Council.
- 2) To execute under the principles of Code of the UK Corporate Governance Code promoting the purpose, values and future success of the company.
- 3) To oversee the strategic planning process and to recommend the draft Strategic Plan and supporting strategies for approval by the Council.
- 4) To oversee the annual budgeting process and to recommend a budget, with advice from the Council
- 5) To oversee all the work of the Academic Board and to give final approval of all suggestions of the Academic Board which have resource implications,
- 6) To take forward proposals to the Council concerning the Vision, Mission, and overall Strategic Direction of Institute,
- 7) To organise, direct, manage and lead the staff of Institute,
- 8) To maintain student discipline within the policies and procedures of Institute

The following key documents guide the governance of British Institute of Technology Ltd trading as British Institute of Technology, England (BITE):

1. Institute's Articles of Association
2. Constitution and Governance Framework
3. Code of Governance
4. Regulations of the Academic Board

These set out the structure adopted by the Institute and the powers and responsibilities delegated to the Academic Board by the Council. The Academic Board is responsible for implementing the Manual of General Regulations.

## **1. Degree Awarding Powers**

1.1. - A UK degree can be awarded only by an authorised degree awarding body (typically a university) which has overall responsibility for the standard and quality of the qualification. This applies even if all or part of the course is provided by a separate college or organisation. The Privy Council (a formal body of advisers to the Queen) is responsible for decisions about Degree Awarding Powers for UK institutions, with the exception of institutions in England that applied after 1 April 2018, for whom this responsibility rests with the Office for Students.

1.2. - The power to grant awards extends to the authorising of institutions to do so on behalf of a university. The Institute may deliver awards when authorised by a partnering university. The regulations that apply will be those of the Institute or the partner, by agreement with the partner. As stated in Part 10, section 1.1 of these Regulations, no award can be conferred without the authority of the Institute's Academic Board and university partner.

1.3. - The Higher Education and Research Act 2017 gave the OfS the power to authorise the use of the word 'university' in, or by reference to, an English registered higher education provider's name from 1 April 2019.

1.4. - The British Institute of Technology Ltd trading as British Institute of Technology, England (BITE) offers degree programmes through:

1.4.1 A validating University with degree awarding powers;

1.4.2 The Institute validation process for its own degree programme subject to Taught Degree Awarding Powers.

## **2. Quality Assurance**

2.1. - Our Institute has in place a quality assurance system designed to assure the quality and standards of its programmes of study.

2.2. - The quality assurance procedures governing the validation, review and monitoring of programmes of study, and the maintenance of academic standards, are set out in the Quality Assurance Handbook.

2.3. - Our Institute may enter into a range of collaborative partnerships for the delivery of programmes of study. The range and nature of these partnerships are defined in the Quality Assurance Handbook.

## Part 1 Descriptions of our Institute's Awards

### 1 General

1.1 Our Institute's awards are defined in terms of the knowledge and skills that a typical holder of the award can be expected to possess. BITE has also adopted a credit framework which defines programmes in terms of the number of credits achieved at a given level. These definitions are intended to ensure that standards are comparable with those in other UK institutions. Please see Part 3 Academic Regulations.

1.2 In addition to *programme-specific aims* (as defined in programme specifications), all BITE programmes must incorporate *general educational aims*. These are defined in the Quality Criteria in the *Quality Assurance Handbook* and are subject to review.

### 2 Modes of study and duration

2.1 Programmes of study may be offered in full-time, sandwich, block-release, or part-time modes of attendance, as appropriate, or through distance and open learning.

#### 2.2 Full-time programmes

Full-time programmes, and the Institute-based stages of sandwich programmes, are designed in the expectation that students are available for attendance, at our Institute or elsewhere according to the requirements of the programme, at any time within the duration of the programme. Alternatively, in modular programmes, attendance may be defined as full-time in terms of enrolment on a number of modules exceeding a specified minimum.

#### 2.3 Sandwich programmes

(a) A programme of study approved as leading to an award in the **sandwich** mode must include not less than 36 weeks of supervised work experience in addition to the period for the full-time award, except that for the award of BA in the field of art and design the period must be not less than three months and not more than twelve months in a four-year programme.

(b) The period of supervised work experience must form a compulsory element of the programme of study; its objectives must be specified and related to the objectives of the whole programme; the performance of students must be assessed; and satisfactory completion of and performance in the period of supervised work experience must be a requirement for the award.

(c) The fact that a programme was pursued in the sandwich mode will be recorded on the award certificate.

(d) Our Institute will normally make available an alternative full-time award on sandwich programmes, to be awarded to students who are unable, for valid reasons, to undertake the sandwich element.

#### 2.4 Block-release

Block-release programmes are normally intended for students in employment and require a number of short periods of full-time attendance (typically 1-2 weeks).

#### 2.5 Part-time programmes

Part-time programmes are normally structured so as to require attendance at our Institute on not more than two days per week. Alternatively, in modular programmes, part-time attendance may be defined in terms of enrolment on a number of modules not exceeding a specified maximum.

## 2.6 Distance and open learning

Distance and open learning: *open learning* is the provision of all or some of a programme or module by means of supported study using a variety of instructional media which facilitate independent learning undertaken either at our Institute or at a *distance* from it.

## 3 Academic framework

3.1 In order to ensure comparability of its awards both within BITE and with other institutions, and to facilitate transfer between programmes, our Institute has adopted an academic framework for its taught programmes which enables them to be defined in terms of the amount of study successfully completed at a given level. The regulations are set out in Part 3 of this Manual.

3.2 The Academic Framework provides the award classification for unclassified degrees and honours degrees at undergraduate level, for all level 7 awards and for D level or level 8 awards including taught elements (see Part 3 of this Manual).

## 4 Title and scope of introductory awards at level 3

4.1 The following learning outcomes apply to all awards at level 3. A student who gains an award at level 3 will normally be expected to be able to:

- demonstrate a basic knowledge of the underlying concepts and principles associated with their area(s) of study
- interpret underlying concepts and principles within the context of their area(s) of study
- present and interpret basic qualitative and quantitative data in simple and familiar settings
- develop basic lines of argument in accordance with the theories and concepts of their subject(s) of study;
- apply given approaches to solving problems related to their area(s) of study and/or work
- demonstrate a basic ability to evaluate the appropriateness of different approaches to problem solving
- develop key skills within a structured and managed environment and with external evaluation;
- demonstrate the qualities and transferable skills necessary for employment requiring the exercise of some personal responsibility.

### 4.2 Undergraduate Associate Certificate

A student who is awarded an Undergraduate Associate Certificate will be expected to achieve learning outcomes that match some or all of those listed in 4.1 above. The minimum requirement for the award will be 20 credits at level 3 or above. The Institute Undergraduate Associate Certificate will be an unnamed award.

### 4.3 Undergraduate Certificate

A student who is awarded an Undergraduate Certificate will be expected to achieve learning outcomes that match all of those listed in 4.1 above. The minimum requirement for the award will be 40 credits at level 3 or above. The Undergraduate Certificate will be an unnamed award.

### 4.4 Institute Certificate (Cert)

A student who is awarded an Institute Certificate will be expected to achieve learning outcomes that match all of those listed in 4.1 above. The minimum requirement for the award will be 40 credits at level 3 or above. The programme is offered as an introduction at higher education level to an academic field. An Institute Certificate may be awarded with distinction if appropriate and if the programme specification so provides.

## **5 Title and scope of undergraduate awards at level 4**

5.1 The following learning outcomes apply to all awards at level 4. A student who gains an award at level 4 will normally be expected to be able to:

- demonstrate knowledge of the underlying concepts and principles associated with their area(s) of study
- evaluate and interpret underlying concepts and principles within the context of their area(s) of study;
- present, evaluate and interpret qualitative and quantitative data;
- develop lines of argument and make sound judgements in accordance with basic theories and concepts of their subject(s) of study;
- evaluate the appropriateness of different approaches to solving problems related to their area(s) of study and/or work;
- undertake further training and develop new skills within a structured and managed environment;
- demonstrate the qualities and transferable skills necessary for employment requiring the exercise of some personal responsibility.

### **5.2 Certificate of Higher Education (CertHE)**

A student who is awarded a Certificate of Higher Education (CertHE) will be expected to achieve learning outcomes that match all of those listed in 5.1 above. The minimum requirement for the award will be 120 credits at level 4 or above. A Certificate of Higher Education may be awarded with distinction if the programme specification so provides.

### **5.3 Certificate in Education (CertEd)**

A student who is awarded a Certificate in Education will be expected to achieve learning outcomes that match all of those listed in 5.1 above and to have demonstrated a practical competence in teaching. The minimum requirement for the award will be 120 credits at level 4 or above. A Certificate in Education may be awarded with distinction if the programme specification so provides.

## **6 Title and scope of undergraduate awards at level 5**

6.1 The following learning outcomes apply to all awards at Level 5. A student who gains an award at level 5 will normally be expected to be able to

- demonstrate a critical understanding of the well-established principles of their area(s) of study, and of the way in which those principles have been developed;
- apply underlying concepts and principles outside the context in which they were first studied including, where appropriate, the application of those principles in an employment context;
- demonstrate knowledge of the main methods of enquiry in their subject(s)
- evaluate critically the appropriateness of different approaches to solving problems in their field of study;
- demonstrate an understanding of the limits of their knowledge and how this influences analyses and interpretations based on that knowledge;
- use a range of established techniques to initiate and undertake critical analysis of information, and to propose solutions to problems arising from that analysis;
- communicate information, arguments, and analysis in a variety of forms to specialist and non-specialist audiences, and deploy key techniques of the discipline effectively;
- undertake further training, develop existing skills, and acquire new competences that enable them to assume significant responsibility with organisations

- demonstrate the qualities and transferable skills necessary for employment requiring the exercise of personal responsibility and decision making.

## 6.2 Institute Diploma (Dip)

A student who is awarded an Institute Diploma will be expected to achieve learning outcomes that match some or all of those listed in 6.1 above. The minimum requirement for the award will be 80 credits at level 5 or above. A Diploma may be awarded with distinction if the programme specification so provides.

## 6.3 Diploma in Higher Education (DipHE)

A student who is awarded a Diploma in Higher Education will be expected to achieve all the learning outcomes listed in 6.1 above. The minimum requirement for the award will be 240 credits of which 120 must be at level 4 or higher and 120 must be at level 5 or higher. A Diploma of Higher Education may be awarded with distinction if the programme specification so provides.

## 7 Title and scope of undergraduate awards at level 6

7.1 The following learning outcomes relate to all awards at level 6. A student who gains an award at level 6 will normally be expected to be able to:

- demonstrate a systematic understanding of key aspects of their field of study, including acquisition of coherent and detailed knowledge, at least some of which is at, or informed by, the forefront of defined aspects of a discipline;
- deploy accurately established techniques of analysis and enquiry within a discipline;
- demonstrate a conceptual understanding that enables the student to devise and sustain arguments, and/or solve problems, using ideas and techniques, some of which are at the forefront of a discipline;
- describe and comment upon particular aspects of current research, or equivalent advanced scholarship, in the discipline;
- demonstrate an appreciation of the uncertainty, ambiguity and limits of knowledge;
- manage their own learning, and make use of scholarly reviews and primary sources;
- apply the methods and techniques that they have learned to review, consolidate, extend and apply their knowledge and understanding, and to initiate and carry out projects;
- critically evaluate arguments, assumptions, abstract concepts and data (that may be incomplete); to formulate judgements, and to frame appropriate questions to achieve a solution, or identify a range of solutions, to a problem;
- communicate information, ideas, problems, and solutions to both specialist and non-specialist audiences;
- demonstrate the qualities and transferable skills necessary for employment requiring the exercise of initiative and personal responsibility, decision making in complex and unpredictable contexts and the learning ability needed to undertake appropriate further training of a professional or equivalent nature.

## 7.2 Graduate Certificate or Diploma (Grad Cert or Grad Dip)

A student who is awarded a Graduate Certificate or Diploma will be expected to achieve learning outcomes that match some or all of those listed in 7.1 above. The minimum requirement for the award of a Graduate Certificate will be 40 credits at level 6 or above. The minimum requirement for a Graduate Diploma will be 80 credits at level 6 or above. A Graduate Certificate or Diploma may be awarded with merit or distinction.

### 7.2.1 Graduate Diploma in Law (GDL)

A student who is awarded a Graduate Diploma in Law will be expected to achieve learning outcomes which match some or all of those listed in 7.1 above. The minimum requirements for the award of a Graduate Diploma in Law will be 180 credits, at least 80 credits of which will be at level 6 or above. A student must have passed the Diploma in accordance with the rules of the Joint Academic Stage Board of the Law Society and Bar Council and will be awarded a distinction, commendation or a pass in accordance with these rules.

### 7.3 Ordinary Bachelor's Degree

A student who is awarded an Ordinary Bachelor's Degree will be expected to achieve learning outcomes that match all of those listed in 7.1 above. The minimum requirement for the award will be 300 credits including a minimum of 120 credits at level 4 or higher; a minimum of 120 credits at level 5 or higher; and a minimum of 60 credits at level 6 or higher. An Ordinary Bachelor's Degree may be awarded with merit or distinction.

(\* *The word "unclassified" does not appear on the degree certificate*)

### 7.4 Bachelor's Degree with Honours

7.4.1 The Bachelor's Degree with Honours shall be awarded to a student who has achieved all the learning outcomes listed in 7.1 above.

7.4.2 The minimum requirement for the award of a Bachelor's Degree with Honours will be 360 credits of which 120 shall be at level 4 or higher, 120 shall be at level 5 or higher and 120 shall be at level 6 or higher.

7.4.3 Degrees with Honours will be classified as First Class, Upper Second Class, Lower Second Class, and Third Class.

#### 7.4.4 *Bachelor of Arts and Bachelor of Science (BA or BSc)*

The award of BA is traditionally used in art and design, the arts and humanities, combined studies in the arts and social studies, and in areas of social or business studies where it is appropriate. The award of BSc is traditionally used where studies are substantially based on science, mathematics or technology and their applications.

Programmes of study leading to BA or BSc will normally have a title which gives a more specific indication of the subjects studied.

#### 7.4.5 *Bachelor of Engineering (BEng)*

The award of BEng is reserved for programmes which provide a technologically broad education with an emphasis on engineering applications, primarily those programmes that may lead to registration with the Engineering Council.

#### 7.4.6 *Bachelor of Laws (LLB)*

The title LLB is reserved for programmes of specialised study in law. Programmes where legal and other studies are combined will lead to the BA or, where appropriate, BSc.

7.4.8 The award of Bachelor of Arts, Bachelor of Engineering, Bachelor of Laws and Bachelor of Science are available as Bachelor's Degrees with Honours or as Unclassified Bachelor's Degrees.

### 7.5 Professional Graduate Certificate in Education (PGCE)

A student who is awarded a Professional Graduate Certificate in Education will be expected to achieve learning outcomes that match some or all of the those listed in 7.1 above and the standard is that expected of a graduate who has successfully completed the study of the theory and practice of teaching on a programme suitable for the fulfilment of the Institute's general educational aims and who has demonstrated practical competence in teaching. The minimum requirement for the

award of a Professional Graduate Certificate in Education will be 100 credits at level 6 or above.

## **8 Title and scope of postgraduate awards at level 7**

8.1 The following learning outcomes relate to all awards at level 7. A student who gains a postgraduate award at level 7 will normally be expected to be able to:

- demonstrate a systematic awareness of knowledge, and a critical awareness of current problems and/or new insights, much of which is at, or informed by, the forefront of their academic discipline, field of study, or area of professional practice;
- demonstrate a comprehensive understanding of techniques applicable to their own research or advanced scholarship;
- demonstrate an originality in the application of knowledge, together with a practical understanding of how established techniques of research and enquiry are used to create and interpret knowledge in the discipline;
- demonstrate a conceptual understanding that enables the student to critically evaluate current research and advanced scholarship in the discipline and to evaluate new methodologies and develop critiques of them and, where appropriate, to propose new hypotheses;
- deal with complex issues both systematically and creatively, make informed judgements in the absence of complete data, and communicate their conclusions clearly to specialist and non-specialist audiences;
- demonstrate self direction and originality in tackling and solving problems, and act autonomously in planning and implementing tasks at a professional or equivalent level;
- continue to advance their knowledge and understanding, and to develop new skills to a high level;
- demonstrate the qualities and transferable skills necessary for employment requiring: the exercise of initiative and personal responsibility; decision making in complex and unpredictable situations; and the independent learning required for continuing professional development.

### **8.2 Postgraduate Associate Certificate**

A student who is awarded a Postgraduate Associate Certificate will be expected to achieve learning outcomes that match some or all of those listed in 8.1 above. The minimum requirement for the award will be 30 credits at level 7 or higher. The Postgraduate Associate Certificate will be an unnamed award.

### **8.3 Postgraduate Certificate (PGCert)**

A student who is awarded a Postgraduate Certificate will be expected to achieve learning outcomes that match some or all of those listed in 8.1 above. The minimum requirement for the award will be 60 credits at level 7 or higher.

### **8.4 Certificate in Management (CIM)**

The Certificate in Management is a post-experience Postgraduate Certificate. A student who is awarded a Certificate in Management will be expected to achieve learning outcomes that match some or all of those listed in 8.1 above and who has demonstrated competence in aspects of management. The minimum requirement for an award will be 60 credits at level 7.

### **8.5 Postgraduate Certificate in Education (PGCE)**

A student who is awarded a Postgraduate Certificate in Education will be expected to achieve learning outcomes that match some or all of those listed in 8.1 above and the standard is that expected of a graduate who has successfully completed the study of the theory and practice of teaching on a programme suitable for the fulfilment of the Institute's general educational aims and who has demonstrated

practical competence in teaching. The minimum requirement for the award of Postgraduate Certificate in Education will be 120 credits at level 6 or above of which at least 60 must be level 7.

#### 8.6 International Postgraduate Certificate in Education (iPGCE)

The iPGCE programme comprises two 30 credit modules at L7 focusing on teacher education. It will also address the professional standards for Qualified Teacher Status at L7 and is for students in teaching positions overseas.

#### 8.7 Postgraduate Diploma (PGDip)

A student who is awarded a Postgraduate Diploma will be expected to achieve learning outcomes that match some or all of those listed in 8.1 above. The minimum requirement for an award will be 120 credits at level 7 or higher.

#### 8.8 Diploma in Management Studies (DMS)

8.8.1 A student who is awarded a DMS will be expected to achieve learning outcomes that match some or all of those listed in 8.1 above. The DMS is a post-experience Postgraduate Diploma award, designed to meet the needs of those individuals who wish to achieve a range of general management knowledge, skills and competencies.

8.8.2 The DMS is suitable for a variety of candidates with the potential to meet the learning demands of Diploma programmes, including graduates from a variety of disciplines and mature and experienced managers. Entrants would normally be expected to have at least two years of management experience. A DMS may be awarded with merit or distinction.

#### 8.9 Taught Masters Degrees

8.9.1 A student who is awarded a Masters degree will be expected to achieve learning outcomes that match all of those listed in 8.1 above

and which includes a compulsory element of advanced independent work. The minimum requirement for the award will be 180 credits at level 7. Taught Master's degrees may be awarded with merit or distinction. A range of Masters awards is available.

#### 8.9.2 *Master of Arts and Master of Science (MA or MSc)*

Programmes of study at Master's level may lead either to the MA or MSc, or to a more closely defined award restricted to certain specific areas of study. The title Master of Arts (MA) is generally used in art and design, the arts and humanities and in other areas of study where a more specialised title is not appropriate. The title Master of Science (MSc) is generally used where studies are substantially based on science, mathematics or technology and their applications. Programmes of study leading to the MA or MSc will normally have a title which gives a more specific indication of the subject(s) studied.

#### 8.9.3 *Master of Business Administration (MBA)*

The award of MBA is reserved for programmes which focus on the general principles and functions of management and the development of management skills. Students entering MBA programmes must have appropriate practical experience and should normally be at least 23 years old on admission.

#### 8.9.4 *Master of Education (MEd)*

The award of MEd is reserved for programmes focused on education and professional practice in teaching. Entry requirements are a BEd Honours degree or equivalent qualification. Other qualifications which may be deemed acceptable include: an Honours degree together with a PGCE or CertEd; an appropriate DPSE; a BEd degree gained in circumstances where the award of Honours was not available; the Licentiatehip of the College of Preceptors; or the achievement at a sufficiently high level of the

Diploma in Advanced Studies in Education of the College of Preceptors in a field cognate with that of the programme to which admission is sought. All entrants should have at least three years' teaching experience.

#### 8.9.5 *Master of Laws (LLM)*

The award of Master of Laws is reserved for programmes of specialised study in law. The entry requirement is an Honours degree, or equivalent.

#### 8.9.6 *Master of Research (MRes)*

The award of Master of Research is reserved for programmes designed to prepare candidates to undertake more extensive research in academia, industry or other professional settings, and to provide an adequate foundation for doctoral study. The programme must include a significant component of advanced, independent research or creative work constituting 60% or more of the programme's duration and assessment requirement. Taught elements of the programme will provide an appropriate theoretical grounding in research techniques for a range of related disciplines, develop specialist knowledge relevant to the broad disciplinary area, broaden students' experience and equip them with transferable skills and knowledge likely to be needed in a research career in academia or industry.

### 8.10 Research Masters Degrees

#### 8.10.1 *Master of Philosophy (MPhil)*

- techniques for research and advanced academic enquiry;
- an ability to make informed judgements on complex issues in specialist fields, often in the absence of complete data, and be able to communicate their ideas and conclusions clearly and effectively to specialist and non-specialist audiences;
- an ability to continue to undertake pure and/or applied research and development at an advanced level, contributing substantially to the development of new techniques, ideas, or approaches;
- the qualities and transferable skills necessary for employment requiring the exercise of personal responsibility and largely autonomous initiative in complex and unpredictable situations, in professional or equivalent environments.

#### 9.1 Doctor of Philosophy (PhD)

A student who is awarded a PhD will be expected to achieve learning outcomes that match all of those listed in 9.1 above. Students must have satisfactorily completed a research training, investigated and evaluated or critically studied an appropriate topic over not less than 24 (if registered for PhD direct) or 33 months (if registered for PhD following transfer from MPhil status) of full-time study resulting in a significant contribution to knowledge, and presented a satisfactory thesis.

#### 9.2 Higher Doctorates (Doctor of Engineering, Doctor of Laws, Doctor of Letters, Doctor of Science, Doctor of Technology)

A Higher Doctorate is awarded in recognition of professional and academic accomplishment over a sustained period of time. A candidate who is awarded a Higher Doctorate will be expected to have achieved and demonstrated learning outcomes that match all of those listed in 9.1 above. In addition, they will be a holder of at least seven years' standing of a first degree or a holder of at least four years' standing of a higher degree, who is a leading authority in the field of study concerned and has made an original and significant contribution in the advancement or application of knowledge in that field.

### 9.3 Practitioner Doctorate

A student who is awarded a Practitioner Doctorate will be expected to achieve learning outcomes that match all of those listed in 9.1 above. Students must have satisfactorily completed a programme of at least 33 months of full-time study incorporating a taught element, advanced professional practice and appropriate work in practice leading to the preparation of a thesis and, where relevant, artefacts or other products; the outcome shall represent an original contribution to the professional field. The taught element of the doctorate should be credit-rated at level 7. The professional practice included in the specified period may be paid employment, provided it is approved as appropriate. A Practitioner Doctorate may be described as an Advanced Practitioner Doctorate if aimed at professionals who are already qualified and experienced practitioners, who are in practice, but who wish to further their qualifications and professional skills.

## Part 2

### Admission of students

Important note for prospective students:

If the offer of a place at the Institute and the acceptance of that offer are both made entirely at distance by means of post, fax or electronic communication and without a face to face meeting with a member of the Institute staff the Student may cancel the agreement with the Institute at any time within 14 days of the date of acceptance.

When accepting the offer of a place at the Institute the Student expressly consents to the Institute providing educational services to the Student during the 14 day cancellation period where applicable.

#### 1 Principles of admission

- 1.1 The admission of applicants to programmes of study is solely at the discretion of our Institute.
- 1.2 There will be a reasonable expectation that the applicant will be able to fulfil the objectives of the programme and to achieve the standard required for the award.
- 1.3 There will be a reasonable expectation that the applicant will be able to fulfil our Institute's requirements in terms of knowledge and skills for the award to which a programme leads.
- 1.4 The Institute will apply the principle of equality of opportunity to its admission activities and will encourage the recruitment of local and regional students and those with additional needs.
- 1.5 In considering individual applicants for admission to a programme of study our Institute will seek evidence of personal, professional and educational experiences that provide indications of ability to meet the demands of the programme.
- 1.6 No student may be admitted concurrently for more than one full-time programme of our Institute (or any combination of awards) except with the approval of the Academic Board.

#### 2 Specific admission requirements for each programme of study

- 2.1 Each approved programme of study will specify the requirements for admission to that programme by:
  - (a) identifying the knowledge and skills required at admission and relating these to the length, content, and objectives of the programme;
  - (b) describing the way in which these arrangements will accord with the standard of the award;
  - (c) setting out the criteria and means by which the suitability of the student for admission will be judged;
  - (d) setting out, where appropriate, the procedures to be used in assessing any previous work of students admitted to points other than the beginning of the programme.

#### 3 General admission requirements for each level of award

- 3.1 Our Institute bases its admission requirements on nationally recognised, formal minimum attainment levels. The normal entry requirements are set out below. These should be regarded as indicative and individual applicants may be admitted on the basis of a wide range of qualifications and/or experience provided the principles of admission outlined above are met.
- 3.2 Professional Programmes  
Entry to these programmes is based on the published entrance requirements of the relevant professional body.

### 3.3 First Degree Level

(a) The minimum level of attainment required for entry to the start of programmes of minimum length leading to awards at first degree level is equivalent to passes in two subjects at A2 level supported by passes in subjects at GCSE or equivalent.

(b) In some programmes it will be necessary for entrants to have reached the equivalent of A2 level in at least one specific subject; in others the emphasis will be on the general intellectual skills developed by previous study.

### 3.4 Postgraduate Certificate and Diploma Programmes

The normal entrance requirement is a degree or other qualification at equivalent level. A lower level qualification together with appropriate experience or, exceptionally, substantial related experience alone may be acceptable.

### 3.5 Master's Programmes

The normal entrance requirement for a Master's programme is an Honours degree or postgraduate diploma or professional qualification recognised as equivalent to an Honours degree. Other qualifications or experience which demonstrate that a candidate possesses appropriate knowledge and skills at Honours degree standard may be acceptable.

### 3.6 MPhil and PhD

The normal entrance requirement for registration for the degree of MPhil is a first or second class degree or a qualification which is regarded as equivalent. Direct registration for the degree of PhD may be permitted to candidates holding a recognised Master's degree in an appropriate discipline.

### 3.7 Individually Designed Programmes

Where an applicant seeks admission to an individually designed programme of study, the programme itself must first be validated and entrance requirements established in accordance with our Institute's published principles.

### 3.8 New Qualifications

Our Institute may from time to time develop new qualifications. As part of the validation process appropriate admission qualifications, based on the criteria outlined above, will be approved.

### 3.9 Other Programmes

Entrance requirements for programmes leading to qualifications not listed above will be governed by the aims and content of the programmes, subject to the criteria outlined in para 1 above.

## 4 Admission with advanced standing

4.1 Subject to the requirements of the relevant programme regulations, our Institute has discretion to admit a student *with exemption* from certain elements of a programme. This will occur when it is clear that an applicant has fulfilled some of the progression and assessment requirements of the programme of study by means other than attendance on the planned programme, and will be able by completing the remaining requirements to fulfil the objectives of the programme and to attain the standard required for the award.

4.2 A student admitted *with exemption* from certain elements of a programme is not required to take those elements but may, as appropriate, be required to take alternatives; or may be admitted *with specific credit*, which means that the student is considered to have passed certain elements.

4.3 Our Institute reserves the right to assess applicants' prior learning by requiring them to take the normal progression assessments of the programme or some other appropriate form of assessment.

4.4 An applicant may be judged to have satisfied, wholly or in part, the aims of supervised work experience on a programme. In considering such applications our Institute will assess:

- (a) the quality of the training or supervised work experience previously undertaken;
- (b) the relevance of the training or supervised work experience to the programme to which the student is to be admitted;
- (c) the quality of the supervision and assessment of the training or supervised work experience;
- (d) whether the granting of such specific credit would still enable the student to meet professional or other requirements which the supervised work experience within the programme is intended to satisfy.

4.5 In some cases it may be more appropriate for an applicant to be advised to follow a programme which does not normally contain an element of supervised work experience.

4.6 A student will not be admitted to a point more than two-thirds through the taught element of a programme.

4.7 In cases of sandwich awards specific credit will normally be limited to half the placement requirements of the programme. Where the sandwich award leads to the award of the BEng degree with Honours, specific credit may not be granted for supervised work experience undertaken outside the programme except in the case of transfer between equivalent programmes.

4.8 Admission with academic credit is otherwise subject to the same principles as admission to the beginning of the programme.

## **5 Assessment of accredited certificated learning**

5.1 In assessing claims for admission to a programme of study with advanced standing in respect of accredited certificated learning our Institute will give consideration to, *inter alia*, the following:

(a) Credit Transfer

Applicants who have successfully completed the whole or part of a comparable programme at our Institute or another institution may be admitted to an appropriate point on an approved programme.

(b) Vocational and Professional Qualifications

Applicants holding vocational or professional qualifications may be admitted with specific credit to an appropriate point on a programme.

(c) BTEC/EdExcel and SCOTVEC Higher Awards

Applicants holding a Higher National Certificate or Diploma of BTEC/EdExcel or SCOTVEC may be considered for admission with specific credit.

(d) Overseas Awards

An award gained overseas may be judged acceptable for entry with specific credit.

## **6 Assessment of accredited experiential learning**

6.1 Where applicants' prior uncertificated learning includes experience and/or industrial training which can be assessed with sufficient accuracy, it may be used to give entry with either specific or general credit.

6.2 In assessing for admission to a programme of study with advanced standing in respect of accredited experiential learning, our Institute will have regard *inter alia* to the following.

- a) Responsibility rests with the applicant for making a claim to have acquired knowledge and skills and for supporting the claim with appropriate evidence.
- b) The learning derived from experience must be identified in order to be assessed.

- c) The identification of prior learning comes through systematic reflection on experience, the writing of clear statements about what was actually learned and the collection and collation of evidence to support those statements.
  - d) The methods of assessment must be such that the judgement made can be considered by external examiners and Assessment Boards.
- 6.3 Further details and procedures for AEL are included in our AEL Policy and supporting documentation. The maximum importation of credit onto a programme of study at BITE is defined in our modular regulations (see Part 3 of this Manual).

## Part 3

### Academic Regulations

Sections 7 to 11 of these regulations apply to Postgraduate Taught programmes only. The regulations for Postgraduate Research degrees are provided in Part 9 of this Manual and the regulations for D level modules in programmes and Practitioner Doctorates are provided in Part 3c.

#### 1. Definitions and Explanations

1.1 BITE is organised into a number of academic Schools. Within each School are one or more **Subject Areas**, which comprise programmes and modules forming a coherent academic grouping. All single honours programmes belong to one and only one Subject Area. Each module also belongs to a Subject Area, although may form part of programmes in other Subject Areas.

1.2 A **programme** is an approved combination of modules which, if successfully completed, leads to a Institute award. A programme may be a single module or a combination of modules. Modules can be core or optional. At Level 4, it is expected that most modules will be core, unless there is a sound rationale presented at approval for the inclusion of optional modules. Each programme has a programme specification. A **programme specification** specifies (amongst other matters)

- the structure of the programme
- each module within a programme and whether it is a core or an option module for that programme
- any particular conditions to be met for conferment of the relevant named award (e.g. Professional and Statutory Regulatory Body requirements or required periods of professional/industrial training or study/work experience abroad)
- the School to which the programme belongs

1.3 A **module** is a separate identifiable block of learning which is credit-rated, with credit allocated on the basis of 10 hours of study for each credit. Standard modules are 30 credits in size for both undergraduate and postgraduate programmes (indicating 300 hours of student study). It is possible to approve modules with multiples of 15 credits, such as 15, 45 and 60 credits, if there a sound rationale for doing so, and this is agreed during the approval process.

1.4 A unique **module level** is associated with each module. This is level 3, 4, 5, 6, 7 or 8 (and P for placement modules), reflecting the level of achievement expected in order to pass (i.e. be awarded credit) in the module.

1.5 A module is a **prerequisite module** for another module if a student must have passed the prerequisite module (i.e. been awarded credit) in order to study on the other module.

1.6 A module is a **precursor module** for another module if a student must register on the precursor module (and remain registered for the duration of that module) in order to study subsequently on the other module.

1.7 A module is a **co-requisite module** with another module if both modules must be studied at the same time.

- 1.8 A module has one or more **delivery modes**. These will be either ‘on-campus’ or by ‘distance learning’ or both. The delivery mode(s) must be designated at approval. Where a programme contains identical modules and learning outcomes in both the on-campus and distance learning modes, it is possible for a student on the programme to take the modules in either mode, provided that they do not exceed the standard study load outlined in 4.1.3.
- 1.9 An **on-campus module** is predominantly delivered on campus. A **distance learning module** is predominantly delivered by distance learning.
- 1.10 A **component** of a module is a separate part of a module, as identified in the module specification.
- 1.11 A **core module** for a programme is a module which a student must have passed (i.e. been awarded credit) in order to achieve the relevant named award. Core modules are specified in the programme specification.
- 1.12 An **option module** for a programme is a module selected from a range of modules specified in the programme specification.
- 1.13 A **module specification** specifies (amongst other matters)
- module name
  - module unique identifying code
  - module credit value
  - the Subject Area to which the module belongs
  - any prerequisites, precursors and co-requisites
  - module learning outcomes
  - outline module content
  - details of the component assessments and their weightings (together with the threshold mark for assessment if , for Professional and Statutory Regulatory Body requirements, this is set above the minimum standard threshold)
- 1.14 In order to study, be assessed, or be reassessed on a module, a student must be **registered** on the programme and/or its modules. Provided a student has registered on a module (and not subsequently been formally withdrawn from the module), the student will be assessed at the next assessment point (for that mode of delivery) and (if the module is not passed) reassessed on any outstanding assessment components at the next reassessment point (for that mode of delivery). Assessment or reassessment cannot be deferred.
- 1.15 Reassessment for all modules (with the exception of the postgraduate taught advanced independent research module) will occur in the summer reassessment period.
- 1.16 A student will automatically be permitted to be assessed and reassessed on any failed components only once. If the module has not been passed at the reassessment opportunity, the decision as to the student’s status on the programme will be agreed by the subject area progression board. Where a student has extenuating circumstances accepted, an additional assessment and/or reassessment opportunity may be granted. Further information on the possible decisions which can be made by the subject areas progression board are detailed in Section 6.2.3.

## 2. Undergraduate Awards

### 2.1 Honours Degree

A programme leading to an Honours degree consists of 360 credits at Level 4 and Higher including

- 120 credits at Level 4 or Higher
- 120 credits at Level 5 or Higher
- 120 credits at Level 6 or Higher

## **2.2 Ordinary Degree**

A programme leading to an Ordinary degree consists of 300 credits at Level 4 and Higher including  
120 credits at Level 4 or Higher  
120 credits at Level 5 or Higher  
60 credits at Level 6 or Higher

## **2.3 Diploma of Higher Education**

A programme leading to a Diploma of Higher Education consists of 240 credits at Level 4 and Higher including  
120 credits at Level 4 or Higher  
120 credits at Level 5 or Higher  
This will normally be an unnamed award, unless otherwise specified at approval, and noted on the programme specification.

## **2.4 Certificate of Higher Education**

A programme leading to a Certificate of Higher Education consists of 120 credits at Level 4 and Higher  
This will normally be an unnamed award, unless otherwise specified at approval, and noted on the programme specification.

## **2.5 Undergraduate Certificate**

A programme leading to an Undergraduate Certificate consists of 40 credits at Level 3 and Higher  
This will normally be an unnamed award, unless otherwise specified at approval, and noted on the programme specification.

## **2.6 Undergraduate Associate Certificate**

A programme leading to an Undergraduate Associate Certificate consists of 20 credits at Level 3 and Higher.  
This will normally be an unnamed award, unless otherwise specified at approval, and noted on the programme specification.

**2.7** Up to half the credits for an award may be achieved through accredited experiential learning, and up to two thirds of the credits for an award may be achieved through accredited certificated learning. Further details are available in 5.2.

**2.8** Where exceptionally agreed by Academic Board for a partner institution, a mark may be recorded for credit achieved at another institution as an approved part of a BITE programme where all the following conditions apply: the module is taken as an approved option on the programme and is named as such on the programme specification; a formal partnership between BITE and the partner is in place; and quality and standards processes at the partner are subject to review by the Quality Assurance Agency through Institutional Review. Such credit will be classed as BITE credit for the purpose of calculating the degree classification.

## **3. The Structure of Undergraduate Programmes**

**3.1** The academic year is divided into three terms of a roughly equal number of weeks, with the last period mainly consisting of preparation for assessment.

**3.2** Undergraduate programmes consist of standard modules whose value is 30 credits (equivalent to 300 student study hours), or multiples thereof up to a maximum of 60 credits. Modules of 30 or more credits will extend across 24 learning weeks. 15 credit modules will extend over 12 learning weeks. Further detail of this is available in the Academic Calendar.

**3.3** A module is allocated to a single level. No module may be a pre-requisite for another module at the same level.

**3.4** In addition, programmes may require a period of professional/industrial training or study or work abroad in order for a student to achieve a relevant named award. Such periods may be awarded 120 credits at level P for a 12 month

period or 60 credits at level P for a six month period (or pro rata in multiples of 15 credits). Details of this would appear in the programme specification.

#### **4. Undergraduate Student Study**

##### **4.1 Student registration and study**

- 4.1.1 A student must be registered on a programme and/or modules in order to be assessed or reassessed.
- 4.1.2 Once a student has passed, or been awarded a compensated pass (see 6.8) on a module the student may not register, be assessed or reassessed on the module, except where the Subject Area Progression Board allows the student to repeat an entire year of study under paragraph 4.2.1.
- 4.1.3 A standard study load for a full time student is 120 credits, in on-campus mode in an academic year. However, in exceptional circumstances, a student may study up to 150 credits in one academic year.

##### **4.2 Time limits for student study**

- 4.2.1 A student cannot normally continue on a programme after four years of study in full time mode. In exceptional circumstances, this time limit may be extended. Students on Extended Degree/Foundation Year, programmes with a sandwich or placement year, or Integrated Master's programmes may also exceptionally continue after four years in a full time mode. This regulation should be read in conjunction with regulations in section 6.2.
- 4.2.2 The time limit for completion of a programme in part time mode is eight years after first enrolment on the programme.
- 4.2.3 Where a student changes mode of study, the time limit for completion of a programme will be recalculated on a pro-rata basis.

##### **4.3 Intermission**

- 4.3.1 A student may intermit from a programme with the agreement of the duly authorised Institute signatories. In exceptional circumstances more than one intermission may be granted.
- 4.3.2 During the intermitted period, which may be up to two consecutive academic years, no module study may be undertaken. The intermitted period will not count as a period of study for the purposes of regulation 4.2. However all outstanding reassessment requirements should be undertaken or else the module will automatically be regarded as not passed on reassessment (Note: Standard regulations on extenuation apply).
- 4.3.3 An intermission extends the time limits for study on the programme for the period of the intermission unless prohibited by Professional and Statutory Regulatory Body requirements.

#### **5. Undergraduate Admission**

- 5.1 Students are admitted in accordance with the approved admission requirements.
- 5.2 Students may be admitted with advanced standing through the recognition of credit, or the accreditation of experiential or certificated learning according to the Institute Accreditation of (Experiential) Learning (A(E)L) policy. A student may gain admission to a programme, with advanced standing, with up to half of the credits associated with the award being achieved through accredited experiential learning, or up to two thirds through accredited certificated learning. Where a combination of experiential and certificated learning is involved up to one half of the credits for the award may be achieved through accredited experiential

learning with further credits being achieved through accredited certificated learning up to a maximum of two thirds of the credits for the award.

In the case of an Honours Degree a minimum of 120 BITE credits should be achieved at Level Five or Level Six including a minimum of 90 BITE credits achieved at Level Six in order to ensure honours classification.

5.3 A student who has been awarded an ordinary degree may be readmitted to the honours degree programme on which they were originally enrolled and re-enrolled to complete an honours degree programme provided that there is at least one year's break between the award of the ordinary degree by the Subject Area Award Board and re-enrolment on the honours degree programme. The student will relinquish the ordinary degree upon the award of the honours degree.

In determining the classification, please see 6.10.1.

## **6 Undergraduate Assessment**

### **6.1 Types of assessment boards**

6.1.1 There are two types of assessment boards at undergraduate level - Subject Area Progression Boards, and Subject Area Award Boards. These will normally take place during the third study period, with additional boards normally being held in the summer for the reassessment period. Exceptionally, additional assessment boards may be held outside of these times where local factors necessitate. Each Board will consider the student outcomes at both programme and module level for all programmes and modules within the Subject Area. Subject Area Progression Boards and Subject Area Award Boards may be held on the same day where this is deemed practical.

### **6.2 Subject Area Progression Boards**

#### **6.2.1 Membership**

6.2.1.1 The Subject Area Progression Board will be chaired by a senior academic member of staff from another subject area. The membership and terms of reference are provided in Appendix 2.

#### **6.2.2 Responsibility of Subject Area Progression Boards**

Subject Area Progression Boards are responsible for reviewing the progress of all students on their programme of study. The result will be a decision on students' academic standing. Subject Area Progression Boards are responsible for:

- Assuring the appropriate standards on modules;
- Considering the performance of students on modules and programmes;
- Confirming the marks awarded to each student in respect of all modules which comprise the Subject Area and its programmes;
- Awarding credit for the achievement of students on modules;
- Agreeing pass compensation, where applicable;
- Applying the decisions made by the Institute extenuating circumstances panel;
- Making progression decisions for students;
- Awarding credit for certificated and experiential learning;
- Noting breaches of the academic misconduct regulations;

#### **6.2.3 Progression decisions**

6.2.3.1 In order to progress to the next level of a programme, a student will be expected to have achieved a pass or pass compensation in all the modules comprising that particular level of study.

**6.2.3.2** If a student has not achieved a pass or pass compensation in all modules, then the relevant Subject Area Progression Board will be required to make a decision as to the student's status on the programme, as per the possible outcomes outlined in 6.2.3.3 - 6.2.3.7

Additionally:

- The Subject Area Progression Board will take into account the student's academic record;
- A Subject Area Progression Board may allow an undergraduate student to continue in the full-time mode of attendance in order to follow an ordinary degree programme if the student can, by the end of the normal length of their programme of study, achieve 300 credits at the appropriate levels;
- A student may be permitted to proceed to the next level with a requirement to change their modules or their target qualification;
- The Subject Area Progression Board will take into account any outcomes from the Extenuation Panel when making decisions (for details of the outcomes of the Extenuation Panel please refer to Part 6 of the Academic Regulations);
- Modules which have been compensated shall be treated as passes, unless to do so would contravene a specific Professional Statutory or Regulatory Body requirement.

**6.2.3.3** If a student has achieved 90 or 105 credits at a particular level, the relevant Subject Area Progression Board may allow a student to progress, and make appropriate arrangements for the retrieval of any failed components or credit deficit. If not all module components have been failed, a student may be asked to re-sit the assessment only, rather than the entire module

**6.2.3.4** In the case of a part-time student who has not yet reached a minimum of 90 credits at a particular level by the end of a year of study, the Board will decide whether or not that student should be allowed to proceed further with his or her studies, based on the student's academic progress to date.

**6.2.3.5** Students on Extended Degrees/Foundation Years progressing from Level 3 to Level 4 will need to have successfully completed 120 credits at Level 3 in order to be able to progress, and cannot move to Level 4 with a credit deficit.

**6.2.3.6** A Subject Area Progression Board may require a student achieving 90 credits or fewer at any level of study to:

- Transfer to part-time study in order to make good their failure to complete sufficient credit, such as by repeating failed modules with full payment. These would be capped.
- Repeat the year of the programme by full-time/sandwich study. These would not be capped;
- Terminate their studies and withdraw from the Institute.

**6.2.3.7** A student who has been withdrawn by the Institute from a module may be allowed to resit that module on one further occasion with the approval of the appropriate Progression Board.

## **6.3 Subject Area Award Boards**

### **6.3.1 Membership**

**6.3.1.1** The Subject Area Award Board will be chaired by a senior academic member of staff from another subject area within the School, or a member of school management. The membership and terms of reference are provided in Appendix 2.

### **6.3.2 Responsibility of Subject Area Award Boards**

- Ensuring eligibility for awards on the basis of accumulated credit;
- Awarding qualifications to students for successful completion of programmes of study;
- Reviewing withdrawn students and awarding the highest qualification to which they are entitled ;
- Agreeing the award classification, where relevant;
- Ensuring any award-specific requirements have been met;

Additionally, the Subject Area Award Board has the following powers where not previously completed by a Subject Area Progression Board:

- Agreeing compensation;
- Applying the decisions made by the Institute extenuating circumstances panel;
- Awarding credit for certificated and experiential learning;
- Noting breaches of academic misconduct regulations;

## **6.4 Programme and module assessment**

**6.4.1** In calculating the mark for a module on the basis of the component marks, the final mark is calculated as a percentage with all decimal points rounded up to the nearest whole number.

**6.4.2** In order to pass a module, a student must both achieve an aggregate mark of 40% and also meet the component threshold marks.

**6.4.3** For the purposes of passing a module each component has a threshold mark of 30%. The threshold may be higher where there are Professional and Statutory Regulatory Body requirements; this will be specified in the module specification.

## **6.5 Reassessment in a module in which all the components have not been passed**

**6.5.1** Where a student does not achieve an aggregate of 40%, or does not achieve the component threshold marks, the student is reassessed in all the failed components of the module at the next reassessment point, in all and only those components achieving a mark of less than 40%. Component marks of 40% or over are carried forward to reassessment.

**6.5.2** The reassessment point for all modules is in the summer reassessment period.

**6.5.3** In determining whether a student has passed a module on reassessment, the calculation is based on the highest component marks achieved, whether in assessment or reassessment.

**6.5.4** In order to pass a module on reassessment a student must both achieve an aggregate mark of 40% and achieve the component threshold marks. Unless extenuation has been granted, any reassessed component marks are capped at 40% for the purposes of calculating the module mark and therefore the degree classification, or at 40% at module level, whichever is the higher,.

## **6.6 Procedure in the case of a student not passing a module on reassessment**

**6.6.1** A student who does not pass a module on reassessment is only entitled to repeat the module where agreed by a Subject Area Progression Board or Subject Area Award Board. Boards can agree that a student:

- can retake one assessment component, in which case this will be capped, unless extenuation has been granted at both previous opportunities;
- can retake all of the assessment components on one module (or up to 30 credits), in which case these components will be capped;
- can repeat an entire level of study on their programme. Where this is agreed, a student is required to retake all modules, none of the previous marks on the module(s) will be carried forward, and none of the component marks will be capped. This can only be agreed once during a student's programme.

**6.6.2** Unless extenuation has been granted, any failed components at first repeat assessment will be awarded a capped mark of 40% for the purposes of calculating the module mark and therefore a degree award, or at 40% at module level, whichever is the higher

**6.6.3** If a module which has not been passed on reassessment is an option module, the student may choose to register on an alternative option module subject to availability (rather than repeat the option module). In this case, the regulations governing the first time study and assessment of a module apply and the marks achieved are not capped at 40%. The Subject Area Progression Board will decide on the most suitable mode of study for the student to be able to undertake this study.

**6.6.4** If an application for extenuating circumstances is accepted, a student may be able to be reassessed on additional occasions on the module components for which extenuation has been granted at the next assessment point.

### **6.6.4.1 Procedure in the event of illness or other valid cause (extenuating circumstances)**

**6.6.4.2** A student who believes that

- his/her performance in assessment or reassessment has been impaired, or
- he/she was unable to attend for an assessment or reassessment, or
- he/she was unable to submit assessed or reassessed work by the scheduled date due to illness or other valid cause (as defined in the Procedures Governing Extenuating Circumstances), may submit an application for extenuation for the relevant component(s) to the Institute Extenuation Panel. Such applications will only be considered if the applicant has followed prescribed procedures, which can be found in the Procedures Governing Extenuating Circumstances.

**6.6.4.3** Please consult Part 6 of the Manual of General Regulations: Extenuating Circumstances for a summary of the possible outcomes of the Extenuation Panel.

<http://www.biot.org.uk/registry/>

**6.6.5** Once a component has been capped extenuation does not uncapped it.

**6.6.6** If a student does not achieve enough credits to progress to the following level of their programme, or does not achieve sufficient credit to gain an award, an accepted claim for extenuation should be

taken into account when considering the student's profile at the relevant assessment board.

6.6.7 A student must have passed all Level 4 modules before they are able to undertake study at Level 6.

### **6.7 Late submission of coursework**

6.7.1 There will be a stipulated deadline date for all pieces of coursework. All coursework will need to be submitted by the set time on the stipulated deadline date. Coursework submitted up to one working day late will be accepted, but the component mark will be subject to a deduction of 5% of the total marks available. The deadline for this will be the set time on the next working day. Further details of this are available in the Assessment Policy.

6.7.2 Should a student submit coursework by the assessment deadline, and then resubmit coursework for the same assessment item after the deadline but within 24 hours the first submission will be the one which is accepted.

### **6.8 Compensation**

6.8.1 A student is awarded a compensated pass in a module and awarded credit provided that:

- the module is a 15 or 30 credit module
- the student has been awarded 90 BITE credits at the level (or higher) of the compensated module for the compensation of a 30 credit module. In order to compensate a 15 credit module, the student should have been awarded 105 BITE credits at the level (or higher) of the compensated module.
- the student has both attained at least 35% in the module to be compensated and attained the threshold in all components
- the module is not specified as non-compensatable in the programme specification as an award-specific requirement
- there is no assessment breach recorded against the module

6.8.2 If eligible, the student will be awarded a compensated pass for a maximum of 30 credits at each level on a programme and this will occur at the earliest point at which the student is eligible for compensation. Modules which have already been taken into account in deciding a student's eligibility for compensation cannot subsequently be taken into account for the further compensation of another module.

### **6.9 Conferment of award for completion of a programme**

6.9.1 The Subject Area Award Board will confer an award on a student for completion of a programme at the first occasion on which the student is eligible for the award.

6.9.2 Where a student has withdrawn from, or is being discontinued on, a programme and has not transferred to another BITE programme, the Award Board will confer the highest award for which the student is eligible.

## 6.10 Honours degree - classification

6.10.1 Where a student is eligible for an Honours degree by passing a valid combination of modules to comprise an award and has gained a minimum of 240 BITE credits at level 5 or level 6 on the current enrolment for the programme, including a minimum of 120 BITE credits at level 6, the award classification is determined by calculating:

The credit-weighted arithmetic mean of the best 90 credits at level 6	x	0.8	+	The credit-weighted arithmetic mean of the next best 90 credits at levels 5 and/or 6	x	0.2
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and applying the mark obtained as a percentage, with all decimal points rounded up to the nearest whole number, to the following classification

70% - 100%	First Class Honours
60% - 69%	Second Class Honours, First Division
50% - 59%	Second Class Honours, Second Division
40% - 49%	Third Class Honours
0% - 39%	Not passed

## 6.11 Honours degree - classification (A(E)L)

6.11.1 Where a student is eligible for an Honours degree, and has non-BITE credit (accredited learning, experiential learning or recognised credit), the following calculation is used to determine their award:

If the student has entered with only Level 4 credit, or lower, then the standard calculation will be used to determine the award classification, as per 6.10.1

If the student has achieved fewer than 240 BITE credits at level 5 or level 6, but with a minimum of 120 BITE credits achieved at Level 5 or Level 6 including a minimum of 90 BITE credits achieved at Level 6 on the current enrolment for the programme, the award classification is determined by working out the credit-weighted arithmetic mean percentage module results for all credit attained at the particular level, which will be multiplied by the appropriate weighting as per 6.10.1.

If the student has achieved only BITE credits at Level 6, the classification is determined by working out the average mean percentage module results for all credit at Level 6 and applying the mark obtained as a percentage, with all decimal points rounded up to the nearest whole number, to the following classification

70% - 100%	First Class Honours
60% - 69%	Second Class Honours, First Division
50% - 59%	Second Class Honours, Second Division
40% - 49%	Third Class Honours
0% - 39%	Not passed

## 6.12 Ordinary degree - classification

6.12.1 Where a student is eligible for an ordinary degree, the award classification is determined by calculating the credit-weighted arithmetic mean of all marks at level 5 and level 6 on the current enrolment for the programme and applying the mark obtained as a percentage, with all decimal points rounded up to the nearest whole number, to the following classification

70% - 100%	Distinction
55% - 69%	Merit
40% - 54%	Pass
0% - 39%	Not passed

## 6.13 Aegrotat and posthumous awards

6.14.1 These may be conferred in accordance with the Manual of General Regulations.

## 6.15 Award name

6.15.1 In order to qualify for a named award, the student must have been enrolled on the programme and satisfied any award-specific requirements as detailed in the relevant programme specification.

6.15.2 Students not satisfying any award-specific requirements for a named award, but who are otherwise eligible for the award of an Honours degree or an Ordinary degree, are eligible for the named award from the following list most closely describing their programme of study. The name will be confirmed by the Award Board on the basis of pattern of study

## 7. Taught Postgraduate Awards

### 7.1 Postgraduate Associate Certificate

A programme leading to a Postgraduate Associate Certificate consists of 30 credits at Level 7

### 7.2 Postgraduate Certificate

A programme leading to a Postgraduate Certificate consists of 60 credits at Level 7

### 7.3 Postgraduate Diploma

A programme leading to a Postgraduate Diploma consists of 120 credits at Level 7

### 7.4 Masters

A programme leading to a Masters award consists of 180 credits at Level 7 and will include a 60 credit level 7 core module of advanced independent research.

Exceptionally, through programme validation, the 60 credit level 7 core module of advanced independent research required for a Masters award may be replaced by a 30 credit level 7 core module of advanced independent research, provided that it can be demonstrated that sufficient advanced independent research is achieved in the remainder of the programme amounting to a further 30 level 7 credits.

Up to half the credits for an award may be achieved through accredited experiential learning, and up to two thirds of the credits for an award may be achieved through accredited certificated learning. (Where a combination of experiential and certificated learning is involved up to one half of the credits for the award may be achieved through accredited experiential

learning with further credits being achieved through accredited certificated learning up to a maximum of two thirds of the credits for the award)

## **8. The Structure of Modular Postgraduate Programmes**

### **8.1 Modules**

**8.1.1** Postgraduate programmes consist of standard modules whose value is 30 credits (equivalent to 300 student study hours), extending over one term. It is possible to approve modules with multiples of 15 credits, such as 15, 45 and 60 credits, if there a sound rationale for doing so, and this is agreed during the approval process. Modules of 60 credits may extend over one or two terms. The advanced independent research module may take place during the summer period.

**8.1.2** A module is allocated to a single level - level 7.

**8.1.3** No module can be a pre-requisite for another taught module at the same level. One or more modules may be specified as pre-requisites for the advanced independent research module.

**8.1.4** The programme specification will specify for each module within a programme whether it is a core module or an option module for that programme.

**8.1.5** A standard 30 credit module may be composed of up to four assessment components. Double and treble modules have a maximum of eight and twelve components respectively.

### **8.2 Postgraduate Awards**

**8.2.1** A postgraduate award may be either a named single award or a general postgraduate award at the Certificate or Diploma Level, where award-specific requirements have not been met

## **9. Postgraduate Student Study**

### **9.1 Student registration and study**

**9.1.1** A student must be registered on a module in order to be assessed or reassessed on the module.

**9.1.2** Once a student has passed (or been awarded a compensated pass (see 11.2.2)) on a module the student may not register, be assessed or reassessed on the module.

**9.1.3** A student may study up to 60 credits in any term or summer period as specified in the programme specification.

### **9.2 Time limits for student study**

**9.2.1** A student may not continue study, or be assessed or reassessed, on a module once three years have elapsed from first study on the module. This time limit should be extended to reflect any authorised breaks in study.

**9.2.2** The time limit for completion of a programme is three years in full time mode, and six years in part time mode after first enrolment on the programme. These time limits should be extended to reflect any authorised breaks in study.

### **9.3 Intermission**

**9.3.1** A student may intermit from a programme with the agreement of the programme leader.

**9.3.2** During the intermitted period, which must be one or more complete terms and no more than two consecutive years, no module study

may be undertaken. However all outstanding reassessment requirements should be undertaken or else the module will automatically be regarded as not passed on reassessment (Note: Standard regulations on extenuation apply).

9.3.3 An intermission extends the time limits for study on the module and the programme for the period of the intermission (unless prohibited by Professional and Statutory Regulatory Body requirements)

## **10. Postgraduate Admission**

10.1 Students are admitted in accordance with the approved admission requirements.

10.2 Students may be admitted with advanced standing through the recognition of credit or the accreditation of experiential or certificated learning according to the Institute Accreditation of (Experiential) Learning (A(E)L) policy.

A student may gain admission to a programme, with advanced standing, with up to half of the credits associated with the award being achieved through accredited experiential learning, or up two thirds through accredited certificated learning (Where a combination of experiential and certificated learning is involved up to one half of the credits for the award may be achieved through accredited experiential learning with further credits being achieved through accredited certificated learning up to a maximum of two thirds of the credits for the award).

## **11. Postgraduate Assessment**

### **11.1 Subject Area Boards and Module Assessment**

#### **11.1.1 Subject Area Boards**

11.1.1.1 Subject Area Boards are responsible for:

- assuring the appropriate standards for modules
- considering the performance of students on modules and on programmes
- confirming the marks achieved by students on modules
- awarding credit for the achievement of students on modules
- awarding credit for certificated and experiential learning
- noting Breaches of Regulations

11.1.1.2 The Subject Area Board considers all and only modules within the Subject Area. The Subject Area Board meets at the end of Term 1, at the end of Term 2 and at the end of the summer reassessment period.

#### **11.1.2 Module assessment**

11.1.2.1 In calculating the mark for a module on the basis of the component marks, the final mark is calculated as a percentage with all decimal points rounded up to the nearest whole number.

11.1.2.2 In order to pass a module, a student must both achieve an aggregate mark of 50% and also meet the component threshold marks.

11.1.2.3 For the purposes of passing a module each component has a threshold mark of 40%. (The threshold may be higher where there are Professional and Statutory Regulatory Body requirements; this will be specified in the module specification)

#### **11.1.3 Reassessment in a module not passed**

**11.1.3.1** Where a student does not achieve an aggregate of 50%, or does not achieve component threshold marks, the student is reassessed in the module at the next reassessment point in all and only those components achieving a mark of less than 50%. Component marks of 50% or over are carried forward to reassessment.

**11.1.3.2** The reassessment point for all on-campus modules is in the summer reassessment period with the exception of the advanced independent research module studied over the summer period where reassessment will occur at the next scheduled end of term assessment or reassessment point.

**11.1.3.3.** In determining whether a student has passed a module on reassessment the calculation is based on the highest component marks achieved, whether in assessment or reassessment.

**11.1.3.4** In order to pass a module on reassessment a student must both achieve an aggregate mark of 50% and achieve the component threshold marks. If the module is passed, the student will achieve the module mark but any reassessed components will be capped at 50% for the purposes of calculating the Masters award classification. Modules that do not include components will be capped at 50%. The actual mark achieved will be recorded on the student transcript

**11.1.3.5** If a student reregisters and undertakes study on the same module prior to reassessment then the mark assigned to the reassessment is 0%

#### **11.1.4 Procedure in the case of not passing a module on reassessment**

**11.1.4.1** A student who does not pass a module on reassessment is entitled to repeat the module once.

**11.1.4.2** If a module which has not been passed on reassessment is an option module, the student may choose to register on an alternative option module (rather than repeat the option module). In this case, the regulations governing the first time

study and assessment of a module apply and the marks achieved are not capped at 50%.

**11.1.4.3** Where a student changes programmes and registers on a module previously studied (repeated module), the student will continue on the module at the point that they had previously reached and modules previously capped will remain capped (i.e. previous assessments in the module will be carried over).

**11.1.4.4** A repeated module must be undertaken after reregistration. Marks achieved previously in the module are ignored for the purposes of assessment of the repeated module (i.e. no marks are carried forward from the previous registration).

**11.1.4.5** A repeated module is assessed at the end of the term of study (or summer period in the case of the advanced independent research module) and (if necessary) reassessed at the subsequent reassessment point. If passed, a repeated module is capped at 50% for the

purposes of calculating the Masters award classification. The actual mark achieved will be recorded on the student transcript

**11.1.4.6** No further registration, study or assessment is possible for a repeated module which has not been passed after reassessment.

**11.1.5 Procedure in the event of illness or other valid cause (extenuating circumstances)**

**11.1.5.1** A student who believes that

- his/her performance in assessment or reassessment has been impaired, or
- he/she was unable to attend for an assessment or reassessment, or
- he/she was unable to submit assessed or reassessed work by the scheduled date
- due to illness or other valid cause (as defined in the Procedures Governing Extenuating Circumstances), may submit an application for extenuation for the relevant component(s) to the Institute Extenuation Panel.

Such applications will only be considered if the applicant has followed prescribed procedures, which can be found in the Procedures Governing Extenuating Circumstances.

**11.1.5.2** If the Extenuation Panel grants extenuation for a component, the outcome is as follows:

- any mark achieved for the relevant component(s) (including 0 for non-attendance at assessment or non-submission of assessed work) is ignored
- the Subject Area Board will not consider the module result until after reassessment
- the student will be reassessed, in the extenuated component(s) only, in the summer reassessment period (or in the case of a component in the advanced independent research module, at the next scheduled end of term assessment or reassessment point)
- no other components will be reassessed
- the Subject Area board will consider the module result after summer reassessment
- the mark achieved for the module will not be capped (unless it is a repeated module: see 11.1.4.).

This has the effect of restoring the student, with respect to uncapping, to the position that the student would have been in, had the extenuating circumstance not occurred

**11.1.5.3** Once a module has been capped extenuation does not uncap the module

**11.1.5.4** Where

- a student submits an application for extenuation for a component, and
- the student has failed to achieve the threshold mark in a second component, and
- no extenuation applies to this second component

the effect of granting extenuation for the first component would be to ensure that the (below threshold) mark for the second component was carried forward to reassessment, (thus automatically preventing that student from passing the module at reassessment). In such cases, the application for extenuation will formally be denied in order that the student has the opportunity to pass the module at reassessment.

#### 11.1.5.5 If

- a student is granted extenuation for a component at reassessment, and
- that component has previously been granted extenuation at assessment

then (unless the module has already been repeated) the student will be allowed to repeat the module and the module mark will not be capped at 50% on assessment. The repeated module must be undertaken with study (after reregistration). Marks achieved previously in the module are ignored for the purposes of assessment of the repeated module (i.e. no marks are carried forward from the previous registration).

## 11.2 Award Boards

### 11.2.1 Award Boards

11.2.1.1 Award Boards are responsible for:

- awarding credit to students on modules passed by compensation (see 11.2.2)
- confirming eligibility for awards on the basis of accumulated credit
- ensuring any award-specific requirements have been met
- conferring awards
- formally implementing the decisions of the Extenuation Panel
- noting credits achieved on the basis of accredited learning
- noting Breaches of Regulations

11.2.1.2 Each School will have one Award Board which meets following Subject Area Boards at the end of Term A, at the end of Term B and at the end of the summer reassessment period.

11.2.1.3 Where a School has programmes which involve study on the advanced independent research

module at level 7 during the summer period a joint Award and Subject Area Board (involving those in assessment of the advanced research modules) will meet to award credit for the advanced independent research module (only) and to confer the Masters award.

### 11.2.2 Compensation

11.2.2.1 A student is awarded a compensated pass in a module by an Award Board and awarded credit provided that:

- the module is either a 15 or 30 credit core or option module

- the student has been awarded 90 BITE credits at the level (or higher) of the compensated module
- the student has both attained at least 45% in the module to be compensated and attained the threshold in all components
- the module is not specified as non-compensatable in the programme specification as an award-specific requirement

**11.2.2.2.** If eligible the student will be awarded a compensated pass on one module on a programme and this will occur at the earliest point at which the student is eligible for compensation.

### **11.2.3 Late submission of coursework**

**11.2.3.1** There will be a stipulated deadline date for all pieces of coursework. All coursework will need to be submitted by the set time on the stipulated deadline date. Coursework submitted after the deadline may not be accepted. Further details of this are available in the Assessment Policy.

**11.2.3.2** Should a student submit coursework by the assessment deadline, and then resubmit coursework for the same assessment item after the deadline but within 24 hours the first submission will be the one which is accepted.

### **11.2.4 Conferment of award for completion of a programme**

**11.2.4.1** The Award Board will confer an award on a student for completion of a programme at the first occasion on which the student is eligible for the award.

**11.2.4.2** Where a student has withdrawn from, or is being discontinued on, a programme and has not transferred to another BITE programme, the Award Board will confer the highest award for which the student is eligible.

### **11.2.5 Masters award - classification**

**11.2.5.1** Where a student is eligible for an Masters award then the award classification is determined by calculating the credit-weighted arithmetic mean of all marks on the current enrolment for the programme and applying the mark obtained as a percentage, with all decimal points rounded up to the nearest whole number, to the following classification

70% - 100%	Distinction
60%- 69%	Merit
50% - 59%	Pass
0% - 49%	Not passed

**11.2.5.2** Where a student is eligible for Post Graduate Certificate or Post Graduate Diploma award then the award classification is determined by calculating the credit-weighted arithmetic mean of all marks on the current enrolment for the programme and applying the mark obtained as a percentage, with all decimal points rounded up to the nearest whole number, to the following classification.

70% - 100%	Distinction
60%- 69%	Merit
50% - 59%	Pass
0% - 49%	Not passed

**11.2.6 Aegrotat and Posthumous Awards**

11.2.6.1 These may be conferred in accordance with the Manual of General Regulations

**11.2.7 Award Name**

11.2.7.1 In order to qualify for a named award the student must have been enrolled on the programme and satisfied the programme specifications associated with that named award.

**11.2.8 Discontinuation of a student on a programme**

11.2.8.1 A student cannot continue on a programme if the student has not achieved a pass in the reassessment of a repeated core module for the programme.

**12. General**

12.1 These regulations do not restrict penalties imposed for Breaches of Regulations.

## Part 4

### Programmes of study: aims, structure and other information for students

#### 1 Documentation requirements

1.1 Each programme of study approved or modified by our Institute will be governed by written statements available to students and to other relevant bodies. These statements will set out, as a minimum, the information listed below.

##### 1.2 The title of the programme of study

The title of a programme of study leading to an award will be simple and accurate; it will accord, as a description of programme content, with the normal expectations of higher education bodies, relevant professional bodies, students and employers about the level of knowledge and skills to be expected from a person holding such a qualification.

##### 1.3 The award(s) to which the programme leads

The award(s) to which the programme leads must be among the existing awards of our Institute and the programme must conform to the requirements for the award(s).

##### 1.4 The planned duration and mode of study of the programme

###### (a) *General considerations*

The planned length of the programme will be related to the minimum number of required credits as specified in the description of the award (see Part 1 of this Manual) and to the minimum and maximum periods within which a student must normally complete the programme and the associated assessments ( see Part 3 of this Manual). For any mode of study the level of knowledge and skills required at the entry point, the curriculum, teaching arrangements, time available for students' private study and the length and nature of any supervised work experience will be designed to satisfy the requirements of the award.

###### (b) *Part-time study*

The duration of a programme of study designed for students who are not studying full-time will in all cases be longer than the minimum duration of a full-time programme for similarly qualified entrants.

##### 1.5. Aims, objectives and learning outcomes of the programme

(a) A programme of study will have stated aims, objectives and learning outcomes which the curriculum, structure, teaching methods and forms of assessment are designed to fulfil.

(b) The aims will include the development, to the level required for the award, of a body of knowledge and skills appropriate to the field of study and reflecting academic developments in that field; these are *programme-specific aims*.

(c) The aims will also include our Institute's *general educational aims*: which form part of our Institute's Quality Criteria outlined in the *Quality Assurance Handbook*.

(d) The statement of objectives and learning outcomes will show how the programme will fulfil the aims.

##### 1.6 The curriculum and structure of the programme

The curriculum for the programme, like the title, will be appropriate to the aims of the programme and to the level of the award. The structure will provide for the progression of the student from the level of knowledge and skills required at admission to the level required for the award.

##### 1.7 Regulations on the admission of students to a programme

The admission regulations describe the basis on which a student will be admitted to the beginning or to subsequent stages of the programme of study.

#### **1.8 Regulations on progression**

Progression regulations set out the way(s) in which students progress through the programme, and identify the elements that are compulsory, optional or alternative.

#### **1.9 Regulations on assessment**

The assessment regulations for a programme of study state the basis on which students will be assessed for an award, relating the assessment requirements to our Institute's general educational aims and objectives, to the aims, objectives and learning outcomes of the programme, to the standard of the award and to any special assessment requirements associated with the award.

### **2 Language of instruction**

2.1 All programmes of study shall normally be conducted and undertaken, and work submitted, in English, except where the assessment arrangements for the programme specifically provide otherwise.

2.2 Exceptionally, and only where there is good reason, a programme offered in collaboration with an overseas institution may be delivered and assessed in a foreign language. In these circumstances a range of additional approval criteria, as specified in our Institute's *Quality Assurance Handbook*, must be checked at validation.

## Part 5

### Assessment of students

#### 1 Principles

- 1.1 Assessment is a fundamental of the student learning experience and is the general description for a set of processes which measures the success of a student's education. In order to maintain uniform standards, our Institute applies to all its programmes of study a set of general principles governing the assessment of students.
- 1.2 The term *assessment* means the process of making decisions or recommendations as to a student's suitability to receive an award, or a particular class of award, or to be credited with achievements which may be used for this purpose on a later occasion.
- 1.3 Assessment will be carried out by Assessment Boards set up for each programme of study, and with a standard constitution as set out in Part 3 of this Manual. Any variations exceptionally permitted to regulations must be specified in the programme regulations.
- 1.4 Assessment Boards derive their powers from the Academic Board, function as committees of that Board and are subject to such direction of the Board as may from time to time be applied.
- 1.5 Our Institute will appoint an appropriate number of external examiners to each of its designated programmes of study in order to ensure that justice is done to the individual student and that the standard of our Institute's awards is maintained in accordance with national standards. A full description of the scheme is set out in the Quality Assurance Handbook.
- 1.6 Assessment regulations for programmes leading to Institute awards shall be formulated in accordance with the Assessment Policy, the Assessment Regulations in Part 3 of this Manual and the regulations specific to a particular programme. For programmes which lead to awards of external bodies, regulations will be drafted based on the principles of these Regulations but also conforming to the regulations of the external body concerned.

#### 2 Extenuating circumstances (see Part 6)

- 2.1 Unless otherwise stated in programme regulations, provision shall be made for extenuating circumstances to be taken into account.
- 2.2 An Aegrotat award may be recommended, if the programme specification so provides, when the Board does not have enough evidence of the student's performance to recommend the award for which the student was a candidate, or a lower award specified in the programme regulations, but is satisfied that, but for illness or other valid cause, the student would have reached the standard required.
- 2.3 Before a recommendation is made to the Academic Board the student must have signified that he or she is willing to accept the award and understands that this implies waiving the right to be reassessed.
- 2.4 A candidate who, having been offered an Aegrotat award, elects instead to resit as if for the first time and fails may not claim the Aegrotat but may be re-examined for an award. Aegrotat awards do not carry any classification or distinction. The Aegrotat degree is an unclassified degree.

2.5 A Board shall only take account of such factors if a statement of the circumstances, together with appropriate evidence, has been received before the Board meets to consider the relevant assessment.

### **3 Examination arrangements**

3.1 It is the responsibility of the dean of school to ensure that all students who might be involved are given adequate formal notice of all relevant matters relating to examination arrangements and conditions for a particular programme.

#### **3.2 Entry to Internal Examinations**

While students may, exceptionally and at the discretion of our Institute, be permitted to take elements of the assessment programme prior to completing enrolment, our Institute reserves the right not to assess, or to withhold awards from, students who have not discharged all financial or other obligations

#### **3.3 Entry to External Examinations**

- a) Responsibility for effecting entry to external examinations rests with the student. Institute staff will help and advise as far as possible.
- b) In the case of examinations which are governed by external rules relating to late entry, our Institute can only compromise on entry dates in very exceptional circumstances, and only with the approval in each case of the examining body concerned.

### **4 Conduct in examinations and assessment**

- 4.1 Candidates for assessment must conduct themselves in accordance with such instructions as our Institute may issue from time to time.
- 4.2 Any actions taken to ensure unfair advantage by misrepresenting the individual's personal, unaided attainments shall be deemed an assessment offence. Investigation of an alleged assessment offence shall be conducted in the manner prescribed in Part 8 of this Manual.
- 4.3 Arrangements for assessment, including the invigilation of examinations, are the responsibility of the dean of the relevant academic school, and shall accord with procedures which will be formulated from time to time.

### **5 Special assessment arrangements**

- 5.1 The Institute shall take all reasonable steps to ensure that if a student is unable, through disability, pregnancy or fluctuating long-term health conditions, to be assessed by the normal methods, alternative methods of assessment of the learning outcomes shall be made available. Where practicable this should also be allowed for students who will be hospitalised during an assessment period so that such students can remain with their cohort.
- 5.2 Where a Teaching and Learning Requirements Form or Maternity, Paternity and Adoption Support Plan (MPASP) confirms that a student cannot be fairly assessed even with the provision of extra time and/or a modified environment, Chairs of Progression/Awards Boards shall approve, following a recommendation from Student Support and in consultation with the School of Study, alternative assessment instruments.
- 5.3 The Chair is responsible for ensuring that the modified instruments and tasks are appropriate bearing in mind the aims and learning outcomes of the module and/or course and the need to assess the student on equal terms with other students.
- 5.4 For a continuing student, with an approved programme of study, such alternative instruments must normally be agreed no later than week 8 of teaching for long modules or week 4 of the Semester for short modules.

- 5.5 For a student newly registered with Student Support, or in the case of a modified Teaching and Learning Requirements Form or MPASP, such alternative instruments shall be agreed as soon as practicable and where possible normally no later than 3 weeks prior to the due date for the assessment.
- 5.6 The Chair of the Progression/Awards Boards shall notify the Academic Registry and for Intermediate, Honours and Masters levels, the External Examiner, of agreed alternative assessment instruments. Clear guidance on the nature of the task and associated times for (as appropriate) collection and completion or submission shall be provided within the documentation provided to the student.
- 5.7 Where the alternative assessment replaces an examination, arrangements for providing the alternative assessment to the student shall be confirmed by Academic Registry and shall ensure that it is not provided before the scheduled start of the standard examination. Dependent on the type of adjustment recommended, adjustment to deadlines may be considered.
- 5.8 Where a student is being supported under the Fitness to Study Policy and Procedure via a Return to Study Plan, the plan may include alternative assessments. The recommendations of the Welfare Panel will be reported by means of a Teaching and Learning Requirements Form.
- 5.9 If the additional need arises after the programme has started, the student should contact the DDT as soon as possible so that an appropriate assessment of need can be made.
- 5.10 Students who are new to BITE, or whose disability/ specific learning difficulty is newly acquired/ assessed, will be required to register with the DDT and have their disability/ specific learning difficulty endorsed by appropriate professional evidence by the stated deadlines. These deadlines will be published at the beginning of each academic year, and earlier if possible, on all relevant BITE websites and on all appropriate publicity and information material for applicants, students and staff.
- 5.11 Failure to meet the deadline will mean that BITE will not guarantee that the required reasonable adjustment(s) will be made, and the adjustment(s) will only be put in place where it is possible to do so effectively within the time allowed.
- 5.12 Claims for extenuating circumstances (see Part 6 of this Manual) will not normally be granted for pre-existing disabilities or dyslexia. However, if a student with a disability or dyslexia experiences a serious increase in their symptoms, which is *unpreventable* and *unpredictable*, then extenuating circumstances may be applicable.
- 5.13 The operational arrangements for the assessment arrangements for students with additional need are set out in the Assessment Policy.

## **6 Information for students**

- 6.1 Our Institute will ensure that the assessment requirements for programmes of study are made known to students.
- 6.2 Our Institute will make available to students information about the grounds on which they may request that Assessment Boards be asked to review their decisions and about the arrangements for dealing with any such requests.

## **7 Student obligations in respect of assessment**

- 7.1 It is the responsibility of students to attend examinations, to submit work for assessment as required, to fulfil any other criteria relevant to the programme and to follow prescribed procedures in applying for extenuation.
- 7.2 If a student fails, other than for reasons beyond his or her control, to follow prescribed procedures in applying for extenuation our Institute body authorised to consider requests for the review of an examiners' decision has authority to reject the request on those grounds.
- 7.3 If a student is found to have cheated or otherwise attempted to gain an unfair advantage, the matter will be investigated according to the procedures set out in Part 8 of this Manual.
- 7.4 It shall be the student's responsibility to notify a request for any special assessment arrangements made in the context of disability or special educational need (see para 5 above).

## **8 Publication of assessment results**

- 8.1 Except where the regulations of external awarding bodies preclude it the primary method of informing candidates of Assessment Board decisions will be by publication on BITE Moodle on a date previously announced. Such notification shall have regard to the provisions of the Data Protection Act 1998.
- 8.2 In all cases of appeal where the Assessment Board is reconvened, students will receive individual notifications of the outcome.
- 8.3 No communication of an assessment result shall be regarded as official until it bears the signature of the Chair of the relevant Assessment Board.

## Part 6

### Extenuating Circumstances for Undergraduate Programmes

*The new academic framework refers to the provision of procedures governing extenuating circumstances affecting student assessment. This policy should be read in conjunction with the accompanying guidance notes.*

#### 1. What are Extenuating Circumstances?

Extenuating Circumstances are circumstances which

- impair the performance of a student in assessment or reassessment
- prevent a student from attending for assessment or reassessment
- prevent a student from submitting assessed or reassessed work by the scheduled date

Such circumstances would normally be

- unforeseeable - in that the student could have no prior knowledge of the event concerned
- unpreventable - in that the student could do nothing reasonably in their power to prevent such an event
- expected to have a serious impact

Students are expected to make reasonable plans to take into account commonly occurring circumstances, even those which, on occasion, may have been unforeseeable and unpreventable. Further details, including examples of circumstances of what would or would not normally constitute grounds for extenuation, can be found in the supplementary guidance notes:

<http://www.biot.org.uk/registry/>

## 2. Procedures for the Submission of Claims for Extenuating Circumstances

For an extenuation claim to be considered, it is the student's responsibility to ensure that for each component affected

- they submit details of the circumstances via the relevant Student Hub on the standard Institute proforma
- details are submitted by the designated date and time
- details are submitted with accompanying documents and evidence
- all relevant sections of the form have been completed

The designated date and time for submission of claims for extenuation are:

**for assessment by examination:** 5pm on the Tuesday after the final week of examinations.

**for assessment by submission of assessed work:** no later than the Student Hub closure time one calendar week after the scheduled date and time for the submission of the assessed work.

Claims will not be considered unless submitted on the standard Institute proforma by the designated date and time with accompanying evidence. All relevant sections of the Extenuating Circumstances form must be complete in order for the claim to be considered.

Any claim for extenuation which is found to be in any part fraudulent will be considered as a matter of misconduct and dealt with under the disciplinary procedure.

## 3. Procedures for Consideration of Extenuating Circumstances

Claims for extenuation will be considered by a panel consisting of a Chair nominated by the Principal, one Senior Academic from each School and up to four appropriate Student Services staff (to be nominated by the Chair).

In considering claims for extenuation, wherever possible, the identity of the student will not be made available to the Panel.

Where extenuation for more than one component is sought by a student, extenuation will be considered on a component by component basis.

The Extenuation Panel will normally meet once in each term and once during reassessment, normally before the week of the Subject Area Progression Boards. The decisions of the Extenuation Panel will be referred to the relevant Subject Area Progression or Award Board for consideration.

## 4. Extenuation Outcomes for assessed tasks (examinations or coursework)

Decisions regarding student progression are the responsibility of the relevant Subject Area Progression and Award Boards. Boards ratify the decisions of the Extenuation Panel as it relates to a student's first opportunity. Where the extenuation decision pertains to a resit, Assessment Boards will need to consider the overall student profile when making decisions about students who have not achieved sufficient credit to progress.

### i) Outcomes for examinations and other tasks at which attendance is required

a) If extenuation is granted by the Extenuation Panel at the first assessment opportunity (including those students repeating a full year of study), then the relevant Subject Area Progression and/or Award Boards should make decisions as follows:

- any mark achieved for the relevant extenuated component(s) is ignored (including 0 for non-attendance)

- the Subject Area Progression or Award Board will not consider the module result until after reassessment
- the student will be reassessed, in the extenuated component(s) only, in the Summer (any previous mark for the component being ignored)
- no other components in that module will be reassessed
- the Subject Area Progression or Award Board will consider the module result after Summer reassessment.

b) **If extenuation is granted at a reassessment opportunity**, and the student profile suggests that progress is feasible/manageable/satisfactory, then the following will apply:

- If extenuation was granted at the previous attempt for the same component, and is granted for the reassessed component, then, presuming the component is passed, the mark achieved will be uncapped.
- If extenuation was not granted at a previous attempt for the same component, but is for the reassessed component, then, presuming the component is passed, the mark achieved will be capped.
- If extenuation was granted at the second attempt but the component was not passed, then, presuming that the overall student profile allows it, the student may be given another opportunity, and the mark for this third opportunity will be uncapped.
- If a student has achieved fewer than 90 credits overall, but extenuation is granted, the relevant assessment board should consider what options are available to the student. It may be deemed appropriate for a student to be given an opportunity to repeat the year.

c) **If extenuation is not granted**, the student will receive a mark of zero for that piece of work.

## ii) Outcomes for coursework

a) **Work submitted by the published deadline:**

No claim for extenuation may be submitted.

b) **Work submitted up to one working day after the published deadline:**

No claim for extenuation may be submitted. The work is assessed and the component mark will be subject to a deduction of 5% of the total marks available.

c) **Work submitted late, but within one calendar week of the published deadline:**

A claim for extenuation may be submitted. If a student seeks extenuation, the submitted work will be marked;

**If the Extenuation Panel grants extenuation**, then the mark achieved for the work will be awarded; the mark achieved will not be notified to the student until the relevant Subject Area Progression and Award Board results are published;

**If the Extenuation Panel does not grant extenuation**, then a mark of zero will be recorded; the mark achieved will not be notified to the student.

d) **Work submitted later than one calendar week after the published deadline, or not submitted:**

A claim for extenuation may be submitted. The submitted work will not be assessed and the mark awarded will be zero;

**If a student seeks extenuation and this is granted by the Extenuation Panel**, the outcome is as follows:

- any mark recorded for the relevant component(s) (including zero for non-submission of assessed work) is ignored
- the relevant Subject Area Progression and Award Board will not consider the module result until after reassessment

- the student will be reassessed, in the extenuated component(s) only, in the Summer, by submission of the standard retrieval work (not by resubmission of the original piece of work)
- no other components will be reassessed
- the relevant Subject Area Progression and Award Board will consider the module result after Summer reassessment
- the mark achieved for the module will not be capped (unless it is a repeated module for post graduate only: see Academic Regulations 11.1.5.2.).

There is **no** provision for giving extensions to coursework deadlines and therefore **extensions may never be given.**

In summary the outcomes are:

- **Submitted by the published deadline:** No extenuation possible
- **Submitted up to one working day of the published deadline:** No extenuation possible. The work is assessed and the component mark will be subject to a deduction of 5% of the total marks available.
- **Submitted within one calendar week of the published deadline:** Extenuation possible, and if granted, the mark achieved is recorded
- **Submitted later than one calendar week after the published deadline:** The work is not assessed. Extenuation is possible and, if granted, the student module decision is deferred until reassessment, the student is required to retrieve the extenuated component only, and the module is not capped

## 5. Additional key information

a) **Where a student submits an application for extenuation that application cannot be withdrawn at a later date.**

b) Where extenuation is sought, this will be recorded on the student record (so that the student is aware that the extenuation claim was considered).

## 6. Late submission of claims for extenuating circumstances

Normally, late submission of a claim for extenuating circumstances is not accepted. However, it is recognised that there may be cases where a student is unable to submit a claim for extenuation within the time period (e.g. emergency in-patient hospital treatment occurring during the examination period). In this case, submission of the claim at the earliest opportunity, via the relevant Office, should be made. This must be accompanied by evidence as to why the claim is being submitted late. The Chair of the Panel will decide whether to accept the late submission. The Chair's decision will be final.

**Note:** Late submission through unwillingness earlier to disclose the grounds for claiming extenuation will not be regarded as sufficient grounds for late submission.

## 7. Appeals against the decisions of the Extenuation Panel

There will be no appeal against the decision of the Extenuation Panel other than on the grounds that an administrative or procedural error has occurred. Appeal will be by the normal academic appeal procedures.

## 8. Distance learning programmes

Provision will be made for the submission of proformas and evidence electronically or by fax, with confirmation hard copy submitted through the postal system.

## **9. Collaborative programmes**

Programmes run at collaborative partner institutions will be subject to equivalent procedures, with the process being administered by, and the panel being held within, the partner institution. Appeals against the decision of their extenuation panel will be handled by the normal academic appeal procedures.

## Part 6a

### Extenuating Circumstances for Postgraduate Programmes

*The new academic framework refers to the provision of procedures governing extenuating circumstances affecting student assessment. It is intended that extenuating circumstances procedures should be invoked by students infrequently and only for circumstances which are serious in nature.*

#### 1. What are Extenuating Circumstances?

Extenuating Circumstances are circumstances which

- impair the performance of a student in assessment or reassessment
- prevent a student from attending for assessment or reassessment
- prevent a student from submitting assessed or reassessed work by the scheduled date

Such circumstances would normally be

- unforeseeable - in that the student could have no prior knowledge of the event concerned
- unpreventable - in that the student could do nothing reasonably in their power to prevent such an event
- expected to have a serious impact

Students are expected to make reasonable plans to take into account commonly occurring circumstances, even those which, on occasion, may have been unforeseeable and unpreventable.

Further details, including examples of circumstances of what would or would not normally constitute grounds for extenuation, can be found in the supplementary guidance notes: <http://www.biot.org.uk/registry/>

#### 2. Procedures for the Submission of Claims for Extenuating Circumstances

For an extenuation claim to be considered, it is the student's responsibility to ensure that for each component affected

- they submit details of the circumstances the Student Hub on the standard Institute proforma
- details are submitted by the designated date and time
- details are submitted with accompanying documents and evidence
- all relevant sections of the form have been completed

The designated date and time for submission of claims for extenuation are:

**for assessment by examination:** 5pm on the Tuesday after the final week of examinations.

**for assessment by submission of assessed work:** no later than the Student moodle closure time one calendar week after the scheduled date and time for the submission of the assessed work.

Claims will not be considered unless submitted on the standard Institute proforma by the designated date and time with accompanying evidence. All relevant sections of the Extenuating Circumstances form must be complete in order for the claim to be considered.

Any claim for extenuation which is found to be in any part fraudulent will be considered as a matter of misconduct and dealt with under the disciplinary procedure.

### 3. Procedures for Consideration of Extenuating Circumstances

Claims for extenuation will be considered by a panel consisting of a Chair nominated by the Principal, one Senior Academic from each School and up to four appropriate Student Services staff (to be nominated by the Chair). In considering claims for extenuation, wherever possible, the identity of the student will not be made available to the Panel.

Where extenuation for more than one component is sought by a student, extenuation will be considered on a component by component basis. The decision of the Extenuation Panel is binding on Subject Area and Award boards. The Extenuation Panel will meet once in each semester, normally before the week of the Subject Area Boards, and once during reassessment, normally before the week of the Subject Area Boards. Decisions will be implemented on the student records system after completion of the Subject Area Boards and before commencement of the Award Boards.

### 4. Extenuation Outcomes for assessed tasks (examinations or coursework)

**Assessed tasks (e.g. coursework) to be submitted by a scheduled date:**

**a) Work submitted by the published deadline:**

No claim for extenuation may be submitted.

**b) Work submitted up to one working day after the published deadline:**

No claim for extenuation may be submitted. The work is assessed and the component mark will be subject to a deduction of 5% of the total marks available.

**c) Work submitted late, but within one calendar week of the published deadline:**

A claim for extenuation may be submitted. If a student seeks extenuation, the submitted work will be marked;

**If the Extenuation Panel grants extenuation,** then the mark achieved for the work will be awarded; the mark achieved will not be notified to the student until the Subject Area Board results are published;

**If the Extenuation Panel does not grant extenuation,** then a mark of zero will be recorded; the mark achieved will not be notified to the student.

**d) Work submitted later than one calendar week after the published deadline, or not submitted:**

A claim for extenuation may be submitted. The submitted work will not be assessed;

The mark awarded will be zero;

**If a student seeks extenuation and this is granted by the Extenuation Panel,** the outcome is as follows

- any mark recorded for the relevant component(s) (including 0 for non-submission of assessed work) is ignored
  - the Subject Area Board will not consider the module result until after reassessment
  - the student will be reassessed, in the extenuated component(s) only, in the Summer, by submission of the standard retrieval work (not by resubmission of the original piece of work)
  - no other components will be reassessed
  - the Subject Area Board will consider the module result after Summer reassessment
- the mark achieved for the module will not be capped (unless it is a repeated module for post graduate only: see Academic Regulations 11.1.5.2.).

There is **no** provision for giving extensions to coursework deadlines and therefore **extensions may never be given.**

In summary the outcomes are:

**Submitted by the published deadline:** No extenuation possible

**Submitted within one calendar week of the published deadline:** Extenuation possible, and if granted, the mark achieved is recorded

**Submitted later than one calendar week after the published deadline:** The work is not assessed. Extenuation is possible and, if granted, the student module decision is deferred until reassessment, the student is required to retrieve the extenuated component only, and the module is not capped

**Assessed tasks (e.g. examinations) in which attendance is required**

If extenuation is granted by the Extenuation Panel then:

- any mark achieved for the relevant extenuated component(s) is ignored (including 0 for non-attendance at the assessment task)
- the Subject Area Board will not consider the module result until after reassessment
- the student will be reassessed, in the extenuated component(s) only, in the Summer (any previous mark for the component being ignored)
- no other components in that module will be reassessed
- the Subject Area Board will consider the module result after Summer reassessment
- the mark achieved for the module will not be capped (unless it is a repeated module for post graduate only: see Academic Regulations 11.1.5.2.).

If extenuation is not granted, the mark recorded will be the mark achieved.

## 5. Additional key information

a) **Where a student submits an application for extenuation then that application cannot be withdrawn at a later date.**

b) The granting of extenuation has the effect of restoring the student, via uncapping of reassessment, to the position that the student would have been in, with respect to uncapping, had the extenuating circumstance not occurred. (see Academic Framework Regulations 11.1.5.2)

c) Once a module has been capped, extenuation does not uncap the module (see Academic Framework Regulations 11.1.5.3)

d) Where

- a student submits an application for extenuation for a component, and
- the student has failed to achieve the threshold mark in a second component, and
- no extenuation has been granted to this second component

the effect of granting extenuation for the first component would be to ensure that the (below threshold) mark for the second component was carried forward to reassessment, thus automatically preventing that student from passing the module at reassessment. In such cases, the application for extenuation will formally be denied, as it is not in the student's interest. As a result, the student will have the opportunity to pass the module at reassessment. (see Academic Framework Regulations 11.1.5.4)

e) Where a component consists of more than one element, and the circumstances of extenuation apply to one element, the extenuation granted is for the whole component in its entirety.

- f) Where extenuation is sought, this will be recorded on the student record (so that the student is aware that the extenuation claim was considered).

#### **6. Late submission of claims for extenuating circumstances**

Normally, late submission of a claim for extenuating circumstances is not accepted. However, it is recognised that there may be cases where a student is unable to submit a claim for extenuation within the time period (e.g. emergency in-patient hospital treatment occurring during the examination period). In this case, submission of the claim at the earliest opportunity, via the HUB, should be made. This must be accompanied by evidence as to why the claim is being submitted late. The Chair of the Panel will decide whether to accept the late submission. The Chair's decision will be final.

**Note:** Late submission through unwillingness earlier to disclose the grounds for claiming extenuation will not be regarded as sufficient grounds for late submission.

#### **7. Appeals against the decisions of the Extenuation Panel**

There will be no appeal against the decision of the Extenuation Panel other than on the grounds that an administrative or procedural error has occurred. Appeal will be by the normal academic appeal procedures.

#### **8. Distance learning programmes**

Provision will be made for the submission of proformas and evidence electronically or by fax, with confirmation hard copy submitted through the postal system.

#### **9. Collaborative programmes**

Programmes run at collaborative partner institutions will be subject to equivalent procedures, with the process being administered by, and the panel being held within, the partner institution. Appeals against the decision of their extenuation panel will be handled by the normal academic appeal procedures.

## Part 7

### Appeals against Assessment Board decisions

*This section is concerned solely with the grounds and procedures for dealing with appeals arising from a request from a student that an Assessment Board reconsider its decision. Other areas of appeal, such as those against a decision that a student be excluded from our Institute on other grounds are the subject of other regulations and procedures (see Parts 12 and 13 of this Manual)*

*These regulations do not apply to the thesis / submittal component of Research Degrees or those applying for Higher Doctorates (see Part 9 of this Manual for the relevant regulations).*

#### 1 Grounds for appeal

1.1 An appeal may be made only on the following grounds.

- (a) The assessment was not conducted in accordance with the current regulations for the programme, or there has been a material administrative error or some other material irregularity relevant to the assessments has occurred.
- (b) For a student with a disability or additional need, the initial needs assessment was not correctly carried out, or the support identified was not provided, or the agreed assessment procedures for that student were not implemented.

1.2 Disagreement with the academic judgement of an Assessment Board in assessing the merits of an individual piece of work, or in reaching any assessment decision based on the marks, grades and other information relating to the candidate's performance, cannot in itself constitute grounds for a request for reconsideration by a candidate. Such matters of academic judgement remain the exclusive prerogative of the Assessment Board. Matters of academic judgement include:

- (a) whether a student has reached the academic standard required for the programme;

- (b) whether a student would benefit academically from further study on the programme.

1.3 Subject to the previous paragraphs, the appeal may be against a decision or recommendation of an Assessment Board that:

- (a) the student has failed a programme or part of a programme (and has not been compensated);
  - (b) the student should not be permitted to proceed to the next stage of the programme;
  - (c) the student should be excluded from continuation of studies on a programme;
  - (d) a particular grade should be awarded for a component of assessment;
  - (e) a particular class of award should be made.
- or the appeal may be against:
- (f) a decision of the extenuating circumstances panel.

1.4 Pending the outcome of the appeal the original decision of the Assessment Board will stand.

1.5 The appeals procedure is an internal Institute process, and if the appellant should instruct lawyers to act on their behalf during the appeal this will halt the procedure.

1.6 In the event that a Formal Complaint is submitted at the same time as an Appeal against an Assessment Board decision, the complaint will be placed on hold until the investigation into the appeal has been completed.

## 2 Procedure for notification of appeal

2.1 There are three stages in the Appeals Procedure:

STAGE 1: Conciliation

STAGE 2: Formal Investigation

STAGE 3: Academic Appeals Panel hearing

### 3 Conciliation

3.1 Any student wishing to appeal against a decision or recommendation of an Assessment Board, other than under paragraph 1.3(f) (please refer to paragraph 3.5 below), should first lodge her or his intention to appeal with

Institutional Compliance **within ten working days** of the publication of the results.

3.2 Where a group of students wish to submit a collective appeal, the group should nominate a spokesperson to act as the channel of communication for the group.

3.3 The Chair of the Assessment Board or, in her or his absence, an appropriate substitute, will convene a conciliation meeting to hear the appeal **within 10 working days** of the appellant lodging her or his intention to appeal.

3.4 Following discussion with the appellant, the Chair of the Assessment Board shall decide either:

- (a) to refer the matter back to the Assessment Board for further consideration;
- (b) to dismiss the appeal.

3.5 Any student wishing to appeal against a decision of the extenuating circumstances panel must lodge her or his intention to appeal with Institutional Compliance **within ten working days** of the publication of the decision. Institutional Compliance will then consult the Chair of the Extenuating Circumstances Panel who shall decide **within 10 working days** either:

- (a) to refer the matter back to the Extenuating Circumstances Panel for further consideration;
- (b) to dismiss the appeal.

Note: appeals against the decision of the extenuating circumstances panel are permitted only on the grounds that there was a material irregularity in process or some other material administrative error, not on the grounds that the appellant simply disagrees with the judgment of the extenuating circumstances panel)

### 4 Formal Investigation

4.1 Where the appellant does not accept the decision of the Chair of the Assessment Board or the Chair of the Extenuating Circumstances Panel, the appellant must lodge her or his notice of appeal with Institutional Compliance, **within five working days** of the conciliation decision. The student should take into consideration the possibility that the final outcome of their academic appeal may not be decided until after the reassessment opportunity period. If this proves to be the case, the student may be asked to re-sit the component in question whilst they await a decision on their case, and should therefore prepare appropriately for this scenario.

4.2 To be deemed valid, such notice of appeal must:

- (a) state the actual decision appealed against;
- (b) contain a brief summary of the grounds of appeal, stating, as appropriate:
  - any respects in which it is alleged that the assessment failed to accord with the regulations pertaining to the programme (identifying the regulation(s) which has/have allegedly been breached), or the nature of the material administrative error or other material irregularity relevant to assessment which has occurred;
  - how it is alleged that, for a student with a disability or additional needs, the needs assessment was flawed, the provisions recommended were

not implemented, or the agreed assessment procedures have failed to be implemented.

- (c) supply evidence, other than the personal testimony of the appellant, in corroboration of the factual basis of the appeal, or indicate how such corroboration will be provided;
  - (d) state the nature of the revised assessment sought from the Assessment Board, or the nature of the decision sought from the extenuating circumstances panel;
  - (e) demonstrate, except in the case of appeals under paragraph 1.3(f) that conciliation has been attempted with the Chair of the relevant Assessment Board or, in her or his absence, an appropriate substitute.
- 4.3 On receipt of a valid notice of appeal, Institutional Compliance, will investigate the appeal, consulting such persons as necessary to determine the facts of the case.
- 4.4 Once all investigations are complete the Associate Head of Governance and Legal Services, or an appropriate officer acting on her or his behalf, will then establish whether there is a *prima facie* ground for appeal.
- 4.5 Where there is a *prima facie* ground for appeal, the Associate Head of Governance and Legal Services, or an appropriate officer acting on her or his behalf, shall call a meeting of the Academic Appeals Panel (described below) to hear the appeal, preferably within 30 working days of the Associate Head of Governance and Legal Services's decision.
- 4.6 The Associate Head of Governance and Legal Services, or an appropriate officer acting on her or his behalf, may dismiss an appeal in the following circumstances:
- (a) when the appeal is lodged late, without an explanation which is satisfactory to the Associate Head of Governance and Legal Services;
  - (b) when the Associate Head of Governance and Legal Services is able to demonstrate that the appeal does not comply with these Regulations;
  - (c) when the Associate Head of Governance and Legal Services can show that the appeal, although complying with these Regulations, could not lead to any change in the assessment which is the subject of the appeal. (Such a conclusion may follow from the assessment structure of the programme concerned, but may not be based on qualitative judgements concerning the assessment of the appellant's case.)

## 5 Academic Appeals Panel constitution

- 5.1 The Academic Appeals Panel shall comprise a Chair (who shall be a senior member of the academic staff with appropriate experience of assessment procedures) and three other members, consisting of:
- a Chair of another Assessment Board;
  - a member of teaching staff of our Institute;
  - a trained representative of the Students' Union.
- 5.2 Where possible we shall seek to ensure that the composition of the panel reflects the character of our institution and/or at least one person has been trained in equality and diversity issues.
- 5.3 No member of the Academic Appeals Panel shall be a member of the school responsible for the programme concerned, or be involved in the teaching or assessment of the programme.
- 5.4 No member of the Academic Appeals Panel shall be an interested party.
- 5.5 To the extent practicable, the same Chair should preside in hearings of appeals from a particular Assessment Board in any one year.

## 6 The appeal hearing

- 6.1 The appellant shall have the right to appear before the Appeals Panel and to be accompanied and assisted by one friend who shall be a member of our Institute and may or may not be an interested party. Such a friend may be a Students' Union representative but not a paid legal representative.
- 6.2 The Chair of the Assessment Board (or his or her nominee) shall have the right to be present at the hearing of the appeal.
- 6.3 The appellant and his or her adviser and the Assessment Board through its representatives shall have the right to call and to question witnesses.
- 6.4 The Academic Appeals Panel shall be entitled to call witnesses on its own initiative and to call for the production of relevant documents.
- 6.5 The appeal shall be heard only on the grounds stated in the notice unless the Academic Appeals Panel decides otherwise. In the latter event, either the appellant or the Assessment Board shall be entitled to demand an adjournment of one week to prepare evidence.
- 6.6 Each party (*i.e.* the appellant and the Assessment Board) shall have the right to receive a copy of any written submission that is made on the part of the other.
- 6.7 The appellant shall be invited to provide details of any reasonable adjustments that may need to be made for the hearing in order to accommodate the appeal if they have a declared disability.
- 6.8 The Institute will pay reasonable, standard class travel expenses incurred as a result of the appellant's attendance at the hearing.
- 6.9 Where there is a clear justification for doing so e.g. where travel costs are prohibitive or the student's mode of attendance makes attendance in person difficult, a request to conduct the Panel via video link can be considered. The Chair of the panel will have final say on whether the panel can be convened via video link. For any panel via video-link the Chair and panel members would be located at an on-campus location at our Institute. Guidance regarding conducting a panel via video link will be shared with all parties prior to the panel by the Appeals Liaison Officer.
- 6.10 If the appellant does not appear at the date and time scheduled for the hearing the Academic Appeals Panel shall consider whether any reasons advanced for non-attendance are valid, and:
  - (a) if members so judge, adjourn proceedings to a later meeting;
  - (b) if no reasons are advanced, or if they are judged invalid, proceed in the appellant's absence.

## 7 Effect of the appeal

- 7.1 The Academic Appeals Panel shall be empowered either:
  - (a) to refer the matter back to the Assessment Board ;
  - (b) to dismiss the appeal.
- 7.2 In making a reference back, the Academic Appeals Panel shall state the grounds on which it has reached its decision and what matters it requires the Assessment Board to consider further. The Academic Appeals Panel may make recommendations provided these are not academic judgements and provided that reasons for the recommendations are given.
- 7.3 Assessment Boards may set up sub-boards drawn from their own membership to review the strength and possible effect of the Academic Appeals Panel's recommendations. The full board shall then meet as promptly as possible to consider the reference back in the light of the sub-board's findings, and shall submit a report of such a meeting to the Academic Appeals Panel.

- 7.4 Should the Academic Appeals Panel have made recommendations which the Assessment Board is unable to accept, the Academic Appeals Panel may recommend to the Academic Board that the assessment be annulled.
- 7.5 A decision to annul an assessment can be taken only by a meeting of the Academic Board.
- 7.6 When a decision has been annulled it is the responsibility of Academic Board to take action, including, if necessary, the appointment of new external examiners, to ensure that the candidate(s) concerned are properly assessed.
- 7.7 Where the appeal is dismissed or where the Academic Board has declined to annul the assessment, the most recent decision of the Assessment Board shall prevail.
- 7.8 In cases of procedural or other irregularity, or where it is not possible to reconvene an Assessment Board, the Academic Board shall have power to annul a decision of the Assessment Board without making a prior request for reconsideration. If an error or irregularity is found to have affected more than one candidate, the Academic Board may annul the whole assessment, or any part of it.

## **8 Authority of Academic Appeals Panels**

- 8.1 There shall be no appeal against the finding of an Academic Appeals Panel. Allegations of *procedural* irregularities in the conduct of an appeal may be heard by the Principal who may, at his or her discretion, require the Academic Appeals Panel to reconsider the case.

## **9 Independent Adjudication**

- 9.1 Where an appeal is dismissed at any of the stages outlined above, the appellant will be considered to have exhausted the internal procedures.
- 9.2 If the appellant has exhausted the internal procedures and is not satisfied with the outcome he/she may request that the case is reviewed by the Office of the Independent Adjudicator which is a body independent of our Institute.
- 9.3 The grounds and eligibility for review shall be determined by the Office of the Independent Adjudicator.
- 9.4 The findings of any case considered by the Independent Adjudicator shall be considered directly by the Academic Board. The Academic Board shall take the recommendations of the Independent Adjudicator into account in reaching a final decision about any action that should be taken in response to the Appeal.
- 9.5 The decision of the Academic Board is final and there shall be no further appeal against this decision.

## Part 8 Academic Misconduct

These Regulations should be read in conjunction with the Institute's Academic Integrity Policy which is available at: <http://www.biot.org.uk/registry/>

The Institute is committed to ensuring that everyone is made aware of their responsibilities in maintaining the highest standards of academic integrity and of the steps taken to protect those standards.

### 1. Context

1.1 The Institute is committed to academic integrity and will take firm action against any student who breaches these regulations. All students are responsible for ensuring that every element of their studies is their own work and for following regulations for the proper conduct of assessments. No credit will be awarded for work which is found to have breached these Academic Misconduct Regulations.

### 2 Definition

2.1 For the purposes of these Regulations, academic misconduct is defined as any type of cheating in an assessment for the purposes of achieving personal gain. Examples of such misconduct are given below: the list is **not** exhaustive and the use of any form of unfair or dishonest practice in assessment can be considered potential misconduct. A student cannot initiate an academic misconduct action against another student; this can only be done by an academic member of staff.

Coursework Submitted for Assessment

For coursework submissions, academic misconduct means:

- (a) The presentation of another person's work as one's own with or without obtaining permission to use it.
- (b) The inclusion within one's own work of material (written, visual or oral), originally produced by another person, without suitable acknowledgment.
- (c) The submission, as if it were one's own work, of anything which has been offered to you for your use, but which is actually not your own work.
- (d) The inclusion within one's work of concepts paraphrased from elsewhere without citing your source.
- (e) The inclusion in submitted work of sections of text, whether from electronic or hard copy sources, without appropriate acknowledgement of the source.
- (f) The submission of work that the student, as the author, has previously submitted, without suitable acknowledgement of the source of their previous work; this should not normally be more than a short quotation as the same work cannot be submitted for different assignments.
- (g) Including or quoting the work of other students in one's work, with the exception of published work, or outputs held in the library as a learning resource, which should be cited and acknowledged appropriately.
- (h) Being party to any arrangement whereby the work of one candidate is represented as that of another.
- (i) The submission, as your own work, of any work that has been purchased, or otherwise obtained from others, whether this is from other students, online services, "cheat sites", or other agents or sources that sell or provide assignments.
- (j) Practices such as 'cutting and pasting' segments of text into your work, without citing the source of each.

(k) For work not intended to be submitted as a collaborative assignment: producing work with one or more other students, using study practices that mean the submitted work is nearly identical, overall or in part, to that of other students.

(l) Offering an inducement to staff and/or other persons connected with assessment.

#### Examinations

For examinations, academic misconduct means:

(a) Importation into an examination room of materials or devices other than those which are specifically permitted under the regulations applying to the examination in question.

(b) Reference to such materials (whether written or electronically recorded) during the period of the examination, whether or not such reference is made within the examination room.

(c) Refusing, when asked, to surrender any materials requested by an invigilator.

(d) The application of an electronic device, unless this has been expressly permitted for that examination.

(e) Copying the work of another candidate.

(f) Disruptive behaviour during examination or assessment.

(g) Obtaining or seeking to obtain access to unseen examination questions prior to the examination.

(h) Failure to observe the instructions of a person invigilating an examination, or seeking to intimidate such a person.

(i) Offering an inducement to invigilators and/or staff and/or other persons connected with assessment.

2.2 Where academic misconduct is suspected, the Subject Area Progression Board will not come to a decision on the candidate's result until the facts have been established.

### 3 Roles and Responsibilities

3.1 Each Dean of School will appoint a Responsible Officer, to deal with cases of academic misconduct within the School on his/her behalf. The Responsible Officer is a member of the Institute's academic staff who works closely with Module Leaders, the Academic Misconduct Officer and the relevant administrator to manage incidents of reported academic misconduct within his/her School. This includes meeting with individual students to discuss cases and to outline the support available to prevent future incidents of academic misconduct. The role of Responsible Officer may be shared between two people and, in such cases, a minimum of one of the appointees must be a member of academic staff.

### 4 Procedures to be followed in the event of a suspected case of academic misconduct in undergraduate programmes, taught postgraduate programmes, taught elements of postgraduate research programmes and undergraduate and postgraduate credit bearing short courses.

4.1 If an assessor or invigilator suspects that academic misconduct has occurred, he or she should inform the relevant Module Leader, Responsible Officer, and the relevant administrator, by email, within 5 working days after detection.

4.2 The Module Leader, in consultation with the Responsible Officer, will determine whether or not it appears that academic misconduct has occurred, by reviewing the reported circumstances and any relevant materials, including suspected source materials within a period of twenty working days.

4.3 Where the suspected academic misconduct relates to taught elements of postgraduate research programmes, the Module Leader and Responsible Officer will ensure appropriate liaison with the Graduate School occurs.

4.4 Academic Misconduct Regulations do not apply where the suspected breach has occurred in students' work which has been:

- submitted more than 24 hours after, but within 1 week of, the stipulated submission deadline and

- where no extenuation claim is made, or if made, not granted.

4.5 If, at the end of the twenty working day period stipulated in 4.2 above, the Module Leader and Responsible Officer have not found evidence that misconduct may have occurred, the relevant administrator will be advised and no further action will be taken.

4.6 If, at the end of the twenty working day period stipulated in 4.2 above, the Module Leader and Responsible Officer have evidence that misconduct may have occurred and:

(a) there is a record that the student has previously been issued with a Level A penalty or

(b) the suspected academic misconduct is such that it might (according to the tariff at section 10 below) incur a Level B, C or D penalty (regardless of whether it is a first instance of academic misconduct)

the matter will be referred to the Academic Misconduct Officer within 5 working days (see section 6 below).

4.7 If there is no record of the student having breached our Academic Misconduct Regulations, the Module Leader, together with the School's Responsible Officer, will hold a School Meeting with the student. The student may be accompanied by a relative, friend, colleague or preferably, a Students' Union Case Worker. The accompanying person cannot be a professional legal representative who has been employed to act on the student's behalf nor can they act in the capacity of a legal advisor. At that meeting, the student will be reminded of our Academic Misconduct Regulations (including the tariff of penalties), shown how s/he has breached the regulations and advised on how to adhere to them in future. The Module Leader will present the evidence which must include appropriate source material and ask the student whether s/he accepts that s/he has breached these regulations. The student will then be invited to make any further comments.

4.7.1 Where acceptance occurs in relation to an undergraduate or taught postgraduate programme, a Level A penalty will be issued by the Module Leader and the piece of work concerned will be awarded a mark of 0.

4.7.2 Where acceptance occurs in relation to taught elements of postgraduate research programmes, the student will be required to:

- amend the documentation submitted for annual review, addressing the affected material before the annual review may be re-considered and/or

- amend the progress report documentation addressing the affected material, before the request for transfer between MPhil and PhD status, in either direction, may be re-considered.

Required amendments must be resubmitted within 40 working days from the date of the School Meeting.

4.8 Students are required to confirm their acceptance that s/he has breached these regulations by signing the School Meeting pro forma, that s/he understands how s/he has breached these regulations, undertakes to take all necessary steps to ensure that s/he does not do so again and understands that any further instance of academic misconduct is likely to lead to a serious penalty. The Module Leader or Responsible Officer will inform the relevant administrator, who will notify the Academic Misconduct Officer. The relevant administrator will be responsible for notifying the student formally of the outcome and retaining the record of the School Meeting.

4.9 Where the student denies academic misconduct the Module Leader and Responsible Officer will refer the matter to the Academic Misconduct Officer and inform the relevant administrator.

4.10 If academic misconduct has been alleged because an assessor suspects that the work submitted is not entirely the student's own work, and it is deemed appropriate (e.g. in cases where it has not been possible to identify the sources from which the work (or parts

of it) has (or have) been taken), then a *viva voce* interview may be incorporated within the School Meeting. The *viva voce* must be held in accordance with BITE's Guidance for Conducting *viva voce* in relation to academic misconduct.

4.10.1 A report of the meeting at which the *viva voce* is held will be produced and made available to the Responsible Officer and the Academic Misconduct Officer.

4.11 At the discretion of the Responsible Officer and usually only to accommodate distance learning students, the School meeting may take place via a video or telephone conference.

4.12 If the student does not appear at the date and time scheduled for the School Meeting, or refuses to take part in a *viva voce* interview, the Responsible Officer will consider whether any reasons offered are valid, and if s/he so judges, adjourn proceedings to a later date.

4.13 If no reasons are advanced, the reasons are judged invalid or the student refuses to take part in the *viva voce* interview, the meeting will conclude that the student has admitted academic misconduct and will issue a Level A penalty or where appropriate, a referral to the Academic Misconduct Officer will be made. In these circumstances, there is no right to appeal the decision of the School Meeting.

4.14 Where a Level A penalty has been issued in the student's absence, the relevant administrator will send the student a copy of the record of the School Meeting decision

4.15 Where the outcome of the *viva voce* interview is such that the suspected academic misconduct might (according to the tariff at section 10 below) incur a penalty (regardless of whether it is a first instance of academic misconduct) the matter will be referred to the Academic Misconduct Officer (see section 6 below) within 5 working days.

## **5 Procedure to be followed in the event of a suspected research misconduct at all levels of study**

5.1 If a member of staff suspects research misconduct, the 'Policy and Procedures for dealing with allegations of research misconduct against students' will apply.

## **6 Referrals to the Academic Misconduct Officer (alleged subsequent instances of academic misconduct and alleged first instances of serious academic misconduct)**

6.1 The Academic Misconduct Officer will write to the student setting out the allegation and the proposed penalty and inviting the student to a meeting, within 20 working days. The student may be accompanied by a relative, friend, colleague or preferably, a Students' Union Case Worker. The accompanying person cannot be a professional legal representative who has been employed to act on the student's behalf nor can they act in the capacity of a legal advisor.

6.2 The student is required to respond, within a period of 20 working days, to the written notification from the Academic Misconduct Officer. If s/he does not, s/he will be deemed to have accepted the proposed penalty (and notified of this in writing).

6.3 Where the student attends the meeting and admits to an instance (or instances) of academic misconduct, s/he will be reminded of the proposed penalty and required to confirm, in writing, that s/he understands how s/he has breached these regulations, undertakes to take all necessary steps to ensure that s/he does not do so again and understands that any further instance of academic misconduct will result in a significantly more severe penalty.

6.4 Where a student attends the meeting and either:

(a) does not admit academic misconduct because s/he has suitable grounds to challenge the decision; and /or

(b) feels that there are unique and particular circumstances

(c) admits academic misconduct but does not accept the proposed penalty within 10 working days of the date of the meeting with the Academic Misconduct Officer, the student must submit to the Academic Misconduct Officer an evidenced based proposal for proceeding to an Academic Misconduct Panel. The Academic Misconduct Officer will forward the proposal to two identified Responsible Officers (who must be from a different School to the student). Should the submission from the student not be received within the stipulated time period by the Academic Misconduct Officer, s/he will write to the student informing him/her that the time allowed to submit a proposal to take the case to an Academic Misconduct Panel has lapsed; will therefore not be considered and the proposed penalty will be applied.

6.5 Where a proposal to proceed to an Academic Misconduct Panel is received within the stipulated time period, the Responsible Officers will review the proposal and decide whether there are sufficient grounds for the case to be considered by an Academic Misconduct Panel. This decision must be made within 10 working days of receipt of the proposal by the Responsible Officer. In the event of an unreconcilable difference of opinion between the Responsible Officers the proposal shall proceed to an Academic Misconduct Panel.

6.6 In reaching their decision as to whether there are sufficient grounds for the case to be considered by an Academic Misconduct Panel, the Responsible Officer will consider the full range of issues relating to the student's proposal and the details of the alleged breach. Consideration will also be given to whether:

- There is new and material evidence which the student was, for exceptional reasons, unable to present previously
- The procedures were not complied with to the extent that it was questionable whether the outcome would have been different had the procedures been complied with
- There is documented evidence of bias

6.7 Where the proposal does not provide sufficient grounds to allow the student's case to proceed to an Academic Misconduct Panel, the reviewing Responsible Officer will, within ten working days of receiving the proposal, complete a written report providing their decision and explanation for their decision. This will be forwarded to the Academic Misconduct Officer who will inform the student within three working days of receipt and confirm that the proposed penalty will be applied. The decision of the reviewing Responsible Officer will be final and there shall be no right of appeal.

6.8 If the proposal is deemed valid by the reviewing Responsible Officer, the matter will be considered by an Academic Misconduct Panel. The student will be informed of this, in writing, by the Academic Misconduct Officer within three working days.

6.9 This written notification will also warn the student that any case heard by an Academic Misconduct Panel may result in the awarding of a more severe penalty than that originally proposed.

## **7 Referrals to the Academic Misconduct Officer (where a student has denied academic misconduct at a School Meeting)**

7.1 The Academic Misconduct Officer will write to the student setting out the allegation and inviting him/her to a meeting, within 20 working days. The student may be accompanied by a relative, friend, colleague or preferably a Students' Union Case Worker. The accompanying person cannot be a professional legal representative who has been employed to act on the student's behalf nor can they act in the capacity of a legal advisor.

7.2 The student is required to respond, within a period of 20 working days, to the correspondence from the Academic Misconduct Officer. If s/he does not, s/he will be deemed to have accepted the proposed penalty (and notified of this in writing).

7.3 Where the student attends the meeting and admits to an instance (or instances) of academic misconduct, s/he will receive the proposed penalty and will be required to confirm, in writing, that s/he understands how s/he has breached these regulations, undertakes to take all necessary steps to ensure that s/he does not do so again and understands that any further instance of academic misconduct will result in a significantly more severe penalty.

7.4 Where a student attends the meeting and either:

(a) does not admit academic misconduct because s/he has suitable grounds to challenge the decision; and/or

(b) feels that there are unique and particular circumstances,

within 10 working days of the date of the meeting with the Academic Misconduct Officer, s/he must submit to the Academic Misconduct Officer an evidenced based proposal for proceeding to an Academic Misconduct Panel. The Academic Misconduct Officer will forward the proposal to an identified Responsible Officer (who must be from a different School to the student). Student not be received within the stipulated time period by the Academic Misconduct Officer, s/he will write to the student informing him/her that the time allowed to submit a proposal to take the case to an Academic Misconduct Panel has lapsed; will therefore not be considered and the proposed penalty will be applied.

7.5 Where a proposal to proceed to an Academic Misconduct Panel is received within the stipulated time period, the Responsible Officer will review the proposal and decide whether there are sufficient grounds for the case to be considered by an Academic Misconduct Panel. This decision must be made within 10 working days of receipt of the proposal by the Responsible Officer.

7.6 Where the proposal does not provide sufficient grounds to allow the student's case to proceed to an Academic Misconduct Panel, the reviewing Responsible Officer will, within ten working days of receiving the proposal, complete a written report, providing their decision and explanation for their decision. This will be forwarded to the Academic Misconduct Officer who will inform the student within three working days of receipt and confirm that the proposed penalty will be applied. The decision of the reviewing Responsible Officer will be final and there shall be no right of appeal.

7.7 If the proposal is deemed valid by the reviewing Responsible Officer, the matter will be considered by an Academic Misconduct Panel. The student will be informed of this, in writing, by the Academic Misconduct Officer within five working days.

7.8 This written notification will also warn the student that any case heard by an Academic Misconduct Panel may result in the awarding of a more severe penalty than that originally proposed.

## **8 Academic Misconduct Panels**

8.1 Academic Misconduct Panels shall be convened on a regular basis by the Academic Misconduct Officer on behalf of the Academic Board, to investigate the facts of a case and/or to determine the appropriate penalty.

8.2 The constitution of the Academic Misconduct Panel shall be:

- three members of our Institute's academic staff, at least one of whom should be a Senior Lecturer or above, with appropriate expertise of academic misconduct procedures, who will act as the Chair
- a student representative, nominated by the Students' Union.

8.3 Where possible we will seek to ensure that the composition of the panel reflects the character of our institution.

8.4 Proceedings of an Academic Misconduct Panel shall be as follows:

(a) The Academic Misconduct Panel shall, as far as is practicable, be constituted of persons who have no knowledge of the student concerned.

(b) All relevant documentation and written submissions, including statements from witnesses unable to attend the Panel, such as examination invigilators, to be considered by Academic Misconduct Panels must be sent to the Academic Misconduct Officer 10 working days prior to the Panel date.

(c) All relevant records of a School Meeting shall be made available to the Academic Misconduct Panel, together with all relevant correspondence from the Academic Misconduct Officer.

(d) Normally, at least five working days prior to the Panel date the Servicing Officer will circulate the case papers to: members of the Academic Misconduct Panel; the student; the relevant Responsible Officer and any other colleague(s) from the relevant School who will present the case at the Academic Misconduct Panel.

(e) The student shall have the right to be accompanied by a relative, friend, colleague or preferably, a Students' Union Case Worker. The accompanying person cannot be a professional legal representative who has been employed to act on the student's behalf nor can they act in the capacity of a legal advisor.

(f) At least five working days prior to the Panel, the student must inform the Academic Misconduct Officer of any person accompanying them. The Academic Misconduct Officer will ensure that the case papers are circulated to him/her. If details of the accompanying person are not provided at least five working days prior to the Panel date, the Panel can reserve the right to refuse admission to the accompanying person. If the accompanying person's behaviour within the Panel is deemed inappropriate, the Chair has the right to demand that s/he be removed from the Panel.

(g) The student shall have the right to call and to question witnesses.

(h) The Academic Misconduct Panel shall have the right to call and to question witnesses in the presence of the student (and relative, friend, colleague or a Students' Union Case Worker if present).

(i) If the student does not appear at the date and time scheduled for the hearing, the Academic Misconduct Panel shall consider whether any reasons provided for non-attendance are valid, and:

- if no reasons are provided, or if they are judged invalid, proceed in the respondent's absence, regarding him or her (subject to any written account) as having admitted none of the allegations.
- if members so judge, adjourn proceedings to a later meeting;

(j) If the Responsible Officer delegated to present the case on behalf of the School does not appear at the date and time scheduled for the Academic Misconduct Panel, the case will be permanently withdrawn, with no grounds for appeal by the School.

(k) At the discretion of the Chair, and usually only to accommodate distance learning students, an Academic Misconduct Panel may take place via a video or telephone conference.

(l) The Academic Misconduct Panel shall consider its findings in private and shall submit a written report to the Responsible Officer and the student. The outcome is presented to the relevant Subject Area Progression Board, as soon as is practicable following its deliberations.

(m) In determining whether the allegation(s) has/have been proven, the Panel must be satisfied that the allegation(s) is/are proven on the *balance of probability*.

- (n) In reaching its conclusions on whether the allegation(s) has/have been proven, the Academic Misconduct Panel shall consider fully any relevant input from staff familiar with the student's circumstances and/or previous performance.
- (o) Should an Academic Misconduct Panel be unable to reach an agreed decision, the Chair will determine a final decision.
- (p) If the student is found to have breached these regulations, the Panel will impose a penalty in accordance with the tariff at section 10 below and a record of the outcome shall be kept on the student's file.
- (q) An annual report on such cases will be made to the Academic Board or other Institute body consistency across the institution. Such reports will identify any matters of principle or general significance.

## **9 Criteria for determining the penalty for academic misconduct**

9.1 In determining the sanction to be imposed, an Academic Misconduct Panel will assess the seriousness of the academic misconduct using the following criteria

### **9.2 Pre-meditation**

Deliberate or intended misconduct will normally be considered more serious than that which has arisen inadvertently.

### **9.3 Previous history**

A previous history of academic misconduct will normally be considered as being more serious than a first instance of academic misconduct.

### **9.4 Theft, falsification and work purchased from third parties**

Academic misconduct involving theft (e.g. stealing a piece of coursework from another student), the falsification of another person's work or ideas, the purchase of work from a third party, or the use of a "cheat site", will normally be considered more serious than that involving the authorised, but unattributed, use of another person's work.

### **9.5 Effect on other students**

Academic misconduct that has an adverse effect on the standing or well being of a fellow student will normally be considered to be more serious than an act that only affects the offender.

### **9.6 Miscellaneous**

Any other relevant factors pertinent to individual cases may be taken into account in penalty.

## **10 Tariff of penalties for academic misconduct**

10.1 The following tariff shows the range of penalties.

10.2 In determining the penalty, the Academic Misconduct Panel shall have due regard to: *Institute Manual of General Regulations*.

- (a) maintain the academic standards of the Institute
- (b) deal equitably with the students of the Institute and
- (c) apply proportional penalties in all circumstance.

## **Academic Misconduct Penalties - Undergraduate Programmes**

### **Level A: First instance of non serious offence**

A student who plagiarises or colludes for the first time will be issued with a Level A Penalty if there is a *prima facie* case, provided that there is no evidence that s/he has behaved in a pre-meditated dishonest way. The work concerned will be awarded a mark of 0.

Where a Level A Penalty is issued at the first assessment opportunity, the relevant component at reassessment will be capped at the minimum pass mark.

Where a Level A Penalty is issued at a reassessment opportunity, the Subject Area Progression Board will determine the appropriate consequence.

A Level A Penalty is a penalty but is neither recorded on a transcript, nor reported to a professional body.

### **Level B: First instance of serious academic misconduct and/or any academic misconduct following a Level A Penalty**

#### **Penalty Outcome**

A student will fail the module with a mark of 0.

Where a level B penalty is issued at the first assessment point, the student will be required to retake the entire module at the next assessment point. *All* components of the relevant module will be capped at the minimum pass mark.

Where a level B penalty is issued at the reassessment point, the Subject Area Progression Board will determine the appropriate consequence.

#### **Indicative Misconduct**

Attempting to copy from another student in an examination.

Importing prohibited materials of any type into an examination room

Any instance of academic misconduct that has been preceded by a Level A penalty

### **Level C: First instance of serious academic misconduct involving pre-meditated dishonesty and/or any academic misconduct following a Level B Penalty)**

#### **Penalty Outcome**

The student will be suspended from his/her studies for the following academic year

The student will fail the module and a mark of 0 will be recorded for *all* components of assessment in the relevant module.

Where a level C penalty is issued at the first assessment point the suspension will be applied from Term 1 of the following academic year.

Where a level C penalty is issued at the reassessment point, the Subject Area Progression Board will determine the appropriate consequence

#### **Indicative Misconduct**

Any instance of academic misconduct that has been preceded by a Level B penalty.

A serious first instance:

of plagiarism or collusion, where the student has acted in a grossly dishonest way (this might apply to academic misconduct involving theft, falsification, or purchase, or having a directly adverse effect on other students ); or

involving impersonation, bribery, reference to prohibited materials in an examination and/or the attempted intimidation of an invigilator

## **Level D: Any academic misconduct**

Expulsion :

Any instance of academic misconduct that has been preceded by a Level C penalty, or any instance of academic misconduct deemed to merit this penalty.

### **Additional Key Academic Misconduct Penalty Issues - Undergraduate Programmes**

A student whose mobile telephone or electronic device sounds during an examination will be issued with a Level A Penalty if there is a *prima facie* case, provided that there is no evidence that s/he has behaved in a pre-meditated dishonest way. The work concerned will be awarded a mark of 0.

The same level of penalty will be issued regardless of the number of occasions this same offence is repeated.

Where a Subject Area Progression Board permits a student to resit a year of study, previous academic misconduct penalties will be carried forward. The following will apply:

- Where a Level A Penalty has been applied - the equivalent repeated component will be capped.
- Where a Level B Penalty has been applied - the equivalent repeated module will be capped.
- Where a Level C Penalty has been applied - all modules will be capped.

Where a student takes any module in place of a module failed as a result of academic misconduct, the mark for that module will be capped at the minimum pass mark.

Where a student has previously received a Level A Penalty for an instance of academic misconduct of a type significantly different from that currently alleged, the decision as to whether it remains appropriate to impose the next most severe penalty in the tariff, should be considered.

Where a student is found to have breached Academic Misconduct Regulations more than once over a short period of time, the level of penalty to be imposed should be fully considered in light of the circumstances, types of misconduct and timings of misconduct.

Academic Misconduct Penalties will not be carried forward where there is a change in qualification level from undergraduate to postgraduate study.

For the purposes of these regulations, Integrated Masters Programmes will be treated as a single qualification level.

Any module with a recorded breach cannot be pass compensated

## Academic Misconduct Penalties - Postgraduate Programmes

### Level A: First instance of non serious offence

A student who plagiarises or colludes for the first time will be issued with a Level A Penalty if there is a *prima facie* case, provided that there is no evidence that s/he has behaved in a pre-meditated dishonest way. The work concerned will be awarded a mark of 0.

Where a Level A Penalty is issued at the first assessment opportunity, the relevant component at reassessment will be capped at the minimum pass mark.

Where a Level A Penalty is issued at a reassessment opportunity, the Subject Area Progression Board will determine the appropriate consequence.

NB: A Level A Penalty is a penalty but is neither recorded on a transcript, nor reported to a professional body.

### Level B: First instance of serious academic misconduct and/or any academic misconduct following a Level A Penalty

#### Penalty Outcome

The student will fail the module and a mark of 0 will be recorded for *all* components of assessment in it and:

- **if the misconduct occurs at First or Second opportunity in the module** - retrieve *all* components of assessment at the next assessment with attendance. Cap the repeat assessment of the module at the minimum pass mark; or
- **if the misconduct occurs at Third or Fourth opportunity in the module** - do not allow further registration, assessment or reassessment on the module.

#### Indicative Misconduct

Attempting to copy from another student in an examination.

Importing prohibited materials of any type into an examination room

Any instance of academic misconduct that has been preceded by a level A penalty

### Level C: First instance of serious academic misconduct involving pre-meditated dishonesty and/or any academic misconduct following a Level B Penalty)

#### Penalty Outcome

The student will be suspended from his/her studies for one semester

The student will fail the module and a mark of 0 will be recorded for *all* components of assessment in it and:

- **if the misconduct occurs at First or Second opportunity in the module** - retrieve *all* components of assessment at the next assessment (following the student's return from suspension) with attendance. Cap the repeat assessment of the module at the minimum pass mark; or

**if the misconduct occurs at Third or Fourth opportunity in the module** - do not allow further registration, assessment or reassessment on the module.

#### Indicative Misconduct

Any instance of academic misconduct that has been preceded by a Level B penalty.

A serious first instance:

of plagiarism or collusion, where the student has acted in a grossly dishonest way (this might apply to academic misconduct involving theft, falsification, or purchase, or having a directly adverse effect on other students ); or involving impersonation, bribery, reference

to prohibited materials in an examination and/or the attempted intimidation of an invigilator .

#### **Level D: Any academic misconduct following a Level C Penalty**

Expulsion : Any instance of academic misconduct that has been preceded by a Level C penalty, or any instance of academic misconduct deemed to merit this penalty.

#### **Additional Key Academic Misconduct Penalty Issues - Postgraduate Programmes**

A student whose mobile telephone or electronic device sounds during an examination will be issued with a Level A Penalty if there is a *prima facie* case, provided that there is no evidence that s/he has behaved in a pre-meditated dishonest way. The work concerned will be awarded a mark of 0.

The same level of penalty will be issued regardless of the number of occasions this same offence is repeated.

Where a student takes any module in place of a module failed as a result of academic misconduct, the mark for that module will be capped at the minimum pass mark.

Where a student has previously received a Level A Penalty for an instance of academic misconduct of a type significantly different from that currently alleged, the decision as to whether it remains appropriate to impose the next most severe penalty in the tariff, should be considered.

Where a student is found to have breached Academic Misconduct Regulations more than once over a short period of time, the level of penalty to be imposed should be fully considered in light of the circumstances, types of misconduct and timings of misconduct.

Academic Misconduct Penalties will not be carried forward where there is a change in qualification level from undergraduate to postgraduate study. For the purposes of these regulations, Integrated Masters Programmes will be treated as a single qualification level.

Any module with a recorded breach cannot be pass compensated

10.3 Where a Panel decides that a student should be expelled, a full report on the matter should be submitted to the Principal by the Academic Misconduct Officer, with the recommendation that any student concerned be expelled under the general disciplinary powers of the Principal.

### **11 Appeal against the decision of an Academic Misconduct Panel**

11.1 An appeal is not a re-hearing of the case previously presented under the relevant procedure. It is solely a review of that process, or procedure, which is intended to establish whether the conduct of that process under the relevant procedure, prior to the appeal, was fair and had been conducted properly, and that the decisions made were not the result of perversity of judgement in the face of the evidence presented.

11.2 There shall be no appeal against the decision of the Academic Misconduct Panel except on the grounds that:

- There is new and material evidence which the student was for exceptional reasons unable to present to the Academic Misconduct Panel. This may include evidence for extenuation.

- The procedures were not complied with to the extent that it was questionable whether the outcome would have been different had the procedures been complied with.

- There is documented evidence of bias on the part of the members of the Academic Misconduct Panel or its Clerk.

- The penalty imposed exceeded that available to the Academic Misconduct Panel.

11.3 No new evidence may be given at an appeal hearing, except where it can be shown that there were justifiable reasons why it had not been presented previously and, if it had been presented previously, would have been likely to have been material to the decision(s) made. Such justification is to be provided as part of the application to appeal.

11.3 Any student wishing to appeal must submit to the Head of Governance and Legal Services, a written notice stating the ground(s) of appeal within 20 working days of the date upon which s/he was informed of the Academic Misconduct Panel's decision.

11.4 There shall be an Appeal Panel which shall be convened by the Head of Governance and Legal Services and shall be constituted of:

(a) two academic staff members one of whom will be a Dean, or Associate Dean, of School;

(b) the President of the Students' Union or his/her nominee.

11.5 The Chair of the Appeal Panel shall normally be the Dean, or Associate Dean, of School.

11.6 Where possible our Institute shall seek to ensure that the composition of the panel reflects the character of the institution.

11.7 The panel shall, where practicable, be composed of members who are unlikely to know personally any student whose case it may consider.

11.8 The Panel shall appoint a Secretary, who will be responsible for keeping a written record of the decisions made.

## **12 Powers of the Appeal Panel**

12.1 The Appeal Panel shall have power to:

(a) adjourn the hearing to a future date.;

(b) confirm the penalty imposed;

(c) moderate the penalty imposed to a lesser penalty as stipulated in 6.5 above. The Committee may not impose a greater penalty;

(d) uphold the appeal and overturn a decision to impose a penalty.

## **13 Procedure to be followed by the Appeal Panel**

13.1 The Secretary will invite both parties to attend the appeal hearing, informing them of the date, time and venue. The two parties will be the appellant and the Chair of the Academic Misconduct Panel that is the subject of the appeal. There shall be no other persons invited to attend the hearing, save that the appellant may be accompanied (see regulation 13.2 below).

13.2 The appellant will be entitled to be accompanied to the hearing by a relative, friend, colleague or a Students' Union Case Worker. The accompanying person cannot be a professional legal representative who has been employed to act on the student's behalf nor can they act in the capacity of a legal advisor. The person accompanying the appellant may assist with the appeal and present evidence on the appellant's behalf, but may not answer questions on their behalf.

13.3 Normally at least ten working days prior to the hearing, the Secretary will circulate the case papers to the members of the Appeal Panel, the appellant and the Chair of the relevant Academic Panel.

13.4 The Chair of the relevant Academic Misconduct Panel shall be invited to submit a response to the appeal, which should be received at least five working days prior to the hearing. The Secretary shall circulate the response to the members of the Appeal Panel and the appellant (and friend, relative or representative) at least three working days prior to the hearing.

13.5 In the event of late papers being received by the Secretary, or previously uncirculated papers being presented by either side at the hearing, the Chair of the Appeal Panel shall decide whether they should be admitted, taking into account that, should such admission be permitted, it should not be to the disadvantage of either party.

13.6 The appellant may elect not to appear in person before the Appeal Panel. In such cases the Appeal Panel will decide the appeal on the basis of written submissions. If, however, a written submission is not clear, the Panel will arrive at a decision on the basis of the evidence available to it.

13.7 Should the appellant fail to appear at the hearing without reasonable cause or explanation, the Appeal Panel will hear the appeal *in absentia* and arrive at a decision on the basis of the evidence available to it.

13.8 The Appeal Panel, having regard to all of the written and oral evidence provided, will decide whether the decision being appealed was fair, reasonable and proportionate.

13.9 In the event of the Appeal Panel not being able to reach a unanimous decision, there will be a majority conclusion.

13.10 The decision of the Panel will be final and there shall be no further right of appeal. Within ten working days of the appeal hearing the Panel shall issue to the appellant and the Chair of the relevant Academic Misconduct Panel, a Completion of Procedures letter which will set out its reasons for either dismissing, or upholding the appeal. No further correspondence shall be entered into.

#### **14 Independent Review**

14.1 If a student has exhausted the appeal procedure set out in sections 11 to 13 above and is not satisfied with the outcome, he/she may request that the case is reviewed by the Office of the Independent Adjudicator which is a body independent of our Institute.

14.2 The grounds and eligibility for review shall be determined by the Office of the Independent Adjudicator.

14.3 The findings of any case considered by the Independent Adjudicator shall be considered directly by the Academic Board. The Academic Board shall take the recommendations of the Independent Adjudicator into account in reaching a final decision about any action that should be taken in response to the Appeal.

14.4 The decision of the Academic Board is final and there shall be no further appeal against this decision.

## **Appendix I**

### **Procedures to be followed in the event of suspected academic misconduct at or prior to an oral examination for a postgraduate research award**

All references to: the 'Head of Governance'; the 'Dean'; the 'Academic Registrar'; 'or the 'School Responsible Officer' in these procedures should be taken respectively to mean 'Head of Governance and Legal Services or designate'; 'Dean or designate'; 'Academic Registrar or designate or academic misconduct officer' or 'School Responsible Officer or designate'.

1 Any work (including any document for consideration for an annual review and/or transfer of status between MPhil and PhD status in either direction, a thesis, artefacts, musical scores, recording of performances etc.) submitted by a postgraduate research student for formal assessment on the research part of his/her programme is referred to below as a submittal.

### **2 Suspected academic misconduct prior to an oral examination**

2.1 Where, prior to an oral examination for a postgraduate research award, an examiner suspects a student of making a submittal containing academic misconduct, s/he will inform the Chair of Examiners and the Dean within 5 working days of reaching this conclusion. Within a further 5 working days, the Chair of Examiners will supply the Dean, with a report on the suspected academic misconduct.

2.2 The Dean will, within 5 working days of receipt, determine whether it appears that academic misconduct has occurred.

2.3 Where the Dean determines that academic misconduct has not occurred, the Chair of Examiners will be informed.

2.4 Where the Dean determines that it appears that academic misconduct has occurred, the oral examination will be postponed, s/he will inform the Academic Registrar and the procedures detailed in Section 4 below will apply.

2.5 In the case of professional doctorates, the Dean will establish if the programme has professional body recognition and where this is the case, will inform the Programme Leader that action is being initiated under the Academic Misconduct Regulations.

### **3 Suspected academic misconduct at oral examination**

3.1 Where an examiner suspects at the oral examination that the submittal is not the work of the student under examination, s/he will bring this to the attention of the Chair of Examiners at the conclusion of the examination and after the student and any supervisors have left the room.

3.2 The Chair of Examiners will ensure that the examining team prepare the normal report on the submittal and viva which will be provided to the student in accordance with usual procedure.

3.3 The Chair of Examiners will prepare a report on the suspected academic misconduct on behalf of the examining team for the Dean within 10 working days of the oral examination.

3.4 The Dean will, within 5 working days of receipt, determine whether or not it appears that academic misconduct has occurred

3.5 Where the Dean determines that academic misconduct has not occurred, the Chair of Examiners will be informed.

3.6 Where the Dean determines that it appears that academic misconduct has occurred, s/he will inform the Academic Registrar and procedures detailed in Section 4 below will apply.

3.7 In the case of professional doctorates, the Dean will establish if the programme has professional body recognition and where this is the case, will inform the Programme Leader that action is being initiated under the Academic Misconduct Regulations.

#### **4 Procedure to be followed where suspected academic misconduct has been referred to the Academic Misconduct Officer**

4.1 The Academic Misconduct Officer will, within 10 working days of receipt of a report from the Dean, arrange a meeting with the student and the Dean. The student will be invited to the meeting, in writing, and will be sent a copy of the report. The student will be advised that the purpose of the meeting is to put the suspected academic misconduct to the student and to allow the student to respond. The student will be advised that s/he has the right to be accompanied at the meeting by a relative, friend, colleague or a Students' Union Case Worker. The accompanying person cannot be a professional legal representative who has been employed to act on the student's behalf nor can they act in the capacity of a legal advisor.

4.2 Should the student fail to appear at the hearing without reasonable cause or explanation, the meeting will take place in the student's absence and the Dean of the Graduate School will arrive at a decision on the basis of the evidence available to her/him.

4.3 At the meeting, the student will be reminded of our Academic Misconduct Regulations (including the tariff of penalties), and shown how s/he has breached them. The Dean will present the evidence and ask the student to respond.

4.4 Following the student's response s/he will be asked to leave the room, while the Dean of the Graduate School determines whether it appears that academic misconduct has occurred. If it is concluded that this is probable, the Dean:

**either:**

a) Propose one of the following penalties:

(i) That the submittal be re-submitted within six months of the date of the meeting with the inappropriate material removed and appropriate editing undertaken. The student will not be allowed to add additional material to the submittal but will be supplied with the normal feedback from the examiners on identified deficiencies with the submittal. This penalty may also include the consequence that the re-submittal is no longer sufficiently substantial for the original degree and can only be submitted for a lesser degree.

(ii) Fail the submittal. In this case the student will have come to the end of their studies and will be withdrawn. S/he will be given the highest award possible from any modular credit s/he has accumulated on his/her programme.

**Or**

b) Decide that the matter be referred to an Academic Misconduct Panel, with the suggestion that the Panel recommend to the Principal that the student be expelled under the Principal's general disciplinary powers.

4.4 The student will then be invited to return to the meeting and will be informed of the conclusions referred to above.

4.5 Where the student accepts a penalty proposed in accordance with the above, s/he will do so in writing (by signing the School Meeting pro forma). The penalty will be imposed and the student will be advised that any further instance of academic misconduct may lead to her/his expulsion.

4.6 Where the student rejects the proposed penalty, within 10 working days of the date of the meeting, the student must submit to the Academic Misconduct Officer an evidenced based proposal for proceeding to an Academic Misconduct Panel. The Academic Misconduct Officer will forward the proposal to an identified Responsible Officer (who must be from a different School to the student). Should the submission from the student not be received within the stipulated time period by the Academic Misconduct Officer, s/he will write to the student informing him/her that the time allowed to submit a proposal to take the case to an Academic Misconduct Panel has lapsed; will therefore not be considered and the proposed penalty will be applied.

4.7 Where a proposal to proceed to an Academic Misconduct Panel is received within the stipulated time period, the Responsible Officer will review the proposal and decide whether there are sufficient grounds for the case to be considered by an Academic

Misconduct Panel. This decision must be made within 10 working days of receipt of the proposal by the Responsible Officer.

4.8 Where the proposal does not provide sufficient grounds to allow the student's case to proceed to an Academic Misconduct Panel, the reviewing Responsible Officer will, within ten working days of receiving the proposal, complete a written report, providing their decision and explanation for their decision. This will be forwarded to the Academic Misconduct Officer who will inform the student within three working days of receipt and confirm that the proposed penalty will be applied. The decision of the reviewing Responsible Officer will be final and there shall be no right of appeal.

4.9 If the proposal is deemed valid by the reviewing Responsible Officer, the matter will be considered by an Academic Misconduct Panel. The student will be informed of this, in writing, by the Academic Misconduct Officer within three working days.

4.10 This written notification will also warn the student that any case heard by an Academic Misconduct Panel may result in the awarding of a more severe penalty than that originally proposed.

4.11 Where the Dean concludes that the student has not committed academic misconduct, the student will be informed when s/he returns to the meeting that the suspicion(s) have not been substantiated and no further action will be taken.

## Part 9

### Research Degrees

#### 1 General Principles

- 1.1 A copy of these Regulations (Part 9) shall be supplied to all research degree students, supervisors, examiners and administrators. In the event of any contradiction or inconsistency between these Regulations and any other published material relating to the research degrees of our Institute, these Regulations prevail.
- 1.2 These Regulations, as per the Quality Assurance Agency's *Code of Practice, Section 1: Postgraduate Research Programmes*, apply to MPhil, PhD (including MPhils and PhDs awarded on the basis of published work), all forms of taught or Professional Doctorate, and research Master's degrees where the research component (including a requirement to produce original work), is larger than the taught component when measured by student effort.
- 1.3 The research degrees are awarded primarily on the basis of a substantial thesis or body of published work or equivalent research output in a form other than the written word submitted by a student resulting from the student's original research and defended by oral examination to the satisfaction of individually appointed examiners (see Section 12 of these Regulations).
- 1.4 Our collaborative university awards the following research degrees:
  - A Master's award that contains a research component which is larger than any accompanying taught component when measured by student effort;
  - Master of Philosophy (MPhil) to students who successfully complete an approved programme of research skills development and supervised research culminating in the submission of a thesis of a requisite standard;
  - Doctor of Philosophy (PhD) to students who successfully complete an approved programme of research skills development and supervised research culminating in the submission of a thesis of a requisite standard;
  - Doctor of Philosophy (PhD) and Master of Philosophy (MPhil) by published work to members of our Institute and associated institutions who submit a substantial body of published or creative/non-textual works of a requisite standard; (see Appendix B for related Regulations)
  - Higher Doctorate to members of our Institute and associated institutions in recognition of the professional and academic accomplishment of a leading authority in the applicable field of study over a sustained period of time who has made an original and significant contribution to the advancement or application of knowledge in that field (see Appendix C for related Regulations)

See the *Manual of General Regulations, Part 1: Descriptions of the Institute's collaborative Awards* for further information on the scope and descriptions of research degrees awarded by our Institute.
- 1.5 Our Institute is committed to ensuring that the research degrees it awards and confers are consistent in standard with research degrees awarded and conferred throughout United Kingdom Higher Education Institutions.
- 1.6 Our Institute will develop, implement and regularly review a *Code of Practice* and make this readily available to students and staff involved in postgraduate research

degree programmes. The *Code of Practice* is available for download from our Graduate School web pages.

- 1.7 Programmes of research may be proposed in any field of study subject to the requirement that the proposed programme is capable of leading to scholarly research and to its presentation for assessment by appropriate examiners. The thesis or theses may be in other than written form depending on the norms of the discipline but, in such cases, will include a substantial written commentary contextualising the nature of the research component. All proposed postgraduate research programmes will be considered for enrolment on their academic merits and on the ability of our Institute to provide an appropriate research environment, without reference to the concerns or interests of any associated funding body.
- 1.8 Programme Leaders for Professional Doctorate programmes may apply to Academic Board for permission to operate in whole, or in part, outside of the provisions of Part 9 of the *Manual of General Regulations* but only where this is required by a Professional Body and where Academic Board is assured that the requested change in practice produces an outcome that aligns with relevant QAA precepts.
- 1.9 Where a candidate for a postgraduate research award has a disability or other form of specific learning need that may require reasonable adjustment to any of the regulatory requirements set out in Part 9 they should seek advice from the *Disability, Dyslexia & Access at Institute Administration Office*.

## **2 Admissions requirements for the degrees of Research Master's, Master of Philosophy, Doctor of Philosophy and Professional Doctorate**

- 2.1 The minimum entry requirement for the degree of Research Master's or MPhil is a second class Honours degree, or above, of a United Kingdom Higher Education Institution, or a qualification which is regarded by Research Degrees Subcommittee as equivalent to such (e.g. a verifiable overseas qualification).
- 2.2 The normal entry requirement for the degree of PhD via MPhil or Professional Doctorate is a first or upper second class Honours degree of a United Kingdom Higher Education Institution, or a qualification which is regarded by Research Degrees Subcommittee as equivalent to such (e.g. a verifiable overseas qualification).
- 2.3 Applications from candidates holding qualifications and/or experience other than those set out in 2.1 & 2.2 will be considered by Research Degrees Subcommittee on their merits and in relation to the nature and scope of the programme of work proposed.
- 2.4 In considering applicants our Institute will look for evidence of a candidate's ability and background knowledge in relation to the proposed field of study. Professional experience or publications, written reports or other appropriate evidence of accomplishment will be taken into consideration. Research Degrees Subcommittee may require an applicant to pass an externally assessed qualifying examination at final year Honours degree level, arranged by our Institute, before admission is approved.
- 2.5 Direct enrolment for the degree of PhD may be permitted for candidates who hold a research Master's degree (MPhil or equivalent) awarded by our Institute, by the Council for National Academic Awards (CNAA) or by a United Kingdom or international Higher Education Institution.
- 2.6 Where English is not the applicant's first language, a minimum IELTS Academic English, or as our Institute deems equivalent, score of 7.0 overall, with a minimum of 6.5 in all components, is required at entry for MPhil, MPhil/PhD, PhD Direct and Professional Doctorate students. For a research masters, the requirement is a minimum IELTS Academic English, or as our Institute deems equivalent, score of 6.5 overall, with a minimum of 6.0 in all components. Such assessment of English language competence must normally have been undertaken no more than two years

- prior to application, though relevant and more recent study in a United Kingdom Higher Education Institution may be accepted as sufficient proof of ability.
- 2.7 No research degree student may be employed by our Institute or any relevant collaborative institution to assess any taught or professional element(s) that constitute part of the programme for which they are about to enrol or are enrolled.
- 2.8 Admissions decisions will involve at least two members of staff, at least one of whom is an academic of our Institute, who have received staff development in the selection and admission of research degree students.

### **3 Minimum and maximum periods for the degrees of Masters (acquired primarily by research), Master of Philosophy, Doctor of Philosophy and Practitioner Doctorate**

3.1 The normal minimum and maximum periods of study for research degrees are:

<i>MPhil</i>	<i>Minimum</i>	<i>Maximum</i>
Full-time	24 months	36 months
Part-time	48 months	60 months
<i>PhD (direct)</i>		
Full-time	36 months	48 months
Part-time	60 months	84 months

3.2 Normally a student may not submit their thesis for examination until they have been enrolled for the minimum period stipulated in 3.3. Exceptionally, Research Degrees Subcommittee may agree a shorter enrolment period (see 3.11).

#### **Write up status**

3.3 The stage between the end of the minimum period and the end of the maximum period is known as the write up status. The application for write-up “status” can only be made, via PhD Manager once the minimum study period has elapsed and is tenable for twelve months only for full time students and twenty-four months for part-time students.

3.4 During the relevant Annual Monitoring Review, the panel will assess the evidence presented by the student and may recommend to the School Research Degrees Subcommittee (SRDSC) that the student proceeds to write up status based on the quantity and quality of the work submitted at the end of the minimum period.

. The Panel will be responsible for providing the necessary confirmation to SRDSC that the following conditions for transfer to write-up status have been met:

- *confirmation that the minimum study period has elapsed;*
- *confirmation that a significant number of draft chapters of the thesis are complete or nearing completion;*
- *confirmation that the student no longer requires access to our Institute’s research facilities, laboratories, resources and equipment beyond that required for the writing-up of their research findings;*
- *confirmation that primary data gathering and data analysis activities are complete.*

3.5 Where the student is not ready to proceed to write up status because there is no expectation that the student will submit the final version of the thesis for examination during the maximum period, Research Degree Sub-committee may extend the minimum period for up to one academic year on the recommendation from the SRDSC only on exceptional circumstances. The student will continue to pay the full tuition fee.

- 3.6 A student shall normally submit his/her thesis for examination when holding the write up status. A further extension will only be agreed in exceptional circumstances and only by RDSC on the recommendation from SRDSC.
- 3.7 If submission is still not achieved by the end of this additional period, their enrolment with our Institute will be withdrawn.
- 3.8 Professional Doctorate programmes may make provision for a write-up period though this will depend on the particular programme.
- 3.9 Where there is evidence that the research is proceeding exceptionally well, Research Degrees Subcommittee may approve a shorter study period than normal. The application for a shorter study period will be made via PhD Manager.
- 3.10 Where students change from full to part-time study or *vice versa*, via PhD Manager, their minimum and maximum period is calculated on a *pro rata* basis.
- 3.11 Students may (unless prohibited by Professional and Statutory Regulatory Body requirements) suspend their period of enrolment for an initial period of twelve months, over the duration of their postgraduate research programme, with the agreement of the Director of Studies and SRDSC.
- 3.12 Any request for the approval of a period of suspension must be submitted on PhD Manager and be accompanied by suitable and sufficient documentary evidence and should be submitted in advance of the proposed period of suspension. Students and members of the supervisory team should note that requests for periods of suspension submitted retrospectively will only normally be considered in the most exceptional circumstances.
- 3.13 All international students (i.e. not Home / EU) on a student visa may only request a suspension of enrolment, via PhD Manager, following prior consultation and approval from the International Office.
- 3.14 Students may (unless prohibited by Professional and Statutory Regulatory Body requirements) be granted a further suspension of their enrolment for one or two complete semesters up to a maximum of a further twelve months. Such requests will only normally be considered in exceptional circumstances and must be agreed by the Director of Studies via PhD Manager. Suspensions beyond the initial period of twelve months are at the discretion of Research Degrees Subcommittee.
- 3.15 The scenarios which follow are typical of what may normally be considered exceptional circumstances:
- a) The student has suffered from a serious physical or mental illness;
  - b) The student has experienced the death or serious illness of a partner/spouse, close family member or friend;
  - c) The student has been the victim of a criminal act;
  - d) The student has suffered distress due to a natural disaster or catastrophe, such as flood, fire or tornado;
  - e) General unforeseen or unpreventable circumstances or events that have caused distress or injury as a result of a serious accident;
  - f) The student has experienced significant personal problems relating to a close family member or a close personal relationship;
  - g) The source of funding for the programme of research or postgraduate research degree tuition fee has changed;
  - h) The student has experienced a delay in obtaining ethical approval for the programme of research due to external factors and where the application was submitted in a timely fashion;
  - i) Failure of essential specialist equipment where delays have been the result of identifying alternative equipment or where this has not been possible;
  - j) The student was selected for jury service;
  - k) The programme of research has been subject to delays caused by a change in members of the supervisory team;

- l) Any period of internship or vocational placement essential to the degree programme.

3.16 The scenarios which follow are typical of what would not normally be considered exceptional circumstances:

- a) The student and/or Director of Studies were unaware of the policy and process relating to requests for suspension of enrolment for a postgraduate research degree.
- b) The programme of research requires further primary research, fieldwork or laboratory work;
- c) The student was engaged in voluntary service overseas;
- d) The student was enrolled on another programme of study;
- e) The student was engaged in a temporary teaching position or lectureship;
- f) Insufficient or inadequate time management, planning and preparation;
- g) Circumstances relating to normal pregnancy, excluding standard maternity leave entitlement;
- h) The student was involved in a long-term holiday or vacation;
- i) Failure of non-Institute computer systems or media storage devices;
- j) Failure of Institute equipment or storage media, where failure is less than a continuous 24 hour period;
- k) The student has moved home or place of employment;
- l) The student has experienced difficulties with the English language;
- m) Delays have occurred due to proof-reading of the thesis.

3.17 For the duration of the approved period of suspension, enrolment will be put on hold and no tuition fees will be payable. The degree is suspended and the period of study and submission date for the thesis will be adjusted by a corresponding period.

3.18 Throughout the period of suspension, student access rights to on-campus resources, the Library, BITE Direct and PhD Manager will be held in abeyance. The student should have no access to supervisory support other than occasional contact.

3.19 If a student is unable to recommence study at the Institute after a maximum period of twenty-four months suspension, their enrolment with our Institute will be withdrawn.

3.20 An approved period of suspension must commence on the first day of the relevant term.

#### **4 Registration process for Masters (acquired primarily by research), MPhil, PhD, and Professional Doctorate programmes**

4.1 Registration of the research component can only take place following approval by Research Degrees Subcommittee that the requirements in 4.3 have been met. This approval requires appropriate academic judgement to be brought to bear on the viability of each research proposal. For this purpose, our Institute ensures that School Research Degrees Sub-Committees are composed of persons who are, or who have engaged in, research and who have appropriate experience of successful research degree supervision.

4.2 In the case of Professional Doctorates, Schools may, if they deem it necessary to exercise appropriate academic judgement, constitute programme specific sub-groups to make recommendations to School Research Degrees Sub-Committees concerning registration. The constitution of such groups will be as specified in the terms of reference of School Research Degrees Sub-Committees as agreed by Academic Board.

4.3 In considering applications for registration, Research Degrees Subcommittee shall satisfy itself that the following requirements are met:

- (a) that students are suitably qualified;
  - (b) that students are embarking on viable research programmes;
  - (c) that supervision is adequate and likely to be sustained;
  - (d) that the research environment is suitable.
- 4.4 Registration, via PhD Manager, for full-time students must occur within six calendar months of the date of enrolment and may be backdated to that date. Registration for part-time students must occur within twelve calendar months of the date of enrolment and may be backdated to that date.
- 4.5 Research Degrees Subcommittee may consider applications from students domiciled in the United Kingdom proposing to conduct research outside of the United Kingdom, provided the following conditions are met:
- (a) Satisfactory evidence is provided as to the suitability of the proposed research environment;
  - (b) That the arrangements proposed for supervision enable frequent and substantial contact between the student and supervisor(s) based in the United Kingdom, including adequate face-to-face contact with the supervisor(s) and that such contact is documented. The student should not normally spend less than an average of six calendar weeks per academic year at our Institute.
- 4.6 A policy is in place regarding arrangements for MPhil or PhD students domiciled outside of the United Kingdom ('split-site' students) and Schools must follow this when considering applications and putting in place supervision arrangements.
- 4.7 Where a research degree project is part of a piece of funded research, Research Degrees Subcommittee must establish to its satisfaction that the terms on which the research is funded do not detract from the fulfilment of the objectives and requirements of the student's research degree.
- 4.8 Where a student has previously undertaken research as an enrolled student for a research degree at another higher education institution, Research Degrees Subcommittee may approve a shorter than usual study period which takes account of all or part of the time already spent by the student on said research. As a minimum, a student who transfers in this fashion must be registered as a research degree student with our Institute for 12 months on a full-time basis.
- 4.9 Research Degrees Subcommittee may permit a student to enrol for another programme of study concurrently with their research degree enrolment, provided that either their research degree enrolment or the other course of study is undertaken on a part-time basis. A research degree student of our Institute may not be concurrently enrolled for a research degree at another institution without the permission of Research Degrees Subcommittee.
- 4.10 Where a student and our Institute wishes the thesis to remain confidential for a period of time after completion of the work, application for approval should normally be made to Research Degrees Subcommittee at the time of registration. In cases where the need for confidentiality emerges after registration, a special application for the thesis to remain confidential after submission must be made immediately to Research Degrees Subcommittee. The period approved shall not normally exceed two years.
- 4.11 Students whose work forms part of a larger group project may enrol for a research degree. In such cases, each individually registered project must in itself be distinguishable for the purposes of assessment and be appropriate

for the award being sought. The application must indicate clearly each individual contribution and its relationship to the group project.

### **5 Award titles and intermediate awards for Professional Doctorates**

- 5.1 Each approved Professional Doctorate programme shall lead to a named doctorate, the title of which shall refer to the discipline or professional area involved, and which shall be agreed at (re)approval.
- 5.2 In the case of some named Professional Doctorates, provision may be made for an intermediate award of Postgraduate Certificate (PGCert), Postgraduate Diploma (PGDip), MA, MRes, MProf or MSc. An intermediate award shall only be conferred if the requirements for the award given in the programme specification have been met.
- 5.3 Where a Professional Doctorate offers intermediate awards and/or modules that are also components of a BITE Master's Degree, the taught components will be approved at level 7, will be modularised, and will conform in all respects to the agreed Institute Modular Regulations. All other taught components of a Professional Doctorate will be approved at D level or level 8 and will conform in all respects to the agreed Institute regulations for D level or level 8 modules.

### **6 Research skills development for MPhil, PhD, and Professional Doctorate programmes**

- 6.1 Students for MPhil and PhD are required to follow an institutionally defined generic programme of research skills development in year one of their programme on which their performance is assessed. This programme shall have the following objectives:
  - (a) To provide students with an understanding of the nature of research processes and contexts, debates about the nature of research, and theories of knowledge production;
  - (b) To provide students with opportunities to develop a range of personal and professional skills necessary for the preparation, planning, organisation and management of research projects;
  - (c) To provide students with opportunities for the development of co-operative networks and working relationships within our Institute and the wider research community.
- 6.2 Students for a Professional Doctorate shall be required to undertake an integrated programme of work which includes a programme of taught postgraduate study on which their performance is formally assessed and which incorporates the objectives in 6.1 above. Exemption from the integrated programme may be sought as per 6.3 below.
- 6.3 Students for MPhil and PhD can apply to the Institute through the agreed procedures for exemption from the specified generic programme of research skills development through the accreditation of experiential learning (AEL) or prior certified learning.
- 6.4 All students for MPhil, PhD and Professional Doctorate are also encouraged to engage with disciplinary specific research skills development provided by their academic School(s).
- 6.5 Schools will provide all students for MPhil, PhD and Professional Doctorates with appropriate opportunities for personal, professional and research skills development throughout the enrolment period. All students are required to develop a personal development plan.
- 6.6 Research Degrees Subcommittee will regularly review the development of research and generic skills provided to students for MPhil, PhD and Professional Doctorate.

## **7 Supervision for Masters (acquired primarily by research), MPhil, Practitioner Doctorate, and PhD programmes**

- 7.1 All Masters (acquired primarily by research), MPhil, PhD and Practitioner Doctorate students at the research stage shall have at least two, and not more than three, supervisors who together demonstrate an appropriate range of academic and/or professional experience, engagement in research activity and has relevant publications
- 7.2 One member of the supervisory team shall be appointed as the Director of Studies and will ensure that the student is supervised on a regular, frequent and recorded basis via PhD Manager. A nominated member of the supervisory team will be the main point of contact between the student and the supervisory team and shall be responsible for agreeing the allocation of academic responsibilities within the supervisory team.
- 7.3 At least one supervisor shall have experience of successful supervision to completion of a research degree comparable to that for which the student is enrolled. In the case of an application to enrol for PhD or PhD via transfer from MPhil, one of the supervisors must have successfully supervised to PhD level.
- 7.4 A supervisory team is normally expected to have a combined experience of research degree supervision to successful completion of no fewer than two students.
- 7.5 Where only one member of the supervisory team has previously supervised a student to successful completion the Institute recommends that they serve as the Director of Studies. Normally, the proposed Director of Studies will have previously supervised at least one postgraduate research student to successful completion. Where this is not the case the rationale for the exception will be recorded in the relevant minutes of the School Research Degrees Subcommittee.
- 7.6 Research Degrees Subcommittee may permit the use of supervisors external to our Institute or collaborative partners provided suitable expertise cannot be provided by current staff. Any external supervisor appointed must have completed any relevant staff development equivalent to that expected of members of staff at BITE or a collaborative partner. External supervisors are not however permitted to be Directors of Study.
- 7.7 People holding emeritus positions at BITE may continue as a supervisor only on the nomination of the relevant School and where Research Degrees Subcommittee agrees it is in the best interests of the student and the Institute.
- 7.8 Where the use of external expertise is needed but the individual(s) cannot act as a supervisor, they may hold the status of advisor.
- 7.9 No person who is receiving supervision for a research degree at any Higher Education Institution may act as a supervisor.
- 7.10 Proposals for a change in supervision arrangements should be made, via PhD Manager, to Research Degrees Subcommittee. Arrangements must be made for the provision of an interim supervisor if a member of the supervisory team is unable to fulfil their responsibilities for a prolonged period of time due to illness or other unforeseeable circumstances. In the event of a member of a supervisory team being granted a sabbatical or similar, arrangement must be made in advance of the period of sabbatical for regular contact to be maintained with the student or for an interim supervisor to be assigned, via PhD Manager, with the approval of Research Degrees Subcommittee.
- 7.11 Our Institute will ensure that the quality of supervision is not put at risk as a result of an excessive volume and range of responsibilities being assigned to individual supervisors. School Research Degrees Sub-Committees will routinely monitor supervisory allocations and should notify the relevant Dean of School. School Research Degrees Sub-Committees will report on this matter in their annual PGR

- report. Research Degrees Subcommittee will periodically review institutional policy on the maximum number of students a supervisor can be responsible for. Research Degrees Subcommittee will be guided by the overall workload of the individual.
- 7.12 All newly appointed supervisors who do not have previous experience of research degree supervision to successful completion must attend an appropriate programme of staff development within six months of appointment and this should be recorded by both the relevant School and the Graduate School.
- 7.13 Our Institute will ensure that regular and relevant staff development for supervisors is made available through our Researcher Development Programme and Research Degrees Subcommittee will periodically review such provision and will communicate attendance to the relevant School.
- 7.14 Our Institute expects experienced supervisors to avail themselves of opportunities to attend relevant staff development activity and to share their good-practice with colleagues new to the activity. Experienced supervisors should expect to attend a relevant staff development activity at least once every five years. Research Degrees Subcommittee will periodically receive reports on attendance from the Graduate School and will communicate attendance to the relevant School.

## **8 Annual monitoring review of student progress for MPhil, PhD, and Practitioner Doctorate**

- 8.1 The progression of all MPhil, PhD or Professional Doctorate students throughout their enrolment period will be formally reviewed annually by a panel consisting of a minimum of two members of staff from the relevant School(s) with experience of research degree supervision and who are independent of the student's supervisory team. Students must be present at the review and may request that their supervisory team is also present. The continuation of enrolled status as a student is dependent on the successful completion of an annual review.
- 8.2 Research Degrees Subcommittee will monitor, through annual reports made by Schools, the progress of all MPhil, PhD and Professional Doctorate students.
- 8.3 Each School will publicise in the relevant programme webpages and on the programme handbook their own requirements to be expected from a student to progress on the programme.
- 8.4 The Progress Review panel will make the decision/recommendation to the SRDSC on one of the following outcomes:
- that the student should progress to the next year of enrolment,
    - if the Annual Review is not satisfactory:
      - o To defer the decision to a second Annual review meeting to be convened within two months. The Chair of the panel must provide guidance in writing to the student on the matters that need to be addressed,
      - o That the student be withdrawn.
- 8.5 The Candidate will be eligible for no more than one more attempt after an initial deferral decision. If the panel is not satisfied after the second meeting, the panel will recommend to SRDSC the withdrawal of the student.
- 8.6 All decisions should be communicated formally in writing to the student.
- 8.7 Once the student has submitted the thesis for assessment the Progress Review process will cease.
- 8.8 Students may only appeal the outcome of their annual monitoring review in the circumstances set out in Section 18 of these Regulations. The request should take the form of a letter to the Appeals Liaison Officer of our Institute setting out the student's case.

## 9 Transfer of enrolment

- 9.1 Students who enrolled initially for PhD via MPhil must apply to Research Degrees Subcommittee, via PhD Manager, to transfer to PhD status on the appropriate form when they have made sufficient progress. This should normally be after nine to fifteen months of full-time study (or the part-time equivalent) and on the basis of a relevant portfolio of evidence.
- 9.2 The request for transfer will be heard by a panel consisting of a minimum of two and a maximum of six research active members of staff from the relevant School(s) with appropriate academic and professional expertise and who are independent of the student's supervisory team. The student must be present at the meeting of the panel. The student may request that their supervisory team is also present.
- 9.3 In support of the application to transfer their enrolment, the student shall prepare for Research Degrees Subcommittee a full progress report on the work undertaken. The progress report should be uploaded to PhD Manager and typically be 3,000 to 6,000 words in length and include:
  - (a) A brief review and discussion of the work already undertaken;
  - (b) A statement of the intended further work, including details of the original contribution to knowledge that is anticipated.
- 9.4 Each School will publicise in the relevant programme webpages and on the programme handbook the requirements to be expected from a student to transfer their enrolment to PhD status.
- 9.5 The transfer panel will make the decision/recommendation, via PhD Manager, to the SRDSC on one of the following outcomes:
  - to transfer the student enrolment to PhD status,
    - if the transfer review is not satisfactory: o to defer the decision to a second transfer meeting to be convened within two months. The Chair of the panel must provide guidance in writing to the student on the matters that need to be addressed,
    - or to continue in MPhil status, or
    - or to withdraw the student.
- 9.6 The Candidate will be eligible for no more than two attempts at transferring from MPhil to PhD status.
- 9.7 In turn SRDSC will recommend, via PhD Manager, to RDSC the decision.
- 9.8 Before approving the transfer from MPhil to PhD status, via PhD Manager, Research Degrees Subcommittee must be satisfied that the student has made sufficient progress, that the proposed programme provides a suitable basis for work at PhD standard and that the student is capable of pursuing the research project to completion.
- 9.9 A student enrolled on the degree of MPhil only, may also apply to transfer their enrolment to PhD.
- 9.10 All decisions should be communicated formally in writing to the student via PhD Manager.
- 9.11 A student who is enrolled on the degree of PhD and who is unable to complete the approved programme of work may, at any time prior to the submission of the thesis for examination, apply to Research Degrees Subcommittee, via PhD Manager, for the enrolment to be changed to that of MPhil.
- 9.12 Students may only request an appeal of the outcome of their transfer panel in the circumstances set out in Section 18 of these Regulations. The request should take the form of a letter to the Appeals Liaison Officer of our Institute setting out the student's case.

## 10 Examination of research degrees

- 10.1 Masters (acquired primarily by research), MPhil, PhD and Professional Doctorate students must successfully complete all assessed elements of their programme before award of the degree can be made.
- 10.2 The examination of the research component of all research degrees has two stages: firstly the preliminary assessment of the submission (thesis alone, or thesis and creative/non-textual work), and secondly, its defence by oral examination.
- 10.3 Theses should be submitted for examination in a temporary bound form such as perfect-binding (perfect-binding is a method of binding single pages by gluing them together on the spine of the document), which is sufficiently secure to ensure that pages cannot be added or removed. A thesis submitted for examination in a perfect-binding must be in its final form. Once the examination procedure has been satisfactorily concluded, the thesis must be presented as a PDF file before the degree can be awarded. In such cases the internal examiner (or an external examiner where there is no internal examiner) must confirm to Research Degrees Subcommittee that the PDF version is identical to the version submitted for examination, other than where appropriate amendments have been made to meet the requirements of the examiners.
- 10.4 Students are normally examined orally. The examination is on the programme of research and on the field of study in which the programme lies.
- 10.5 Where, for reasons of sickness, disability or comparable valid cause, Research Degrees Subcommittee is satisfied that a student would be at serious disadvantage if required to undergo an oral examination, an alternative form of examination may exceptionally be approved. Any alternative arrangements requested on the grounds of disability can only be agreed in discussion with the Disability and Dyslexia Access Service and after appropriate evidence has been validated. Such approval shall not be given on the grounds that the student has inadequate knowledge of the language in which the thesis is presented.
- 10.6 The oral examination should normally take place within three months of the student handing in the submission.
- 10.7 A research degree student is examined by at least two and not more than three examiners, of whom at least one must be an external examiner.
- 10.8 A student's supervisor, be it presently or at any point in the student's current research programme, may not be an examiner.
- 10.9 Supervisors may, with the consent of the student, attend the oral examination but may not participate in the discussion and must withdraw before the deliberations of the examiners on the outcome of the examination.
- 10.10 Where the student is a member of staff of our Institute or a collaborating establishment (or is deemed by Research Degrees Subcommittee to be closely related to our Institute in a comparable manner), the examining team shall include two external examiners.
- 10.11 Prior to the oral examination, each examiner shall independently complete a preliminary report on the thesis (see Regulations 12.10 - 12.13).
- 10.12 In the event that Research Degrees Subcommittee is made aware of a failure to comply with the procedures of the examination process, it may declare the examination null and void and appoint new examiners.
- 10.13 Oral examinations are normally held in the United Kingdom. However, in exceptional cases, Research Degrees Subcommittee may give approval for the examination to take place abroad.

### *The duties of our Institute*

- 10.14 The Director of Studies, in consultation with the Research Degrees Leader, or relevant research director, will propose to Research Degrees Subcommittee, via PhD Manager, the intended date for submission of the thesis.

- 10.15 The proposed examination arrangements must be approved by Research Degrees Subcommittee, via PhD Manager, at least three months before the intended date of submission of the thesis.
- 10.16 Where Research Degrees Subcommittee approves the proposed arrangements, examination conditions will be in effect. As such, no form of contact (thesis and thesis content) should occur between the candidate or their supervisors and the approved examiners. Where such contact occurs, the Head of the Graduate School will be responsible for taking appropriate action on behalf of the Institute.
- 10.17 The oral examination may not take place until the examination arrangements have been approved by Research Degrees Subcommittee. Once approved, examination arrangements are in effect for a period of no longer than six months.
- 10.18 Where the oral examination is delayed for a period of six months, or more, beyond the date where arrangements were approved, the Director of Studies will resubmit the arrangements, via PhD Manager, to Research Degrees Subcommittee for re-approval.
- 10.19 In exceptional circumstances, the Chair of Research Degrees Subcommittee may act directly to appoint examiners and make arrangements for the examination of the student. Where Chair's action is taken in such circumstances, it must be reported to the subsequent meeting of Research Degrees Subcommittee.
- 10.20 The Director of Studies and the candidate are advised against making any firm commitments to a proposed oral examination prior to formal approval from Research Degrees Subcommittee (e.g. payment of travel costs or booking accommodation).
- 10.21 Research Degrees Subcommittee shall ensure that external examiners are independent of our Institute, and any collaborating establishment (see 12.7).
- 10.22 Our Institute shall make known to all its students the procedure to be followed for the submission (including the number of copies to be submitted for examination) and any conditions to be satisfied before students are eligible for examination. The student shall normally be required to submit one copy of the submission for each examiner and a further copy for the Chair of Examiners.
- 10.23 Our Institute shall ensure, through the remit of the Chair of Examiners (see Section 13), that all examinations are conducted, and the recommendations of the examiners are presented, in accordance with its Regulations.
- 10.24 Our Institute shall notify the student, all supervisors and the examiners of the date of the oral examination.
- 10.25 Our Institute shall send a copy of the submission to each examiner, together with the examiners' preliminary report form, the notes for examiners and our Institute's Regulations, and shall ensure that the examiners are properly briefed as to their duties.
- 10.26 Our Institute shall determine and pay the fees and expenses of external examiners.
- 10.27 Our Institute shall ensure that all examiners have completed and submitted their preliminary reports at least seven days before the oral examination takes place. Should any preliminary report not be returned in time, our Institute shall notify the student, the supervisory team and examiners that the examination must be postponed.
- 10.28 Without delay following the oral examination, the Chair of Examiners shall forward the examiners' recommendations to the relevant officer of our Institute.
- 10.29 Decisions on the reports and recommendations of the examiners in respect of research degree students are taken by Research Degrees Subcommittee. The power to confer the degree rests with Academic Board.

10.30 Examiners' preliminary and final reports will be sent on request to the student and supervisory team once an award has been made or the final determination of the examiners is that the student should fail.

*The student's responsibilities*

10.31 It is the responsibility of the student to ensure that the submission is received by the appropriate officer of our Institute before the expiry of the study period.

10.32 The submission of work for examination is at the discretion of the student. (While a student would be unwise to submit work for examination against the advice of their Director of Studies, it is his or her right to do so. Equally, students must not assume that a Director of Studies' agreement to a submission guarantees an award will be made. In the event of a student submitting work for examination without the consent of the Director of Studies, the examination team will be notified of this after the examination so as to protect the academic standards of our Institute without prejudicing the examiners' deliberations or judgment).

10.33 Students must satisfy any conditions of eligibility for examination required by our Institute.

10.34 Students must take no part in the arrangement of their examination and have no contact with the examiners between their appointment and the oral examination.

10.35 Students must ensure that the format of any thesis is in accordance with the requirements of our Institute's Regulations (see Section 19).

10.36 The student must confirm, through the submission of a declaration form, that the work has not been submitted for an academic award at the same level. However, the student is not precluded from incorporating in the submission material which has already been submitted for a degree or comparable award, provided such work is identified on the declaration form and also in the submission.

10.37 Students must confirm that the material submitted is their own work. The Institute takes plagiarism and collusion extremely seriously and will apply the relevant penalties in any proven case.

10.38 The thesis title submitted on the 'Approval of Examination Arrangements' form can only be changed with the agreement of Research Degrees Subcommittee following an agreed recommendation from the examiners.

10.39 Students may only appeal the outcome of their research degree examination in the circumstances set out in Section 18 of these Regulations. The request should take the form of a letter to the Appeals Liaison Officer of our Institute setting out the student's case.

## **11 Examiners for research degrees**

### *Criteria for appointment*

- 11.1 Examiners must be experienced in research or, where appropriate, professional practice, within the general area of the student's submission and, wherever practicable, have experience as a specialist in the topic(s) to be examined.
- 11.2 Examiners shall not have had direct involvement in the student's research.
- 11.3 Examiners' own work shall not have been the focus of the student's research.
- 11.4 The members of the examining team shall normally and collectively have examined at least three students at or above the level of the relevant award. An external examiner shall normally have examined at least one student at the requisite level. Exceptionally (e.g. in developing areas of research), Research Degrees Subcommittee shall have discretion to modify the latter requirement, subject to demonstration that the integrity of examination arrangements will otherwise be maintained.
- 11.5 At least one examiner for a doctoral award shall normally hold a PhD or Professional Doctorate as appropriate to the examination.
- 11.6 An external examiner shall be independent of our Institute and any collaborating institution, and shall not have acted previously as the student's supervisor. An external examiner shall not be a supervisor of another student for a research award of our Institute.
- 11.7 Former staff members of our Institute or a collaborating institution should not be proposed as external examiners until at least three years after the termination of their employment.
- 11.8 No person who is enrolled for a research degree may act as an examiner.
- 11.9 The appointment of external examiners for any taught element of the programme shall be made according to the procedures approved from time to time by Academic Board.

### *Duties of examiners*

- 11.10 Each examiner shall examine the submission and present on it an independent preliminary report to the relevant officer of our Institute on the appropriate form, before any oral or alternative form of examination is held. In completing the preliminary report, each examiner must consider whether the submission provisionally satisfies the requirements of the degree and where possible make an appropriate provisional recommendation subject to the outcome of the oral examination.
- 11.11 Where an examiner is of the opinion that the submission is so unsatisfactory that no useful purpose would be served by conducting an oral examination, they may recommend in their preliminary report that Research Degrees Subcommittee dispense with it and refer the thesis for further work. In such cases the examiner must provide written guidance for the student on the deficiencies of the thesis. An examiner may not at this point recommend that a student fail outright without holding an oral examination or alternative form of examination.
- 11.12 Following the oral examination, the examiners shall, where they are in agreement, present a joint report and recommendation relating to the award of the degree to Research Degrees Subcommittee. The preliminary reports and joint recommendation of the examiners must together provide sufficiently detailed commentary on the scope and quality of the work to enable Research Degrees Subcommittee to satisfy itself that the criteria for the award of the degree have been met.
- 11.13 Where the examiners are not in agreement, separate reports and recommendations shall be submitted to Research Degrees Subcommittee on the appropriate forms.

## **12 Chair of Examiners for research degrees**

- 21 Research Degrees Subcommittee shall approve the appointment of a Chair of Examiners. The Chair of Examiners shall be an employee of our Institute, or a collaborative or partner institution, who has undertaken a programme of relevant staff development.
- 12.2 No supervisor of the student being examined may be nominated as the Chair of Examiners.
- 12.3 The Chair of Examiners shall be present at the oral examination and shall ensure that the examination is conducted in accordance with these Regulations. Following the conclusion of the oral examination and the examiners' deliberations, the Chair of Examiners shall ensure that the examiners submit their report(s) and recommendation(s) to Research Degrees Subcommittee without delay.
- 12.4 The Chair of Examiners is not an examiner and shall not take part in the oral examination of the thesis or in the examiners' deliberations, or otherwise seek to influence the examiners in the exercise of academic judgement on the thesis and the outcome of the oral examination. The examiners may, at any time during the examination process, seek clarification from the Chair of Examiners upon matters of process, but not on matters of academic judgement.
- 12.5 The Chair of Examiners shall not be required to adjudicate upon differences of opinion between examiners or seek to resolve such differences, other than those that result from a misunderstanding of the examination Regulations and procedures. Differences of opinion between examiners emanating from the exercise of academic judgement shall be dealt with in accordance with Regulation.

## **13 Outcomes of examinations for Research Degrees**

- 13.1 Following the completion of the examination the examiners may recommend:
- (a) That the student be awarded the degree;
  - (b) That, in the case of Masters (acquired primarily by research), MPhil, PhD, and Professional Doctorates, the student is awarded the degree subject to minor amendments being made to the submission, which in the judgement of the examiners can reasonably be completed by the student within a period of three months from the date of notification in writing. These will be typographical, spelling or grammatical amendments, or adjustments or additions that do not substantively alter the argument or structure of the thesis. In such circumstances, the examiners must indicate to the student in writing what amendments and corrections are required;
  - (c) That, in the case of Masters (acquired primarily by research), MPhil, PhD, and Professional Doctorates, the student is permitted to re-submit for the degree following more substantial amendments being made to the submission within a period of twelve months from the date of notification in writing. The subsequent re-examination, may be with or without an oral examination. In such circumstances, the examiners must indicate to the student in writing what amendments and corrections are required and if a subsequent oral examination is needed;
  - (d) In the case of a PhD examination, that the student be awarded the degree of MPhil, duly amended to the satisfaction of the examiners if necessary;
  - (e) In the case of a Professional Doctorate examination, that the student is offered a Master's degree or a postgraduate certificate or diploma where provision for such awards is made in the programme specification and the student has passed the relevant modules;
  - (f) In the case of Masters (acquired primarily by research), that the student is offered a postgraduate certificate where provision for such awards is made in the programme specification and the student has passed the relevant modules;

(g) That the student not be awarded the degree and not be permitted to be re-examined;

N.B. In the case of a recommendation that adjustments be made, the examiners must make it clear whether they deem such alterations to be minor or major, though it will be for Research Degrees Subcommittee to agree to any such recommendation.

- 13.2 The examiners may indicate informally their recommendation on the result of the examination to the student at the time, but they must make it clear that the decision rests with our Institute.
- 13.3 If the examiners decide that a subsequent oral examination is not required, they must indicate in their joint report who (the internal and/or the external examiner(s)) is responsible for confirming to Research Degrees Subcommittee that the necessary amendments and corrections have been made.
- 13.4 Where there is a suspected breach of academic integrity (e.g. plagiarism or collusion) in the preparation of the thesis, be it raised by the examiners or the supervisory team, the agreed procedure to be followed is that contained in the *Manual of General Regulations, Part 8: Assessment Offences*.
- 13.5 Where our Institute decides, on the recommendation of the examiners, that the degree not be awarded and no re-examination be permitted, the examiners must prepare an agreed statement on the deficiencies of the thesis or published works and the reason for their decision, which will be forwarded to the student by our Institute.
- 13.6 A student who is required by the examiners to undertake amendments to the submission must do so within the periods given in 14.1. Where the student is for good reason unable to complete the required amendments to the submission within these periods, they must inform Research Degrees Subcommittee in writing prior to the expiry of the relevant period. Research Degrees Subcommittee may approve an extension for a maximum period of six months.
- 13.7 Where a student is required to undertake major amendments with a subsequent oral examination, as per case c) above, the examiners shall prepare preliminary reports as outlined in 12.10. The examiners should normally submit their independent preliminary reports on an amended submission within six calendar weeks of it being sent to them.

#### **14 Re-examination of Masters (acquired primarily by research), MPhil, PhD, and Practitioner Doctorate**

- 14.1 Normally, only one re-examination is permitted.
- 14.2 Where it is necessary to appoint new and/or additional examiners for the re-examination, this will occur through the agreed Institute procedures.
- 14.3 There are four forms of re-examination:
- (a) Where the student's performance in the first oral examination is satisfactory, but the thesis unsatisfactory. Re-examination may occur with or without an oral examination;
  - (b) Where on the first examination the student's thesis is so unsatisfactory that Research Degrees Subcommittee dispensed with the oral examination. Any re-examination must include a re-examination of the thesis and an oral or approved alternative form of examination;
  - (c) Where on the first examination a student's thesis is considered satisfactory but the performance in the oral does not satisfy the examiners. The student may, on the recommendation of the examiners and with the approval of Research Degrees Subcommittee, be re-examined in the oral and/or alternative form of examination, without being requested to revise and re-submit the thesis;

- (d) Where on the first examination both the thesis and the oral examination were considered unsatisfactory by the examiners. Re-examination will occur with an oral examination.

N.B. For situations (b), (c) and (d) an oral examination **must** take place. The examiners have no power to set this requirement aside.

14.4 In the case of a re-examination, the options available to the examiners are to recommend:

- (a) That the student be awarded the degree;
- (b) That the student be awarded the degree subject to minor amendments to the thesis to be completed within a period of three months from the date of notification in writing and to the satisfaction of the examiners;
- (c) In the case of a PhD examination, that the student be awarded the degree of MPhil subject to the presentation of the thesis (duly amended, if necessary) to the satisfaction of the examiners;
- (d) In the case of a Professional Doctorate examination, that the student is awarded a Master's degree or a postgraduate certificate or diploma where provision for such awards is made in the programme specification and the student has passed the relevant modules;
- (e) In the case of Masters (acquired primarily by research), that the student is offered a postgraduate certificate where provision for such awards is made in the programme specification and the student has passed the relevant modules;
- (f) That the student not be awarded the degree (see 14.5 on the preparation of an agreed statement).

## **15 Posthumous awards**

15.1 Our collaborative partner may award research degrees posthumously as per 2.3 in the *Manual of General Regulations, Part 10: Conferment of Awards*

## **16 Disagreement between examiners following the oral examination**

16.1 Where the examiners' recommendations are not unanimous they will be referred to Research Degrees Subcommittee, which may:

- (a) Accept the recommendation of the external examiner(s);  
or
- (b) Appoint an external adjudicator with appropriate disciplinary and professional expertise and extensive experience of the supervision and examination of research degrees.

16.2 In the event of an external adjudicator being appointed, they will be expected to:

- (a) Read the thesis or published work and/or review the work in a form other than the written word;
- (b) Receive the individual preliminary reports and the reports following the oral examination;
- (c) Prepare a report to Research Degrees Subcommittee which will inform its decision.

## **17 Appeals against annual monitoring review, transfer of research degree enrolment or oral examination decision for postgraduate research degrees (including both 'taught' and 'research' Professional Doctorates)**

17.1 Students may, in the circumstances set out below, appeal against an annual monitoring review, transfer of research degree enrolment or the outcome of the oral examination of the thesis or other submittal on a postgraduate research programme (whether at the first examination or re-examination).

*Grounds for an appeal*

- 17.2 An appeal may only be made in relation to the decision of our Institute based on the recommendation of an annual monitoring review panel, a panel hearing the case for transfer of a research degree enrolment or an oral examination of the thesis or other submittal on a postgraduate research programme. Given the existence of procedures for complaint and grievance during the study period (see Section 21), alleged inadequacy of supervisory or other arrangements during the period of study do not constitute grounds for an appeal.
- 17.3 Appeals are permitted only on the following grounds:
- (a) That there are circumstances affecting the student's performance of which the review/transfer panel or the examiners were unaware and which the student, for reasons beyond their own control, was unable to bring to the panel or examiners' attention at the time;
  - (b) That there is evidence of procedural irregularity, including administrative error, in the conduct of the review/transfer panel or examination of such a nature as to cause doubt as to whether the result might have been different had there not been such irregularity;
  - (c) That there is evidence of unfair or improper assessment on the part of one or more of the monitoring review/transfer panel members or examiners.

Students may not challenge the academic judgement of the Institute.

*Procedure for dealing with an appeal*

- 17.4 A student must give notice to the Appeals Liaison Officer of the Institute that they wish to appeal a decision within three months of the date of notification of the decision and must submit their case within a further three months from the date of giving notice.
- 17.5 In the event that a Formal Complaint is submitted at the same time as an Appeal against an Assessment Board decision, the complaint will be placed on hold until the investigation into the appeal has been completed.
- 17.6 The appeals procedure is an internal Institute process, and if the appellant should instruct lawyers to act on their behalf during the appeal this will halt the procedure.
- 17.7 The appeal will be considered as soon as possible, and in any event within two months of receipt of the case for review, by three persons drawn from the Professoriate of our Institute having experience of supervising and examining research degrees and who have had no previous involvement in the case, including membership of such committees as have considered it. At least one panel member will have received staff development in equality and diversity issues and will be expected to ensure that the appeal is conducted in accordance with the relevant Institute policy. No research degree student may be a member of a Research Degree Appeal Panel.
- 17.8 The Appeals Liaison Officer will act as Secretary to the Research Degree Appeal Panel.
- 17.9 The appellant may be accompanied by one friend (who may not be a paid legal representative).
- 17.10 If the appellant does not appear at the date and time scheduled for the Panel's hearing, the Research Degree Appeal Panel shall consider whether any reasons advanced for non-attendance are valid, and:
- (a) if members so judge, adjourn proceedings to a later meeting;
- or
- (b) if no reasons are advanced, or if they are judged invalid, proceed in the appellant's absence.
- 17.11 The members of the Research Degree Appeal Panel and the appellant will have the right to call and question relevant witnesses. All witnesses, the appellant and their friend shall withdraw before the Research Degree Appeal Panel considers its decision.

- 17.12 Where there is a clear justification for doing so e.g. where travel costs are prohibitive or the students mode of attendance makes attendance in person difficult, a request to conduct the Panel via video link can be considered. The Chair of the panel will have final say on whether the panel can be convened via video link. For any panel via video-link the Chair and panel members would be located at an on-campus location at our Institute. Guidance regarding conducting a panel via video link will be shared with all parties prior to the panel by the Appeals Liaison Officer.
- 17.13 If a Research Degree Appeal Panel agrees that a student has valid grounds for an appeal, it must either:
- (a) Recommend that Research Degrees Subcommittee invite the review/transfer panel or examiners to reconsider their decision;
- or
- (b) Recommend that Research Degrees Subcommittee appoint a new transfer/review panel or examiners.
- 17.14 A Research Degree Appeal Panel is not constituted as an Examination Board and has no authority to set aside the decision of a review/transfer panel or the examiners.
- 17.15 The secretary to the Research Degree Appeal Panel shall communicate the decision to the Chair of Research Degrees Subcommittee, the appellant and the Chair of the review/transfer panel or Chair of Examiners within five working days of the last meeting of the Research Degree Appeal Panel.
- 17.16 There shall be no appeal against the finding of a Research Degree Appeal Panel. Allegations of procedural irregularities in the conduct of an appeal may be heard by the Principal who may, at his or her discretion, require the Research Degree Appeal Panel to reconsider the case.
- 17.17 If the appellant has exhausted the internal procedures and is not satisfied with the outcome, they may request that the case is reviewed by the Office of the Independent Adjudicator for Higher Education (OIAHE) which is a body independent of our Institute
- 17.18 The grounds and eligibility for review shall be determined by the Office of the Independent Adjudicator.
- 17.19 The findings of any case considered by the Independent Adjudicator shall be considered directly by Academic Board. Academic Board shall take into account the recommendations of the Independent Adjudicator in reaching a final decision on any action to be taken in response to the Appeal.
- 17.20 The decision of Academic Board is final and there shall be no further appeal against this decision.

## **18 Presentation of the thesis for Masters (acquired primarily by research), MPhil, Practitioner Doctorate, and PhD**

- 18.1 For the purposes of an examination, one copy of the thesis is normally required for each examiner and a further copy for the Chair of Examiners.
- 18.2 Except with the specific permission of Research Degrees Subcommittee, the thesis must be presented in English. Permission to present a thesis in another language must normally be sought through the application for registration. Given that the medium of instruction in our Institute is English, permission to present a thesis in a language other than English is likely to be given only if the subject matter of the thesis involves language and related studies.
- 18.3 Our Institute will only permit a student to present a thesis in a language other than English if it is satisfied that adequate supervision in the alternate language can be arranged and that examiners capable of examining the thesis in said language are likely to be available. In such cases, a summary in English of approximately 1000 words must be included with the thesis.

- 18.4 The thesis must include a statement of the student's objectives and must acknowledge published or other sources of material consulted (including an appropriate bibliography) and any assistance received.
- 18.5 There shall be an abstract of approximately 300 words provided with the thesis which provides a synopsis of the thesis, stating the nature and scope of the work undertaken and of the contribution made to the knowledge of the subject treated.
- 18.6 Where a student's research programme is part of a collaborative group project, the thesis must clearly indicate the student's individual contribution and the extent of the collaboration. This statement on the extent of the collaboration must be supported by all the collaborators concerned.
- 18.7 The copyright of the thesis is vested in the student, but the treatment of other forms of intellectual property must be specifically agreed with our Institute prior to the submission of the thesis.
- 18.8 The student is free to publish material in advance of the thesis submission, but reference must be made to any such publication in the thesis. Copies of published material should be submitted with the thesis.
- 18.9 While theses are normally in A4 format, our Institute may give permission for a thesis to be submitted in another format where it is satisfied that the contents can be better expressed accordingly. However, students using a format larger than A4 should note that the production of microfiche copies and full-size enlargements may not be feasible.
- 18.10 The text of the thesis should not normally exceed the following length (excluding ancillary data - see 19.11):
- (a) Masters (acquired primarily by research) - 12,000 words;
  - (b) MPhil - 40,000 words;
  - (c) Practitioner Doctorate - 60,000 words;
  - (d) PhD - 80,000 words.
- 18.11 Appendices, referential footnotes and/or endnotes are not included in the indicative word counts given in 19.10. Footnotes and/or endnotes that are discursive in nature must be included in the word count.
- 18.12 An electronic copy of each Masters (acquired primarily by research), MPhil, PhD or Practitioner Doctorate thesis will be retained by our Institute.
- 18.13 Where our Institute has agreed that the confidential nature of the student's work is such as to preclude the thesis being made freely available in our Institute library, or that of any collaborating establishment, and, in the case of a PhD or Professional Doctorate, the British Library, the thesis shall be held by the Institute only and made available only to those who were directly involved in the project for a time not exceeding the approved period.
- 18.14 Our Institute is only likely to approve an application for confidentiality in order to enable a patent application to be lodged or to protect commercially or politically sensitive material. Theses may not be restricted in this way in order to protect research leads. While the normal maximum period of confidentiality is two years, our Institute may approve a longer period in exceptional circumstances.
- 18.15 An electronic copy of the thesis must be submitted to the Graduate School. The BITE File Transfer Portal may be used for submission. The electronic copy of the thesis will be subject to verification by the examiners as a true copy and then lodged in the library of our Institute before the award of the degree can be made. Any collaborating establishment may require a copy in electronic or paper form. The electronic copy must be otherwise identical to the thesis after any necessary post-viva revisions.

*Presentation of final thesis*

- 18.16 The final version of the thesis (i.e. that which is submitted after successful oral examination and any amendments) must observe the following conventions:

- (a) The thesis should be presented in English, unless you have special permission to present in another language.
- (b) Double or one-and-a-half spacing must be used in typescript except for indented quotations or footnotes where single spacing may be used;
- (c) Pages shall be numbered consecutively through the main text including photographs and/or diagrams which are included as whole pages and any lists of tables, prefaces etc. Page numbers shall be located centrally at the bottom of each page, approximately 10mm above the edge. The preliminary sections should be numbered in lower case Roman numerals (starting at i), and the text of the thesis itself in Arabic numerals (starting at 1). (For more detailed issues relating to numbering refer to the relevant Section of the International Organisation for Standardisation specification No. ISO 7144:1986);
- (d) Margins shall be 40mm on the left hand side and 20mm on the right hand side and the top and bottom margins.
- (e) The page size shall normally be set to A4.
- (f) The page format should normally be set to portrait
- (g) The font should be set to Times New Roman or Arial, in 12pt font size.
- (h) The title page\* of the thesis shall give the following information:
  - the full title of the thesis;
  - the full name of the author;
  - the full title of the award for which the degree is submitted in partial fulfilment of our Institute's requirements;
  - that the degree is awarded by our Institute;
  - the month and year of submission for the viva examination.

\* See specimen in Appendix A

(i) Must be submitted in PDF/A format.

18.17 Material must be arranged in the following sequence:

*Preliminaries:*

- Title page (see specimen title page)
- Abstract (no more than 300 words)
- Declaration (optional)
- Table of contents, including subsections
- List of tables, figures, illustrations etc. (if any)
- List of accompanying material (if any)
- Definitions (if any, being a list of definitions of any terms specific to the work)
- Abbreviations (if any)
- Acknowledgements
- Dedication (optional)

*Main thesis text:*

- Introduction and main text, divided into chapters, sections and subsections
- References and bibliography
- Appendices (if any)
- Glossary (if any)
- Index (if any)

**19 Presentation of work in a form other than the written word for a Masters (acquired primarily by research), MPhil or PhD**

- 19.1 Students may undertake a programme of research in which their creative work forms, as a point of origin or reference, a significant part of the intellectual inquiry. Such creative work may be in any field, but must have been undertaken as part of the registered research programme. In such cases, the presentation and submission may be partly in other than written form.
- 19.2 The creative work must be clearly presented in relation to the argument of a written thesis and set in its relevant theoretical, historical, critical or design context. The thesis must itself conform to the usual scholarly requirements and be of an appropriate length taking into account the balance between various research components (see 19.10).
- 19.3 The final submission must be accompanied by some permanent record of the creative work bound, where practicable, with the thesis.
- 19.4 The application for registration must set out the form of the student's intended submission if not written and of the proposed methods of assessment.
- 19.5 Students may undertake a programme of research of which the principal focus is the preparation of a scholarly edition of a text(s) or other original artefacts.
- 19.6 In such cases the completed submission must include a copy of the edited text(s) or collection of artefact(s), appropriate textual and explanatory annotations and a substantial introduction and critical commentary which sets the text in the relevant historical, theoretical or critical context (see 19.10 regarding the required length of the thesis).

**20 Complaints Procedure**

- 20.1 Research Degree students are subject to the Regulations governing all students of our Institute as detailed in the *Manual of General Regulations, Part 14: Complaints Procedure*.

**21 Feedback Mechanisms**

- 21.1 Our Institute will implement mechanisms to collect, review and, where appropriate, respond to feedback from all concerned with postgraduate research programmes. Research Degrees Subcommittee will consider all feedback, act upon it and communicate the results appropriately.

**22 Ethical approval and Code of Practice for Research Ethics**

- 22.1 All research degrees that propose research which involves human participants, sensitive human data (personal or otherwise) and human material (including human tissue, embryos, fetuses and bodily fluids, from living or deceased participants) , must receive ethical clearance from our Institute Research Ethics Committee prior to the commencement of the research or the relevant part thereof. If the research is being carried out, in whole or in part, at another institution or institutions, ethical clearance must also be obtained from each participating institution.
- 22.2 It is the joint responsibility of both the student and the Director of Studies to ensure that ethical clearance is obtained. Approval must be sought in accordance with such

arrangements for ethical review and approval as may from time to time be specified by our Institute Research Ethics Committee.

22.3 Students and Directors of Studies must be familiar with the Institute's Code of Practice for Research Ethics. Copies of the code and policy may be found on the Graduate School's website.

**23 Code of Practice for Research and Research Misconduct Policy**

24.1 Our Institute's Code of Practice for Research and our Research Misconduct Policy apply to all students for research degrees and to staff conducting research within, or on behalf of, the institution. Copies of the code and policy may be found on the Graduate School's website.

23.2 Our Institute expects all students for research degrees and staff involved in their supervision to observe the standards of research practice set out in the guidelines published by scientific and learned societies and any other relevant professional bodies.

## Appendix A

*Specimen title page wording*  
**LIFE CHANGES AFTER DEMENTIA**

A thesis submitted in partial fulfilment of the  
requirements of the Institute  
for the degree of .....of Philosophy

OR

A thesis submitted in partial fulfilment of the  
requirements of the Institute  
for the degree of practitioner doctorate in .....  
School of .....

DATE

## **Appendix B**

### **Regulations for the awards of MPhil and PhD by Published Work**

#### *Definition of published work*

- 1.1 For the purposes of these Regulations, 'published work' and 'publications' includes, but is not limited to, books, refereed articles, authored chapters, creative work, non-textual work and artefacts. Where it is not possible for such work to be submitted for examination (e.g. in the case of installations or exhibitions), there should be a permanent and submittable record of it (e.g. videographic, photographic).
- 1.2 Published work as per the above definition must be freely available within the public domain at the point of examination and have been subject to peer review. Work which is, either in part or whole, in progress, submitted or accepted for publication or 'in press' may not be submitted for examination under these Regulations. Work previously presented by the student for another degree may not normally be included in the submission. If such work is intended to constitute part of the submission, it must be identified as such and the degree will not be awarded unless substantial new work of distinction is presented.
- 1.3 Exceptionally, work of a confidential nature which is subject to restrictions on its circulation so as to enable a patent application to be lodged or to protect commercially or politically sensitive material, may, at the discretion of Research Degrees Subcommittee, be accepted for examination providing such restrictions do not impede our Institute's ability to conduct a proper assessment and examination of the submission.

#### *Critical Appraisal*

- 1.4 The submission for examination of the degrees of MPhil and PhD by published work will consist of the published work and a critical appraisal of said work not normally exceeding 10,000 words. The appraisal must summarise each publication submitted, synthesise the publications as a coherent study, provide a critical review of the current state of knowledge in the respective field or discipline and show how the published work has contributed to the field or discipline. It should also comment on the standing of any journals or similar and the reception of the publications as indicated by citations and/or reviews.

#### *Eligibility*

- 1.5 Any member of the staff of our Institute of at least three years' standing may apply to Research Degrees Subcommittee for permission to submit for an MPhil or PhD of our Institute by published work. A former member of staff of at least three years' standing on the effective date of their resignation or retirement may also apply to Research Degrees Subcommittee for permission to submit for an MPhil or PhD of our Institute by published work.
- 1.6 Members of academic staff, of at least three years' standing, of a collaborating institution, members of staff of another establishment who have taught for at least three years on programmes validated by our Institute, or members of staff of other institutions who have taught for at least three years on a programme at our Institute, may also apply to submit. In assessing such applicants' eligibility to apply to be examined for an MPhil or PhD by publication, Research Degrees Subcommittee will take into account the extent of the applicants' contribution to the scholarship of our Institute.

1.7 Any Bachelor's degree graduate of our Institute of at least eight years' standing or Master's graduates of at least four years' standing may apply to Research Degrees Subcommittee for permission to submit for an MPhil or PhD by published work of our Institute.

1.8 Graduates of programmes now validated as BITE programmes at collaborative or partner institutions but which were not BITE programmes at the point of graduation, may be eligible for an MPhil or PhD by publication of our Institute provided the criteria given in 1.7 have been met and at the discretion of Research Degrees Subcommittee.

1.9 Successful applicants must enrol as students of our Institute and pay the appropriate part-time research degree fee.

#### *Application*

1.10 The application (as per standard research degree applications) should be accompanied by a list of the publications to be submitted and an outline of the critical appraisal (see 1.4 above).

#### *Registration*

1.11 Registration will be as detailed in Section 4 of these Regulations and will include a list of publications to be submitted and an outline of the critical appraisal described above. The list of publications should be comprehensive but it is understood that pending publications may be forthcoming subsequent to registration. In such cases, and at the discretion of Research Degrees Subcommittee, it may be permissible for such publications to be included in the body of work entered for examination.

1.12 Following registration, there is no possibility of transfer from MPhil by published work to PhD by published work.

1.13 The minimum and maximum periods for a research degree by publication are:

	Minimum	Maximum
<i>MPhil</i>	9 months	24 months
<i>PhD</i>	12 months	24 months

#### *Examinations*

1.14 The examination team will consist of one internal examiner and two external examiners.

1.15 The examination team may only recommend:

(a) that the student be awarded the degree

(b) that the student not be awarded the degree

(c) in the case of a PhD by published work examination, that the student be awarded the degree of MPhil by published work

1.16 The examination team's recommendation that an award be made subject to amendment, or amendment and re-examination, can refer only to the critical appraisal element of the submission.

#### *Extent of these Regulations (Appendix B)*

1.17 Except where such Regulations in this appendix explicitly state other than, or in their remit preclude the application of, the Regulations for research degrees contained in the main body of Part 9, said Regulations as they relate to admissions, registration, supervision, examinations, annual monitoring review, appeals and complaints shall apply.

## Appendix C

### Regulations for the award of Higher Doctorate *Standard and Eligibility*

1.1 Applications can be made for the following Higher Doctorates:

- Doctor of Science (DSc)
- Doctor of Technology (DTech)
- Doctor of Engineering (DEng)
- Doctor of Laws (LLD)

1.2 A Higher Doctorate is awarded in recognition of a sustained and distinguished original contribution to, or advancement of, knowledge and/or professional accomplishment in the respective field.

1.3 Applicants will be a holder of at least seven years' standing of a first degree or a holder of four years' standing of a higher degree, as awarded by our Institute, the CNAAB or a United Kingdom Higher Education Institution of equivalent standing, or a qualification which is regarded by Research Degrees Subcommittee as equivalent to the such (e.g. a verifiable overseas qualification).

1.4 Applications may be made by members of our Institute as defined in Appendix B, 1.5 to 1.9 above.

#### *Application*

1.5 Applicants must submit three copies of the works upon which their application is based. The submission may take the form of, but is not limited to, books, journal contributions, patent specifications, reports, specifications and design studies and may also include other relevant evidence of original or distinguished work. All material, other than books or output in a form other than the written word, must be secured in hard-backed folders, each containing a title and contents page.

1.6 An applicant must, where appropriate, state which part or part of the work has been submitted for another academic award.

1.7 The contents of the submission must be in English unless permission to the contrary has been given by Research Degrees Subcommittee.

1.8 Along with the submission, applicants must submit one copy of each of the following:

- (a) a completed application form, stating for which Higher Doctorate the student wishes to be considered
- (b) a summary of not more than 1,000 words on the relevance of the works to the advancement of knowledge
- (c) a list of the works comprising the submission
- (d) where appropriate, a statement of the extent of the applicant's contribution to co-authored or collaborative work submitted
- (e) the appropriate initial fee

### *Higher Doctorate Committee*

1.9 On receipt of an application, an *ad hoc* Institute Higher Doctorate Committee will be convened to consider whether a *prima facie* case for proceeding to examination has been established. The Committee will, at a minimum, consist of the Pro-Principal for Research, the Head of the Graduate School and 3 members of Research Degrees Subcommittee with expertise appropriate to considering the application. The Committee shall seek such advice and consultation as it deems necessary to consideration of the application.

1.10 An applicant may not be a member of the Committee.

1.11 No member of the Committee may serve as examiner to the applicant should a *prima facie* case be established.

1.12 The establishment of a *prima facie* case does not imply the eventual awarding of the Higher Doctorate.

### *Examination and Conferment*

1.13 If satisfied that a *prima facie* case has been established, the Committee shall, on payment of a further fee by the student, submit the application to three examiners, one of whom shall be a Professor or Reader of our Institute, and the remaining two shall be external individuals of recognised eminence in the respective field, who have not co-authored or collaborated on any of the works submitted where relevant.

1.14 Each examiner shall submit an independent recommendation to Research Degrees Subcommittee for consideration and the award of Higher Doctorate will be made if, in the opinion of Research Degrees Subcommittee and

subject to ratification by Research Degrees Subcommittee, an outstanding contribution to the respective field has been made.

1.15 In the event of disagreement between examiners, the Committee may appoint a third external examiner or reject the submission.

1.16 One copy of the work submitted in support of a successful application shall be retained on open access by our Institute.

## Part 10

### Conferment of Awards

#### 1 Conferment of substantive awards

- 1.1 No award or distinction of our Institute will be conferred without the authority of the Academic Board and university partner.
- 1.2 A **substantive** award of our Institute will be conferred in accordance with para 2 below only when the following conditions are satisfied:
  - (a) the candidate is a student or associate student of our Institute at the time of his or her assessment for an award and has discharged all financial and other obligations to our Institute;
  - (b) the candidate has completed a programme of study approved by our Institute as leading to the award being recommended;
  - (c) the award has been recommended by an Assessment Board (or, for research awards, the Academic Board Research Committee), constituted and acting under regulations approved by the Institute.
- 1.3 The award recommended by an Assessment Board will be the award for which the student is a candidate, or a lower award as specified in the approved programme regulations for which the student has fulfilled the requirements.
- 1.4 Where programme regulations make provision for students to progress from one stage to another and qualify for an award at each stage, the assessments for each intermediate stage will be assessments for eligibility to receive the relevant award: conferment of that award will not occur where the student is proceeding to the next stage.

#### 2 Conferment of particular awards

- 2.1 An award will be conferred with merit or distinction or with an Honours classification where programme regulations make such provision and where the student has satisfied the requirements of the programme regulations for such an award.
- 2.2 An **aegrotat** award of our Institute (undergraduate level only) may be conferred when the conditions in Part 5 of this Manual are met.
- 2.3 A **posthumous** award of our Institute may be conferred and accepted on the student's behalf by a parent, spouse or other appropriate individual. Any award offered by our Institute may be conferred posthumously. The level of the award will be at the discretion of the Principal.
- 2.4 An **honorary** award of our Institute may be conferred upon persons of distinction who have either made major contributions to the work of our Institute or who have earned distinction for activities associated more widely with education, business, culture, creative work or public service.
- 2.5 A **fellowship** of our Institute may be conferred upon persons of distinction who are deemed to have made a significant contribution to the work of our Institute.

#### 3 Revocation of award

- 3.1 If, *subsequent* to conferment of a **substantive** award, a breach of regulations shall have been established, the Academic Board shall have power to revoke the award.
- 3.2 The Academic Board shall have similar powers in respect of an **honorary** award in cases where the conduct of the recipient is subsequently deemed to reflect adversely upon our Institute.

#### 4 Collaboration with other awarding bodies and with other institutions

- 4.1 Our Institute may act jointly with professional bodies and with other awarding bodies to make available programmes of study leading to recognised awards of such associations and bodies.
- 4.2 Our Institute may permit other institutions to offer programmes of study leading to an award of our Institute. Such programmes of study will be validated and approved by our Institute in accordance with the provisions of the Quality Assurance Handbook.

#### 5 Documentation given to students

##### 5.1 Award Certificate

- 5.1.1 The certificate for every award offered by our Institute will bear the signature of the Principal or Vice Chancellor or as per the validating university and will record:
  - (a) the name of our Institute;
  - (b) the recipient's name;
  - (c) the award;
  - (d) the title of the programme;
  - (e) an approved endorsement where appropriate;
- 5.1.2 Where a programme is delivered in collaboration with another institution the name of the institution may, where previously agreed with the collaborating partner, appear on the award certificate. Where the partner is not named, the award certificate shall make clear that there is a diploma supplement which provides further information.

##### 5.2 Diploma Supplement

- 5.2.1 A diploma supplement may be issued to a student who has successfully completed any approved elements of study.
- 5.2.2 The diploma supplement may record *inter alia*:
  - (a) the name of our Institute together with the name of any other institution sharing responsibility for the student's programme of study or research;
  - (b) for programmes delivered overseas, the place of registration;
  - (b) the full name of the student;
  - (c) the dates of the student's enrolment with our Institute;
  - (d) the elements of study successfully completed, with details of their length and level, grade achieved (where appropriate) and date of completion;
  - (e) details of any periods of supervised work experience or placement in the UK or abroad, with grades where appropriate and dates;
  - (f) the language of instruction where this is not English. If the language of assessment was not the same as that used for the instruction this should also be clearly recorded.
- g) other approved information requested by the student or required to meet the needs of an external agency.

##### 5.3 Record of Credit

- 5.3.1 A Record of Credit may be issued to a student who has successfully completed a credit-rated non-award-bearing programme validated by our Institute.
- 5.3.2 The Record of Credit shall indicate that the individual named on the Record has satisfactorily achieved general credit points for assessed learning.
- 5.3.2 The Record shall give details of the individual's assessed learning (both experiential and certified) together with the credit points and levels achieved for each, with dates.

5.3.3 The Record may be used to negotiate admission with credit to an approved programme of study leading to an award.

## **Part 11**

### **Responsibilities of students and fitness to study**

#### **1 Definitions**

- 1.1 *Student* means any person admitted or enrolled by our Institute to follow a programme of studies, or any sabbatical officer of the Students' Union.
- 1.2 All students remain subject to the general law, and any rights or constraints conferred or imposed by these regulations are in addition to, and do not alter in any way, their rights and duties as citizens.

#### **2 Enrolment**

- 2.1 All students must produce at or before enrolment evidence of having satisfied the relevant entrance requirements.
- 2.2 Students, other than sabbatical officers of the Students' Union, are required to enrol or re-enrol for each successive year or other relevant part of a programme.
- 2.3 At the time of initial enrolment with our Institute, and at such times thereafter as shall be required for renewal of enrolment, students must:
  - (a) provide in full the information requested;
  - (b) pay fees due in accordance with prevailing fees policy.
- 2.4 On completion of enrolment, or re-enrolment, students will receive a student card which is valid for their entire programme, production of which may be required by members of Institute staff for the purpose of identification.
- 2.5 Once enrolment is completed, a person is deemed to continue as a student until the end of the programme or until re-enrolment is required, whichever is the earlier, provided that a person shall cease to be a student:
  - (a) if excluded from the programme following a recognised assessment procedure;
  - (b) if excluded from the programme for non-compliance with prevailing fees policy;
  - (c) if excluded on medical grounds in accordance with 9.4(c) below;
  - (d) if expelled from our Institute following a recognised disciplinary procedure;
  - (e) in the event of withdrawal from the programme;
  - (f) if excluded for non attendance in accordance with section 4 below.
- 2.6 It is a student's responsibility, in order to maintain enrolled status, to amend in BITE Direct any changes to the information (especially local address) provided at enrolment and re-enrolment, and/or to make good on request any omissions subsequently identified in that information. Our Institute is required under the terms of the Data Protection Act 1998 to maintain up-to-date data on its students but cannot accept responsibility for inaccuracies in data held on individuals where the source is outside its control.
- 2.7 Persons who are neither enrolled as students nor are sabbatical officers of the Students' Union shall have no right of access to Institute facilities as students.

#### **3 Terms of admission and fees payment policy**

- 3.1 Persons who accept the offer of a place at our Institute are additionally bound by the Terms of Admission.
- 3.2 Of particular note is the Fees Policy made and amended throughout a student's period at our Institute. Annual revisions will, so far as possible, be published and the definitive document(s) for each session can be obtained from Financial Services or our Institute website.
- 3.3 All students are expected to abide by the fees policy and to pay their tuition fees in a timely manner. Students who consider themselves at risk of being unable to pay, or who have become debtors, must discuss their situation with the student advisors at the earliest possible opportunity and, where necessary, agree and abide by a payment plan.

3.4 Our Institute reserves the right to withhold the issue of a degree certificate to any student who has a tuition fee related debt at the time of completing their programme until such time as the debt, and, where relevant, any accrued recovery costs, have been cleared.

#### **4 Attendance**

4.1 Students will be regarded as in attendance at our Institute whether they are present within our Institute buildings or engaged elsewhere on some legitimate activity pursuant to the programme (e.g. attending a field trip, or a programme by distance learning), always provided that they maintain regular academic contact with Tutors and adhere satisfactorily to the programme and the Student Attendance Policy.

4.2 Students who are unable to attend classes or other prescribed activities for any reason should inform their lecturer/teaching staff member as a professional courtesy. Students whose overall attendance rate falls below 75% across all compulsory events of their module/programme may face withdrawal from their module/programme with the agreement of their School of Study. Students who are withdrawn from modules/programmes have the right of appeal against that decision. This appeal will be put to a panel chaired by the Attendance Manager (or nominee) and will normally comprise three members of Academic staff and one student representative.

4.3 Medical certificates must be produced promptly to the school office in the event of absence due to illness, if this absence is prolonged beyond seven working days, or if our Institute so requests.

#### **5 Assessment**

5.1 It is the student's responsibility to be familiar with our Institute's general regulations regarding assessment and with the particular assessment regulations currently applicable to his or her programme.

5.2 For students on all programmes, our Institute's general regulations regarding assessment can be found in this *Manual* (please refer to: Part 5 - *Assessment of Students*, and; Part 9 - *Research Degrees*).

5.3 Specific programme regulations can be found in the student handbook for the programme.

5.4 Students who dispute a decision of an Assessment Board may, under certain circumstances, appeal against that decision. For all relevant information, please see Part 7 of this *Manual* - *Appeals against Assessment Board decisions*.

5.6 Our Institute regards with particular severity any use of unfair means in an attempt to enhance performance (cheating). Part 8 of this *Manual* - *Assessment Offences* describe how suspected cases of cheating will be investigated and the penalties that shall apply.

#### **6 Health and safety**

6.1 Students shall behave in such a way that their health and safety, and that of others, is not put at risk. Where children are concerned this duty extends to whoever has brought them into our Institute.

6.2 Students shall not endanger themselves or others by intentionally or carelessly interfering with, or misusing, any article, substance or material provided by our Institute or on its premises.

6.3 Students shall use any protective equipment provided, and ensure, so far as is reasonably practicable, that they understand and abide by safe systems of work.

and any safety procedures required by our Institute, or general health and safety legislation, in connection with any of our Institute's activities.

#### **7 Damage to equipment and premises**

7.1 Any individual student or group of students found to be responsible, through any wilful act or negligence, for any loss or damage to Institute premises, equipment or

property shall be liable for the cost of such restoration or repair as is necessary. The full cost will be payable on demand to the appropriate Institute officer.

7.2 Any individual student or group of students whose actions are found to have wilfully compromised the security, integrity or educational purposes of computer systems provided within our Institute will be considered potentially to have contravened the disciplinary regulations and will be subject to the relevant procedures. The sending of unsolicited bulk email is not permitted; this includes but is not limited to advertisements and political and religious materials.

## **8 Exclusion, suspension and expulsion of students**

8.1 Our Institute reserves the right to exclude, suspend or expel any student who contravenes Institute regulations.

8.2 Under such exclusion, suspension or expulsion, all Institute activities and premises shall be prohibited to the student.

8.3 Acting in breach of such exclusion, suspension or expulsion shall constitute a disciplinary, or further disciplinary, offence and shall be referred by the Principal for consideration by an Investigating Panel.

8.4 **Exclusion** shall apply where the contravention of regulations does not involve a disciplinary component. Exclusion may follow where a student:

(a) fails to comply with prescribed assessment regulations or those laid down by a professional body;

(b) fails to comply with prevailing fees policy;

(c) fails to comply with the regulations on attendance;

(d) is identified by our Institute as having failed to comply with the terms of admittance;

(e) is considered by our Institute to be unfit to continue his or her studies and/or fails to produce a satisfactory medical certificate of fitness when asked to do so by the Principal or his or her nominee. Fitness to study shall be determined by application, where necessary, of the procedure set out in section \* below.

Students excluded under (a), (b) and (e) may be re-admitted to our Institute subject to their subsequent compliance with the relevant regulation(s) and to the permission of the Principal, which may be delegated. Students excluded under (c) shall have the right of appeal as set out in the Student Attendance Policy. Students excluded under (d) shall have the right of appeal.

8.5 **Suspension** shall apply in cases of alleged breaches of the disciplinary regulations (see Part 13 of this Manual) where the incident is under investigation according to prescribed procedures (*see*. Part 13 para 2) or where the Principal, in the exercise of his summary powers (*see*. Part 13 para 5), or a Committee of the Disciplinary and Grievance Panel, at the conclusion of its hearing (*see*. Part 13 para 7), determines this to be the appropriate action. Suspended students shall be re-admitted to our Institute subject to satisfactory completion of their period of suspension, or to the case against them not being found.

8.6 **Expulsion** shall apply where a breach of disciplinary regulations has been found by a Committee of the Disciplinary and Grievance Panel, which deems this to be the appropriate penalty. Expelled students shall not be re-admitted to our Institute except by special dispensation of the Governors.

## **9. Fitness to Study**

### **9.1 Purpose**

9.1.1 The purpose of the fitness to study policy is to:

a) provide a framework for responding to issues relating to health or disability-related concerns that are affecting a student's ability to study and/or ability to function as an effective member of the Institute community. This may include:

- emerging concerns relating to inappropriate behaviour, health, safety or mental wellbeing identifying support for Personal Tutoring procedures;
- long-standing issues which have reached a stage where our Institute feels that it needs to intervene to protect the Student Health and Wellbeing of (a) student(s);
- responding to crisis situations relating to the Student Health and Wellbeing of (a) student(s), including those relating to mental health issues;
- responding to referrals from the disciplinary procedure or suitability procedure where it is felt that a student's actions or behaviours could be the result of health-related concerns, and;
- responding to appeals for review of disability-related institutional support provided by the Institute.

b) set out the principles underpinning the policy and procedure;

c) ensure that the response to an event is appropriate, timely and effective;

d) ensure that the Institute communicates effectively with any relevant parties or professional services;

e) ensure that the Institute acts in a holistic and supportive way.

f) define the procedure for deciding whether an incident should be dealt with under the Personal Tutoring policy; student disciplinary regulations and procedures/ procedures, student suitability procedure or fitness to study policy.

## **9.2 Scope**

9.2.1 This policy and procedure applies to students directly enrolled and on programmes and receiving tuition from our Institute's staff. Students studying at collaborative partner institutions will be subject to that partner institution's own local policies and procedures.

9.2.2 This policy does not address our Institute's response to major incidents or emergencies, which are dealt with under the incident management procedures.

9.2.3 This policy is complimentary to, but does not replace the student disciplinary regulations and procedures, suitability procedure, or the student code of conduct.

## **9.3 Equality Analysis**

9.3.1 This policy seeks to ensure that students with health or disability (including mental health) related issues that impact negatively on their own (or that of others) ability to study are dealt with in the most appropriate way. The Policy seeks to ensure that issues arising are handled in a manner that ensures that students are not unreasonably disadvantaged and that, where possible, we will seek to act in a manner that is advantageous to the student.

## **9.4 Application of the fitness to study policy**

9.4.1 Our Institute is committed to ensuring that students are fully supported with regard to their Student Health and Wellbeing while they are on their course of study. This includes ensuring that students are well enough to access their course effectively and without detriment to their own health or the wellbeing of others. In rare circumstances, where students are not in a position to identify

their own deterioration in health or behaviour, and, therefore, may not be able to make an informed decision regarding their best interests, our Institute is duty bound to providing a safeguarding response for those individuals. Similarly, where the behaviour of an individual is impacting negatively on others, our Institute must act to address this.

9.4.2 Our Institute will be guided by the following principles when responding to such incidents:

- a. to act in a fair and proportionate manner when dealing with vulnerable individuals;
- b. to consider relevant professional advice and guidance where appropriate;
- c. to comply with our legal duties and responsibilities;
- d. to safeguard the needs of staff and students affected by inappropriate behaviours;
- e. to consider the impact of any breaks in study holistically and provide appropriate advice, information and guidance to those concerned, and;
- f. to provide a clear framework for staff and students.

9.4.3 The administrative response to any incident under this policy will be conducted in accordance with the procedure below.

### **9.5 When is this policy applied?**

9.5.1 This policy complements our Institute's personal tutoring, student code of conduct, suitability procedure and student disciplinary regulations and procedure.

9.5.2 It is expected that, where possible, any emerging concerns will be addressed by means of standard staff interactions with students as part of the Personal Tutoring role. This policy will be invoked only in situations where it is felt that the behaviour/health, or wellbeing of the student concerned requires the input of specialist services to reaffirm boundaries/consider support, or where the impact of this behaviour on others is unacceptable.

9.5.3 Where a student has been subject to disciplinary action (for example, exclusion from class, or suspension) due to inappropriate behaviour and they have been referred to this procedure to ascertain whether their difficulties relate to a health (including Mental Health) or wellbeing issue; the Institute reserves the right to refer that student back to the disciplinary procedures should it not be possible to establish an acceptable welfare-based reason for their actions.

9.5.4 Where a student has been subject to investigation under the suitability procedure due to inappropriate behaviour and they have been referred to this procedure to ascertain whether their difficulties relate to a health (including Mental Health) or wellbeing issue; the Institute reserves the right to refer that student back to the suitability procedures should it not be possible to establish an acceptable welfare-based reason for their actions.

### **9.6 Student responsibilities under this policy**

9.6.1 A student whose fitness to study is being assessed under this policy is required to:

- work with our Institute to obtain updates to medical/specialist evidence as required;
- attend all appointments/meetings as required unless there is a justifiable reason for absence;
- act on the advice, guidance or instructions provided, and;
- keep our Institute updated regarding any alteration in condition or support provision that could affect their ability to study or function as an effective member of our Institute community.

### **9.7 Procedure**

9.7.1 **Stage 1a: Threatening or dangerous behaviour (Crisis Situations)**

9.7.1.1 Any student displaying behaviour that is threatening, or which puts themselves, or any other person in danger should be removed from class immediately and initially dealt with via the student disciplinary regulations and procedures and procedures (see section 12 of this Manual).

9.7.1.2 All staff have the right to have a student removed for threatening or dangerous behaviour. Dependant on the situation the staff member should where possible ask the student to leave the area.

9.7.1.3 If the student refuses to leave when requested to do so, or the situation is such that the member of staff does not feel that they can ask the student to leave without Security staff being present, they should either:

- send another person to the security desk to ask for a member of security to come to the classroom immediately, or;
- call Security staff by dialling 0 on an internal telephone, or;
- call the main switchboard 020 8223 3000 and ask to be put through to the relevant Security desk;

9.7.1.4 Security should document the incident and send a report sent to the relevant Dean of School of School immediately, so that s/he can make the necessary decision regarding how the behaviour should be dealt with, including, if necessary, formal suspension from study.

9.7.1.5 If there are other people who have been affected by the behaviour, the member of staff should ask Security to interview them while it is fresh in their memory and include this in their report to the Dean of School.

9.7.1.6 If the member of staff knows (because they have a teaching and learning requirements form from the Disability and Dyslexia Team) that the student under consideration has a mental health, or other disability, which should be taken into consideration by the Dean of School of School, a copy of this form should be annexed to the report.

9.7.1.7 The Dean of School of School may consult with the Head of Welfare and Pastoral Support or the Manager of the Disability and Dyslexia Team regarding any additional information required due to disability-related needs before making a decision on suspension.

#### 9.7.2 Non-suspension

9.7.2.1 A student may be disciplined without a formal suspension from studies. However, consideration can be given for the student to have a behavioural contract put in place pending the outcome of the disciplinary process. A behavioural contract will, in such situations, be considered as an action under the student disciplinary regulations and procedures.

9.7.2.2 If the Dean of School feels that the circumstances of the case are such that they wish to refer the case for consideration under the fitness to study policy and procedure, the student should be referred to the Welfare Panel at this point.

#### 9.7.3 Suspension:

9.7.3.1 If the Dean of School feels that the behaviour is such that a formal suspension is required they may suspend for one week (seven consecutive days) in the first instance. The suspension would be considered as an action under the student disciplinary regulations and procedures.

9.7.3.2 If the Dean of School feels that the circumstances of the case are such that they wish to refer the student for consideration under the fitness to study policy and procedure, the student should be referred to the Welfare Panel at this point.

#### 9.7.3.3 Stage 1b: Inappropriate/disruptive behaviour (Non Crisis)

9.7.3.4 If a student is displaying behaviour which is disruptive, offensive, or otherwise inappropriate (but not threatening or dangerous), staff may remove the student from the class for the rest of that session.

9.7.3.5 Dependant on the situation in the class the member of staff should where possible ask the student to leave the classroom.

9.7.3.6 If the student refuses, or the situation is such that the member of staff does not feel that they can ask the student to leave without security being present, they should:

- send another person to the security desk to ask for a member of security to come to the classroom immediately, or;
- call Security staff by dialling 0 on an internal telephone, or;
- call the main switchboard 020 8223 3000 and ask to be put through to the relevant Security Desk;

9.7.3.7 The student's behaviour should be documented and the report sent to the Dean of School immediately.

9.7.3.8 The Dean of School should issue a letter notifying the student that they are receiving an official warning under the student disciplinary regulations and procedures.

9.7.3.9 The Dean of School should inform the Academic Registry as this offence should be recorded on the student record. Any subsequent offence will immediately invoke the Student disciplinary regulations and procedures.

9.7.3.10 If the Dean of School feels that the circumstances of the case are such that they wish to refer the student for consideration under the Fitness to Study policy and procedure, the student should be referred to the Welfare Panel at this point.

## **9.7 Stage 2: Emerging concerns about an individual students' health, safety, behaviour or mental wellbeing.**

9.8.1 Where a student is demonstrating behaviour which is giving cause for concern (see guidance notes), it is expected that this will initially be dealt with under the Personal Tutoring policy.

9.8.2 The Personal Tutor should arrange an appointment with the student as soon as possible. Where Tutors feel uncomfortable about meeting alone with a student, they should ask a colleague to co-facilitate the meeting.

9.8.3 The meeting should be held in a private space and the confidentiality of the proceedings should be respected.

9.8.4 If the Tutor is aware that that student has a disability or mental health condition through having received a teaching and learning requirements form from the Disability and Dyslexia Team, then they should contact the Manager of the Disability and Dyslexia Team for advice and guidance prior to meeting the student. If the concern relates to mental health issues it may be appropriate to bring in the experience of the Manager of the Student Health and Wellbeing Team. A member of the Disability and Dyslexia Team, or the Student Health and Wellbeing Team can be asked to attend the meeting, but the student should be advised of this in advance of the meeting.

9.8.5 Where the Tutor feels that the behaviour relates to a mental health issue and the student has not disclosed a disability, or mental health issue, to our Institute, the Tutor should contact the Manager of the Student Health and Wellbeing Team to discuss how to approach the issue before conducting the meeting.

9.8.6 If the Manager of the Student Health and Wellbeing Team feels that it would be appropriate for a member of the Team to attend the meeting, it would be expected that the Team member would come shortly after its commencing, so that they could be introduced in a supportive manner by the Personal Tutor(s) present.

9.8.7 The meeting should seek to address the concerns in a direct and clear manner and to achieve the following outcomes:

- that all areas of concern have been addressed;
- that any existing areas of support, treatment or care have been identified;
- that an agreement has been reached regarding future behaviour;

- that any additional support required to facilitate the student's future behaviour has been identified and responsibilities for putting this in place have been assigned (for example, state specifically what the Tutor will do and what the student is responsible for), and;
  - that timelines have put in place together with a mechanism for submitting work and monitoring progress.
- 9.8.8 The Chair of the meeting should document the full response and keep records.
- 9.8.9 The student should be provided with written confirmation of the agreed actions, including timescales for completing them and the agreed monitoring process (where possible within two working days of the meeting).
- 9.8.10 Where a student meets all of the agreed criteria within the set time limit, they should be released from the plan and monitored as normal as part of the personal tutoring policy. If a student does not meet the agreed criteria the case should be escalated to Stage 3 of the fitness to study policy.
- 9.9 Stage 3 Continuing or Significant concerns about an individual student's health, safety, behaviour or mental wellbeing.**
- 9.9.1 This stage can be invoked where:
- a student has been referred by the Dean of School (or nominee) for consideration;
  - a student has failed to meet their conditions or behavioural contract;
  - there are significant immediate issues that have not previously been addressed, but raise serious concerns for the health, safety or well-being of the individual;
  - the behaviours of an individual are adversely affecting others, or; • the behaviours of the student are such that it is impacting on their ability to live independently in the halls of residence or their ability to act as a member of the Institute community.
- 9.9.2 Under these regulation the Dean of School may suspend a student for up to five working days to enable a Welfare Panel to be convened.
- 9.9.3 Where it is not practicable for a Welfare Panel to be convened during this timescale, a Member of the Principal's Group can decide whether an extension of the suspension for a specified period should be approved. The student will be notified of the extension and its duration before the five day suspension has expired.
- 9.9.4 The Welfare Panel will be constituted in accordance with the terms of reference.
- 9.9.5 The Welfare Panel will consider the case(s) brought before it and will:
- work with professional service departments and students to obtain updates to medical/specialist evidence as required;
  - liaise with relevant professional service departments and Schools to find all available options available to support the student;
  - consider all options available to ensure that there is no reasonable disadvantage to the student(s) concerned and, where possible, that the student is treated advantageously;
  - ensure that the student's views are heard and taken account of;
  - meet when required to consider new developments in student cases;
  - decide what actions should be taken, and under which policy and procedure they will be taken forward.
  - make final binding decisions on behalf of our Institute regarding the fitness to study and requests for return to study, such recommendations and decisions being considered on an individual case by case basis;
  - where a leave of absence has been agreed under the policy, the relevant evidence that will be required for a return to study will be detailed (it will be the student's responsibility to provide this evidence);
  - approve behavioural contracts and/or return to study plans.

9.9.6 In accordance with clause 8.4 (e) above, a Welfare Panel is empowered to act on behalf of the Principal and to exclude indefinitely any student who is considered to be unfit to continue his or her studies and/or fails to produce a satisfactory medical certificate of fitness when asked to do so. A Welfare Panel is also empowered under this same regulation to consider and decide whether a student excluded under regulation 8.4 (e) is fit to be readmitted. In considering readmission the Panel may take whatever professional advice and guidance it deems necessary in order to enable it to make an informed decision.

9.9.7 In ongoing cases, the Welfare Panel may delegate authority to the Head of Welfare and Pastoral Support to monitor progress and report back on any students being supported by teams within that area.

#### 9.10 Return to study

9.10.1 Students requesting a return to study after a leave of absence under the fitness to study policy and procedure will be required to provide acceptable updated medical evidence and attend a return to study meeting where a return to study plan will be drawn up. This will set out the responsibilities of the student and our Institute in supporting the return.

9.10.2 The decision to permit a student to return to study will be made by the Welfare Panel. The timing of such a return to study will take into account our Institute's rules, regulations and procedures and the need to ensure that the student's reintegration into study harmonises with the need of the academic timetable.

9.10.3 Students will be expected to meet the requirements of their return to study plan. The plan will include any ongoing arrangements to support and review the progress of the student in order to minimise the potential of a relapse or recurrence of the individual student's health, safety, behavioural or mental wellbeing difficulties.

#### 9.11 Appeals

9.11.1 A student may appeal against a Fitness to Study decision reached at either Stage 2 or Stage 3 of the procedures. An appeal will only be considered if there is proposed evidence of:

a) material procedural irregularity;

b) perversity of judgement in the face of the evidence presented;

c) demonstrable bias or prejudice on the part of any person forming the judgement;

d) failure to reach a 'reasonable' decision in handling the process;

e) further new and material evidence that has not been submitted for exceptional reasons but would have aided the decision making process.

9.11.2 Students can lodge an appeal to review the Fitness to Study decision by submitting a written statement to the Head of Governance and Legal Services detailing the reasons for the appeal (see 9.11.1) within 10 working days of being notified of the decision made at stage 2 or 3 of the procedures.

9.11.3 The Head of Governance and Legal Services (or nominee), in consultation with the Dean of School, will review the original decision made under the Fitness to Study procedures to consider whether there is a case for an appeal. If no grounds for an appeal are found, then the Head of Governance and Legal Services (or nominee) can dismiss the appeal and will write to the student to inform them of the reasons. If it is decided that there is a case for a review of the original decision, the Head of Governance and Legal Services can then decide whether:

- a) To refer the case back to the original Welfare Panel for consideration;
- b) To appoint a new Welfare Panel to consider the case afresh.

The final decision will be sent to the student within 5 working days after the convening of the relevant Welfare Panel.

## Part 12

### Student disciplinary regulations and procedures (incorporating the student code of conduct)

#### 1. General

1.1 These regulations and procedures are made under the Articles of Government of our Institute.

1.2 The Articles of Government state that ‘Subject to the responsibilities of the Council, the Principal shall be the chief executive of the Institute and shall be responsible for ... the maintenance of student discipline and, within the rules and procedures provided for within these Articles, for the suspension or expulsion of students on disciplinary grounds ...’ (Article 3.2 and 3.2 (f)).

Words used in these regulations and procedures shall have the meanings assigned to them in the Articles of Government. In the case of conflict between these regulations and procedures and the Articles of Government, the Articles of Government shall take precedence.

1.2 All student disciplinary regulations and procedures approved by the Council before 19 April 2021 are hereby rescinded.

1.3 The names of committees and titles of posts may change from time to time. This shall not invalidate the powers of the equivalent successor committees or post holders.

1.4 In the case of doubt, the Head of Governance and Legal Services shall have authority over the interpretation of the text of these regulations and procedures, on behalf of the Council.

1.5 This document should not be read in isolation as other Institute policies and regulations and procedures could be relevant. A full listing of all formal documents is available on our website  
<http://www.biot.org.uk/registry/>

#### Student code of conduct

‘make education work.’

#### 3. Student code of conduct

##### 3.1 Context

3.1.1 We are proud of our learning community and value the rich experiences gained through working and learning with colleagues and students from more than 120 countries. We are here to learn with, and from each other, to collaborate and to share ideas and perspectives. We value difference, respect the views of others, and uphold the right of expression of those views, even when they differ from our own.

3.1.2 Our Equality and Diversity Policy confirms our belief that:

‘... we are committed to working together to build a learning community founded on equality of opportunity - a learning community which celebrates the rich

diversity of our student and staff populations. Discriminatory behaviour has no place in our community and will not be tolerated...'

'Within a spirit of respecting difference, our equality and diversity policies promise equal treatment and opportunity for all regardless of gender, sexuality, race, colour, disability, religion, age, and ethnicity or nationality...' (<http://www.biot.org.uk/registry/>)

3.1.3 We recognise that equality and freedom are precious, and will not tolerate any behaviour or activity that is disrespectful, or may intimidate, provoke or harass others, or impede their learning and participation.

3.1.4 Our Personal Dignity Policy identifies our firm belief that:

'All members of staff and students should be able to work and study in a safe environment founded on mutual respect without feeling threatened or demeaned by other members of staff, students or anyone else.'

<http://www.biot.org.uk/registry/>

3.1.5 In addition to the policies quoted above, we have adopted a range of policies and procedures to help promote good behaviour, and to identify the standards of behaviour that we are required to observe. These include these regulations and procedures, and descriptors of the responsibilities of students. We also have regulations which apply to our student residences, and an academic integrity policy (see paragraph 4.2.3).

### **3.2 Code of conduct**

3.2.1 Codes of conduct apply:

- to all students;
- at all sites throughout our estate, and;
- when we represent our Institute on business beyond our campus, both in real (face-to-face) and virtual environments.

3.2.2 This code is more than a list of things that we should and should not do: it reminds us that we should *always* consider how our behaviour affects others.

3.2.3 Where these standards are breached, disciplinary action can be taken.

### **3.3 Behaviour in all learning and social areas**

3.3.1 Verbal and physical behaviour should always be polite and respectful.

3.3.2 Behaviour should not impair the engagement, learning or participation of others.

3.3.3 Antisocial behaviour by individuals and groups will not be tolerated. This includes, for example:

- discriminatory, demeaning, abusive, indecent or offensive language or comments;
- threatening, aggressive behaviour or inappropriate gestures;
- verbal or physical harassment or bullying;
- possession of firearms, or other offensive weapons and illegal substances (ceremonial knives, which are a recognised part of religious observance, are not considered to be offensive weapons and may be worn discreetly);
- the misuse and abuse of drugs, alcohol and illegal substances, trading in drugs and illegal substances, and encouraging, or assisting, others to engage in such activities;
- wilful damage to our Institute's premises or property, and;
- wilful disregard for our health and safety policies.

3.3.4 Action will be taken against those who violate the Code of Conduct.

3.3.5 Students will be:

- required to show their student identification card, so their name may be recorded;

- informed that their behaviour is unacceptable and that it is required to stop;

3.3.6 Disruptive individuals will be required to leave an area or session and/or the campus and referred under the student disciplinary regulations for investigation (penalties include suspension and expulsion). Action may also include civil or criminal proceedings.

### **3.4 Responsibilities of students bringing children onto our estate**

3.4.1 Children should not normally be brought onto campus. If it is essential to do so, they must never be left unsupervised and their behaviour is the responsibility of the carer.

3.4.2 Children may not be taken into learning areas such as classrooms, libraries or IT learning areas without the prior agreement of the staff responsible for those areas.

### **3.5 Litter and waste**

All members of our community are expected to:

- recycle waste materials wherever possible, and;
- dispose of litter and chewing gum in designated bins.

### **3.6 Behaviour in libraries, IT learning areas, classrooms and lecture theatres**

3.6.1 The libraries, IT learning areas, classrooms and lecture theatres are intended as quiet spaces for learning and working, not as social spaces for meeting friends and chatting. Please respect other users at all times.

3.6.2 Food and drink should not be consumed in any of these areas except where expressly permitted.

3.6.3 While using the library, or other designated quiet study areas, mobile telephones must be either switched to silent mode, or be switched off. Mobile telephones should not be answered, or telephone conversations conducted, in the library, or in other designated quiet study areas

3.6.4 Headphones must be used in the library areas for study that involves listening to music, or for viewing audio-visual material, such as video clips or DVDs. Personal stereos and other personal audio-visual equipment that is not used for study purposes should not be used in the library and in designated quiet study areas.

3.6.5 Log out if leaving a personal computer unattended for more than a few minutes, so others may use them

3.6.6 Children must not be left unsupervised in the libraries at any time

3.6.7 Individuals whose behaviour prevents others from studying quietly, or from using library and IT facilities will be required to leave the premises, and action will be taken using these regulations and procedures.

### **3.7 Behaviour in lectures, seminars, laboratories and workshops**

#### **3.7.1 Preparation**

- prepare work in advance, and;
- arrive early and sit away from entrances /exits

#### **3.7.2 Punctuality**

- late arrivals disrupt the experience of others;
  - o If permitted entry, enter quietly without disruption
  - o If refused entry, leave immediately and without argument, and;
- It is not usually permissible to leave before the end of the session; if it is necessary to do so you must tell the lecturer/teaching staff member before the session begins, and leave quietly.

#### **3.7.3 Participation:**

- do nothing to impair others' engagement or learning;

- observe specialist guidance (e.g. in laboratory/clinical/studio sessions), and;
- disruptive individuals will be required to leave immediately and without argument.

#### 3.7.4 Mobile telephones:

- these must be switched off during lectures and seminars and may not be used for any purpose during teaching.

### 4. Introduction to the student disciplinary regulations and procedures

4.1 These student disciplinary regulations and procedures are for the guidance of students and employees of our Institute and they are addressed to both groups. Their prime purpose is to identify, confirm and, if appropriate, penalise student misconduct, so as to ensure that our Institute remains a safe place conducive to the educational, professional and social activities that students and employees expect to enjoy.

4.2 The regulations and procedures are intended to be operated fairly, consistently and sensitively, using principles of natural justice.

4.3 It is the responsibility of the Head of Governance and Legal Services to monitor and review these regulations and procedures to ensure that they are fully effective and consistently applied across our Institute.

#### 4 Scope and definitions (see also section 6: *Jurisdiction - when does our Institute take action?*)

##### 4.1 Who is involved?

4.1.1 These regulations and procedures apply to all students on our Institute's programmes (including distance and e-learning programmes). However special considerations apply to students on programmes at partner institutions (please see regulation 6.4 below). If a student withdraws from our Institute with an outstanding allegation against them, should they subsequently apply for re-admission the allegation may be investigated prior to their return to study.

##### 4.2 Are these the right regulations and procedures to use?

4.2.1 These regulations and procedures concern **student misconduct**, which is defined in section 5 below. Where students have a complaint about our Institute's educational provision, facilities or services, the complaints procedure should be used (see the *Manual of General Regulations*, part 14).

4.2.2 Where students consider that any student's or staff member's behaviour may constitute bullying, harassment or other forms of discrimination, then the personal complaints policy should be used (<http://www.biot.org.uk/registry>).

4.2.3 Where the alleged misconduct concerns cheating, collusion or plagiarism the *academic integrity* policy should be used (see the *Manual of General Regulations*, part 8).

4.2.4 Where students who are alleged to be guilty of misconduct have a physical or mental health problem, or disturbed state of mind, which affects their behaviour and is evident in the incident of alleged misconduct, consideration should be given to whether the relevant sections of Part 11 of the *Manual of General Regulations*, responsibilities of students, should be used in the first instance (see section 19 below).

4.2.5 Where students who are alleged to be guilty of misconduct are studying on a programme leading to professional registration these regulations and procedures should be used if the misconduct fits the definitions in section 6.1 or 6.2 below. At the conclusion of its proceedings the disciplinary panel will send a report to the Dean of School, who may take further appropriate action under the suitability procedure (see the *Manual of General Regulations*, part 13: suitability procedure)

4.2.6 Advice on the application of these regulations and procedures can be obtained in the first instance from the head of compliance and Legal Services and/or the Advice and Information Service (AIS) of the Students' Union. The Head of the Mentor and Equalities Unit should also be consulted in the case of any allegation of discrimination.

#### 4.3 Expressions used in these regulations and procedures (please see also section 6 below)

'Allegation' means a written statement about an instance of misconduct made to a disciplinary manager normally on an incident report form and copied to the Head of Security and/or the Occupational Health and Safety Manager.

'Days,' for the purpose of computing timescales and deadlines, means working days, which, for the purposes of these regulations and procedures are Monday to Friday other than bank holidays and days when our Institute is closed to all students and employees.

'Disciplinary hearing' means the meeting held to establish whether the allegation is substantially true, on the balance of probabilities, and to give the student a fair hearing. It takes place after the investigation.

'Disciplinary manager' means the person who appoints the investigating officer and who chairs the disciplinary hearing. This is normally the Dean of School, or Director of Service, who manages the area in which the alleged misconduct took place.

'Evidence' means the allegation/s, reports, written witness statements and information collected during the investigation and provided to a disciplinary meeting, or appeal hearing, which form the basis on which decisions are reached.

'Exclusion' (also sometimes referred to as 'expulsion') means the termination of a student's enrolment at our Institute. It should not be confused with 'suspension' (see the definition of 'suspension' below). 'Exclusion,' unlike 'suspension,' is a penalty and is administered after a disciplinary hearing.

'Finding' means the decision of a disciplinary meeting as to whether an allegation is substantially true on the balance of probabilities.

'Investigating officer/s' means the person/s appointed by the disciplinary manager to carry out the investigation.

'Investigation' means an enquiry carried out by the investigating officer/s to establish the facts and to gather witness statements.

'Member of the Principal's Group' means any senior employee so designated by the Council and appointed to our senior management team (the Principal's Group (VCG)).

'Person making the allegation' means the individual who reports the alleged misconduct. They may either be affected by it or merely witness it but they are the person who draws the matter to our Institute's attention.

'Penalty' means the punishment for misconduct substantiated on the balance of probabilities.

'Personal file' means the individual, confidential student file maintained for each student and held by the School.

'Representative' means a person accompanying the student, or advising, or representing them, who is normally another student, a friend, or an officer or employee of the Students' Union, and who may not be a practising member of the legal profession acting on behalf of the alleged offender in a professional legal capacity.

'Suspension' means the temporary prohibition of a student from our Institute premises, or part of them, other than for the purpose of attending meetings in connection with these regulations and procedures. 'Suspension' unlike 'exclusion' (see above), can be imposed as a precautionary measure while a disciplinary investigation is being conducted. In such circumstances 'suspension' is not a penalty, but is a precautionary measure taken pending investigation and a disciplinary hearing.

#### **4.4 Principles**

- 4.4.1 No disciplinary penalty may be applied to a student unless the allegation has been fully investigated and the action is reasonable in the circumstances.
- 4.4.2 No disciplinary hearing may take place unless there is a written allegation which is signed by the person making the allegation. If there is a good reason for the absence of a written allegation this clause may be waived by the Assistant Head of Governance and Legal Services.
- 4.4.3 The student has the right to be advised in writing of the allegation against them and is given the opportunity to respond in writing to the allegation and state their case at a disciplinary hearing before any decision is made. No prior assumptions or judgements are made about the outcome of the hearing.
- 4.4.4 No student may be excluded for a first disciplinary offence except in the case of either gross misconduct, or under our suitability procedure. Repeated instances of misconduct will lead to increasingly severe penalties.
- 4.4.5 The student has the right to be accompanied at a disciplinary hearing by a friend, or representative, but who may not be a person acting in a legal capacity.
- 4.4.6 The student may also be accompanied by an appropriate person to provide disability or language support and has a right to reasonable adjustments under the Equality Act 2010.
- 4.4.7 The student has the right of appeal against suspension, the finding of a disciplinary hearing and the level of penalty administered.
- 4.4.8 If the student fails to attend a disciplinary hearing without notifying the officer responsible for the administration of the hearing, or without a good reason, the hearing will be held *in absentia* and a decision may be taken in the student's absence.
- 4.4.9 Our Institute provides training to investigating officers and disciplinary managers in the appropriate handling of disciplinary issues under these regulations and procedures.
- 4.4.10 These regulations and procedures operate within the context of our Institute's equality and diversity policies and schemes.
- 4.4.11 All aspects of disciplinary proceedings are confidential to the participants and those to whom correspondence is copied. Correspondence is handled confidentially and in accordance with the Data Protection Act and our Institute's records retention policy.
- 4.4.12 It is the student's responsibility to ensure that our Institute holds a valid, accurate and up to date address for correspondence and to collect any correspondence sent to that address.
- 4.4.13 Timescales in this document will be adhered to, so far as is reasonably possible, other than in exceptional circumstances, in which case an explanation will be given to those involved.
- 4.4.14 If a suspended, excluded or expelled student is in Institute accommodation, relevant provisions of the Housing Act 1988 (as subsequently amended) apply.

#### **5 Definitions of misconduct and jurisdiction**

##### **5.1 Offences**

- 5.1.1 Misconduct means any behaviour that contravenes the student charter, our code of conduct (see section 3 above), or which is dangerous, or is against the law. The following are examples only:
  - a) irresponsibly causing disruption to the education of others;

- b) irresponsible, denigrating, threatening or dangerous behaviour towards any other student or Institute employee, in person, by telephone, electronic (for example e-mail), or other indirect means, including via public internet sites and social networking sites;
- c) irresponsible behaviour towards our Institute's property, including independently managed property, such as damage and/or theft;
- d) behaving anywhere in public in such a way as to bring our Institute, or its employees, into disrepute, in person, by telephone, electronic (for example e-mail) or other indirect means, including via public internet sites and social networking sites;
- e) failing to obey any of our Institute's policies, regulations and procedures (see formal documents index on our Institute's website);
- f) failing to obey a reasonable instruction from a Institute employee;
- g) acts or words of discrimination against others;
- h) dishonesty and fraud, relating to false identity, qualifications, financial transactions or the like supplied at initial enrolment or at a later stage;
- i) unauthorised entry into any part of Institute premises including student accommodation;
- j) possession and/or abuse of drugs and/or abuse of alcohol;
- k) dangerous or unsafe behaviour in relation to health and safety, including compliance with fire regulations, driving a vehicle and cycling;
- l) making a false or malicious allegation under these regulations and procedures (see regulation 9.4 below), and;
- m) carrying a firearm or other offensive weapon on our premises (ceremonial knives, which are a recognised part of religious observance, are not considered to be offensive weapons and may be worn discreetly).

**5.1.2 Gross misconduct** means any behaviour from the list above, or similar behaviour, which:

- a) could have serious physical or mental consequences for another person;
- b) could have serious effects on our Institute's property, reputation or ability to run its services;
- c) could be classed as a criminal offence potentially attracting a prison sentence (see section 18 below);
- d) could be interpreted as a fundamental breach of the student's contract with our Institute;
- e) may lead to expulsion from our Institute.

## **6 Jurisdiction - when does our Institute take action?**

6.1 These regulations and procedures normally apply to misconduct which takes place on our Institute's premises, including student residences owned by our Institute, including any independently managed residences, or residences operated under head tenancy agreements. They also apply to misconduct which may take place on sites temporarily used by our Institute for teaching, examinations, or recreational purposes, and to any misconduct on Institute sponsored or arranged placements, visits, recreational activities such as sporting events, or study trips.

6.2 Our Institute normally takes no disciplinary action towards students acting in their personal capacity in their own homes, or in public places away from our Institute's premises. However, where students are accessing our Institute's computer network from home, or elsewhere, or representing our Institute in any way, or are otherwise identifiable and potentially able to bring our Institute into disrepute, our Institute may take action if it receives an allegation.

- 6.3 Where the alleged misconduct takes place in the Students' Union, or at a Students' Union event or activity, the Students' Union's own disciplinary regulations and procedures should be used.
- 6.4 Where the student is enrolled on a programme based at a partner institution, the partner institution's own disciplinary regulations and procedures should be used, unless the partner institution has reached an agreement that this is not the case. The Head of Quality Assurance and Enhancement will advise on this.
- 6.5 Our Institute's policies, regulations and procedures, including health and safety and emergency regulations and procedures, are published on our Institute's website and are issued to students at the time of their admission and during the programme of their studies. Taken together these documents provide a guide to what constitutes good conduct under the contract that students have formed with our Institute.

## **7 Allegations**

### **7.1 How do you make an allegation?**

- 7.1.1 In a teaching setting, or any other environment covered under section 6 above, any person who experiences or witnesses misconduct by a student is asked to record briefly in writing, normally on an incident report form (see appendix 1), exactly what has happened, noting the time of day and date. This will form the 'allegation'. They, or security employees, should ask other witnesses to do the same on a witness statement form (see appendix 2). This task should be completed as soon as possible after the event and in any case within ten days of it. This is in order to establish the facts and to be fair to the student in question. If in doubt the Advice and Information Service of the Students' Union will be able to advise a student on this step.
- 7.1.2 If the student is causing danger to anyone, the witness is asked to call our Institute's security employees (via Switchboard or Reception on 0208 552 3071, or by visiting the security point, who will, after brief investigation, telephone the emergency services and ask for the police, fire brigade or ambulance. If necessary, the witness should contact the emergency services directly by dialling '999' (if the emergency services are involved, see section 18 below). The witness is asked not to approach the student in a case of violent, dangerous or very disturbed behaviour. A formal disciplinary allegation (as in paragraph 7.1.1 above) or complaint may then follow.
- 7.1.3 If the student is not causing any danger to anyone, but appears to have a mental health problem, or a disturbed state of mind, which is affecting their behaviour, the person who experiences or witnesses this conduct should act in accordance with paragraph 7.1.1 above, but normally the relevant sections of regulations relating to the responsibilities of students, will then be followed (see section 19 below). The Student Health and Well-being Team can advise further on how discretion can be exercised in this regard.

### **7.2 Where do you send an allegation?**

- 7.2.1 Taking advice from a Institute employee as appropriate, the person making the allegation should add the name(s) of any other witness(es), sign their allegation (the incident report form) and send it and the witness statement form(s) to one of the following disciplinary managers:
- Deans of School in the case of misconduct during teaching sessions, or if the incident took place in an area directly under the jurisdiction of a School, or;
  - Directors of Services relevant to the area in which the misconduct took place (including student residential accommodation).
- Disciplinary managers may delegate their responsibilities to a senior colleague.
- 7.2.2 In the case of an off-campus incident, the person making their allegation should send their allegation to the Head of Governance and Legal Services at the Institute 252-262 Romford Road, London E7 9HZ. The Head of Governance and Legal Services

will nominate a disciplinary manager (see regulation 7.2.1 above) and will refer the allegation to them.

- 7.2.3 If in doubt about where to send the allegation, the person making the allegation should seek advice from The Head of Governance and Legal Services.
- 7.2.4 Anonymous allegations will normally be ignored and will only exceptionally be actioned if sent through an intermediary, such as the Students' Union. Unsigned allegations will be returned to the sender with a request for resubmission.
- 7.2.5 The person making the allegation will normally be an important witness at the disciplinary hearing and is able to gain Institute and Students' Union support in the case of any intimidation.
- 7.2.6 The disciplinary manager should copy the allegation to the Head of Governance and Legal Services and, where relevant, to the Dean of the School in which the student is studying.

## **8 Suspension**

- 8.1 Suspension is not a penalty (see section 4.3 above).
- 8.2 On the basis of an allegation, if the disciplinary manager or their nominee considers that there is a risk of immediate, or continuing, danger to others, or a threat of disruption of our Institute's normal operations because of the nature of the student's alleged behaviour, they may suspend the student from all or part of our Institute's premises, including residential accommodation, for one week in the first instance, and then notify Head of Governance and Legal Services, who is duly authorised under these regulations and procedures to act on behalf of the Principal in relation to matters of student discipline
- 8.3 The procedure as outlined in paragraph 8.2 above also applies to practice placements and other off-campus learning locations, in which case the student may be suspended from the placement setting and all, or part, of our Institute's premises, including residential accommodation.
- 8.4 The disciplinary manager, or nominee, should take into account any examination attendance, or assignment deadline that may apply to the student before taking the decision to suspend.
- 8.5 The Principal, or another member of the Principal's Group, may, at the request of the disciplinary manager, extend this suspension to the conclusion of the disciplinary hearing and any appeal hearing.
- 8.6 The student may appeal in writing to the Principal against the extension of their suspension. The Principal, or another member of the Principal's Group, will review the grounds for the suspension and the statement made by the student. Their decision is final and will be conveyed in writing to the student.

## **9 Investigation**

- 9.1 Our Institute considers it to be of great importance that a thorough and unbiased investigation is carried out to establish the facts of the matter before a disciplinary hearing takes place.
- 9.2 Normally within five days of receiving the initial allegation, the disciplinary manager shall send the allegation, and any accompanying witness statements, to the student. The student will be informed in writing that an investigation will be carried out and that they may be interviewed. A copy of these regulations and procedures will be sent to the student at the same time. The student will be invited to prepare a written response to the allegation and also to identify any appropriate support or adjustments in the case of a disability.
- 9.3 Normally within five days of receiving the allegation, the disciplinary manager will appoint an investigating officer, who must not have been previously involved in the case. The investigating officer will call in any further witness statements in writing, and may interview the student and any witnesses and, if appropriate, will compile any other documentary evidence.

- 9.4 As soon as possible, and in any case within ten days of being appointed, the investigating officers will make a report to the disciplinary manager, which may recommend:
- that the allegation does not appear true on the balance of probabilities, or does not constitute misconduct under section 5 above. Thus, there is no case to answer and the matter will not be pursued; or
  - that the allegation is malicious, or frivolous, or vexatious, in which case it will not be pursued and the person making the allegation may be subject to disciplinary action under these regulations and procedures; or
  - that the allegation appears to be true, but is a minor offence which, if admitted by the student, may be dealt with by an oral, or first written warning, or written apology; or
  - that the allegation appears to be true and, in the view of the investigating officer, is serious enough to be the subject of a disciplinary hearing; or
  - that the allegation appears to be true and constitutes gross misconduct under section 5, thus exclusion from our Institute may be an outcome of the hearing.

## **10 Correspondence**

- 10.1 If the disciplinary manager accepts the recommendation that the matter should not be pursued, within five days of receiving the report they will write to the student to notify them of the outcome and copy the letter to the Head of Governance and Legal Services and the person who made the allegation.
- 10.2 If the disciplinary manager accepts the recommendation that the matter may be dealt with by an oral, or first written warning, or written apology (see section 13 below), within five days of receiving the report they will decide on the appropriate penalty and write to the student to ask them if they admit the misconduct and accept the penalty.
- 10.3 The student will be invited to reply to the disciplinary manager within ten days. The student may admit the misconduct and accept the penalty. In the case of a written penalty this will be placed on the student's personal file.
- 10.4 Alternatively the student may deny the misconduct. In this case, or if the student fails to reply, a disciplinary hearing must take place. The disciplinary manager will notify the student of this.
- 10.5 If the disciplinary manager accepts the recommendation that the matter is too serious to be dealt with under paragraph 10.2, or constitutes gross misconduct, a disciplinary hearing must take place. The disciplinary manager will notify the student of this and of the disciplinary charge against them.
- 10.6 In the event of the disciplinary manager declining to accept the investigating officer's recommendation, the view of the disciplinary manager takes precedence.

## **11 Disciplinary hearing**

- 11.1 The disciplinary manager will be the Chair of the disciplinary hearing and will appoint a secretary, who will establish the time and date of the hearing, arrange an appropriate venue, and any necessary adjustments or support in the case of disability. The hearing will normally take place within fifteen days of the investigating officer's report having been received by the disciplinary manager (which means that provisional arrangements should be put in place for a hearing even if following the route described in paragraphs 10.1 and 10.2 above).
- 11.2 In the case of misconduct short of gross misconduct, the disciplinary manager (Chair) may conduct the case alone. The investigating officer and Chair may, however, consider the allegation to be a case of gross misconduct (see regulation 5.2 above and section 13 below). In this case, at the request of the Chair, the secretary shall invite a member of our Institute's Management Team, another manager at the level of Dean or Academic Registrar, and a student member nominated by the

Students' Union, not previously involved in the case, to hear the evidence with the Chair and to form a disciplinary panel.

- 11.3 The secretary will ask the investigating officer to submit their report and supporting evidence and to call any witnesses to attend the hearing in person on behalf of our Institute. The role of the investigating officer at this stage is to put the facts to the disciplinary hearing.
- 11.4 Ten days before the hearing, the secretary will write to the student, notifying them of the time, date and venue of the hearing, and the fact that they may be accompanied by a representative, and will send them the investigating officer's report and supporting evidence. They will also notify the student of the name of the disciplinary manager and, in the case of gross misconduct, other members of the panel. They will invite the student and investigating officer to make a further written statement and to call witnesses in support of their case to attend the hearing. The student may seek support or adjustments in the case of a disability but otherwise must reply within five days of receipt of this request. If the student fails to reply the hearing may still proceed.
- 11.5 Five days before the hearing, the secretary will send any further statement received from the student and/or the investigating officer, and any additional supporting evidence to the Chair and, in the case of gross misconduct, other members of the panel, and to the student and investigating officer.
- 11.6 The student, the investigating officer, the secretary, the Chair and, in the case of gross misconduct, the other members of the panel, will see written material associated with the case. Normally witnesses will see only their own statement, subject to paragraph 17.1 below.
- 11.7 If the student is unable to attend at the time notified, they must advise the secretary following which one further opportunity will be provided for the hearing. If without good reason the student is unable to attend a second time the hearing will take place in the absence of the student and a decision will be made.

## **12 Proceedings of the disciplinary hearing**

- 12.1 The Chair will conduct the proceedings in an efficient way, while safeguarding the fairness of them. Subject to allowing a full airing of views, the Chair may guide the participants in minimising repetitious, irrelevant or frivolous evidence.
- 12.2 The proceedings of the hearing will not be invalidated by the absence of the student, their representative, or any witnesses if they have been given a reasonable opportunity to attend.
- 12.3 The normal order for the disciplinary hearing, which may be varied by agreement of all the parties, or at the discretion of the Chair, is set out at the end of these regulations and procedures in appendix 3.
- 12.4 At the reasonable request of the student, their representative, or the investigating officer, or by decision of the Chair, the hearing may be adjourned by the Chair for a limited period of time agreed by all parties. If no agreement is reached the Chair shall decide on the length of adjournment.
- 12.5 Whether, or not, the Chair has relayed the decision of the hearing to the student in person, they must send a decision letter (see appendix 4) to the student in writing within five days of the hearing, notifying the student of the finding, the reasons for it, the penalty and of the student's right of appeal. The decision letter shall be copied to the Head of Governance and Legal Services.
- 12.6 The secretary shall make a formal record of the proceedings, to be confirmed by the Chair, taking into account comments on factual accuracy by the student and their representative. Within ten days of the hearing, a copy of the record will be sent to all participants other than witnesses (subject to section 17.1 below). In the case of actions to be taken the secretary shall issue the confirmed decision before completing the full record of the proceedings.

### **13 Penalties**

13.1 The penalties shall be decided by the Chair and, in the case of gross misconduct, other members of the panel. The following is a guide only. One of these penalties or a combination may be used:

- Oral warning )
- Apology in writing )
- First written warning ) for first/minor offences
- Withdrawal of privileges, such as use )  
of a facility after certain hours )
- Second/final written warning for a first serious offence or second offences
- Financial compensation for damage to property or theft
  
- Community service or reparation for damage to property or theft
  
- Exclusion for serious offences which caused others to feel threatened or  
frightened or which risked or  
caused danger to others
  
- Exclusion for a first act of gross misconduct or, if there is repeated  
misconduct of a serious nature,  
a third offence after two written  
warnings

13.2 A student on a professional programme may also be subject to further proceedings under our suitability procedure after a report has been made to the Dean of the relevant School.

13.3 Suspended penalties may be administered, to take effect at a later date. Penalties which have unintended consequences, such as exclusion from examinations, shall be avoided.

13.4 The decision letter shall be kept on the student's personal file and treated in accordance with the Data Protection Act and for a duration that is in accordance with our Institute's records retention policy.

13.5 If an appeal (see section 14 below) is not received within ten days of the issue of the decision letter, the decision letter shall constitute the final stage of these regulations and procedures.

### **14 Appeal**

14.1 A student may appeal to the Council against the finding and/or the penalty of a disciplinary hearing if the penalty is expulsion (see section 16 below). In all other cases the student may appeal to a member of the Institute Management Team (UMT) (who shall be a person not previously involved in the case), against the outcome of a disciplinary hearing and/or a penalty short of expulsion (see section 15 below).

14.2 An appeal, which must be made on a student disciplinary appeal form (see appendix 5), shall only be valid for consideration if:

- it is made in writing to the Head of Governance and Legal Services and received within ten days of the student receiving the decision letter after the disciplinary hearing;
- it specifies the grounds of appeal as set out in paragraph 14.3 below;
- it is accompanied by supporting evidence, if any, and;
- it is signed by the student.

14.3 The valid grounds for appeal are:

- material procedural irregularity;
- disregard of material evidence;
- perversity of judgement in the face of the evidence presented;
- demonstrable bias or prejudice on the part of any person forming the judgement;
- the penalty is not proportionate to the student's misconduct;
- the penalty exceeds the authority of the person/s forming the judgement;
- there is new and material evidence which the student was for exceptional reasons unable to present to the disciplinary hearing, and;
- other similar grounds specified by the student.

14.4 The submission of an appeal shall delay the administering of a penalty until the appeal has been heard, but shall not result in the removal of a suspension previously imposed under regulation 8.2 above.

### **15 Appeal to a member of the Institute Management Team**

15.1 If the appeal is based on valid grounds the Head of Governance and Legal Services shall arrange for a single member of the UMT, who must not have been previously involved in the case, to hear an appeal against the findings of disciplinary hearings and all penalties other than expulsion. Within twenty days the UMT member will review all the written evidence and, accompanied by a note taker, interview the student and the Chair of the disciplinary hearing. The UMT member's decision shall be based on whether the appeal is upheld on the balance of probabilities. The UMT member's decision shall be final.

15.2 The UMT member shall decide on one of the following outcomes: either to:

- arrange a rehearing in the case of procedural defects which may have a bearing on the original decision; or
- uphold the appeal, with or without further conditions; or
- uphold the appeal in part and modify the penalty, with or without further conditions; or
- dismiss the appeal and confirm the penalty.

15.3 The UMT member shall record their decision, and the reasons for it, and shall notify the student in writing. The student shall also be informed in writing of their right to take the matter to the Office of the Independent Adjudicator. This letter shall constitute the completion letter, which supersedes the decision letter, and shall be prepared in a manner compliant with the requirements of the Office of the Independent Adjudicator. A copy of the completion letter shall also be sent to the Head of Governance and Legal Services and to the Dean of School. A copy of the letter shall be placed on the student's file.

### **16 Appeal to the Principal**

16.1 There shall be a Student Disciplinary Appeals Panel to hear appeals against expulsion, that shall comprise the Principal, or a lay Governor, who shall be the Chair of the Panel, a member of the Institute Management Team, who must not have been previously involved in the case, and the President of the Students' Union, or their nominee. The Head of Governance and Legal Services shall nominate a secretary to the Panel.

16.2 The secretary to the Panel shall arrange for the Panel to meet as soon as possible, normally within twenty days of receiving the statement of appeal.

16.3 The secretary shall establish the Student Disciplinary Appeals Panel in the same manner that the disciplinary hearing is established (see section 11 above), save that unless the Chair of the Student Disciplinary Appeals Panel specifies otherwise,

only the Chair of the disciplinary hearing and the student and their representative will be invited to attend.

- 16.4 The Chair shall conduct the Student Disciplinary Appeals Panel hearing in the same manner that the disciplinary hearing was conducted (see section 11 above and appendix 3, omitting the contribution of the investigating officer and witnesses, but including statements from the student and the Chair of the disciplinary hearing. The full papers relating to the case shall be reviewed.
- 16.5 The Student Disciplinary Appeals Panel shall have delegated authority from the Council to decide on one of the following outcomes: either to:
- arrange a rehearing in the case of procedural defects which may have a bearing on the original decision; or
  - uphold the appeal and rescind the decision to exclude, in which case the student shall be exonerated; or
  - uphold the appeal in part and rescind the decision to exclude subject to a lesser penalty, or such other conditions as the Panel may determine; or
  - dismiss the appeal and confirm the decision to exclude the student subject to such conditions as the Panel may determine; or
  - dismiss the appeal and confirm the decision to exclude the student.

Having reached its judgement on the facts, the Panel shall take the student's statement of mitigation and any supporting evidence into account and confirm, or modify the decision.

- 16.6 The Student Disciplinary Appeals Panel shall reach its final decision by a simple majority. The decision shall be based on whether the grounds of appeal are substantiated on the balance of probabilities and it is final.
- 16.7 At the discretion of the Chair a brief summary of the decision can be relayed orally to the student, their representative and the Chair of the disciplinary hearing as soon as the decision has been made. In any case the Panel will normally reach a decision within five days of the meeting of the Panel.
- 16.8 The secretary shall arrange for a formal record of the proceedings to be made, to be confirmed by the Panel, taking into account comments on factual accuracy by the student, their representative, and the Chair of the disciplinary hearing. Normally within ten days of the meeting of the Panel, a copy of the record shall be sent to all participants. In the case of actions to be taken the secretary shall issue the confirmed decision before completing the full record of the proceedings.
- 16.9 Whether, or not, the Chair has relayed the decision to the student in person, the Panel shall record its decision and the reasons for it and notify the student in writing. The student shall also be informed in writing of their right to take the matter to the Office of the Independent Adjudicator. This letter shall constitute the completion letter, which supersedes the decision letter, and shall be prepared in a manner compliant with the requirements of the Office of the Independent Adjudicator. A copy of the completion letter shall also be sent to the Head of Governance and Legal Services and to the Dean of School. A copy of the letter shall be placed on the student's file.

## **17 Rights of persons affected by misconduct**

- 17.1 A person, who may be the person making the original allegation, who has experienced the misconduct of the student and has been affected by it, may be a witness at the disciplinary hearing and, at the discretion of the Chair, see some or all the written material associated with the case.
- 17.2 At the discretion of the Chair, the person described in regulation 17.1 above may be invited to make a statement about the impact of the misconduct on them.

17.3 the person described in regulation 17.1 above shall have the right to be sent a note by the secretary of the decision of the disciplinary hearing, the penalty and any appeal. If they are not satisfied with the way in which the allegation has been handled, or with the outcome, they have recourse to the complaints procedure, or to the staff grievance procedures.

17.4 Other witnesses to the misconduct who contribute to the hearing shall have the right to receive a letter informing them of the outcome of the disciplinary hearing and any appeal.

## **18 Criminal offences, police and emergency services**

18.1 Where an allegation of misconduct may, if found to be substantially true, constitute criminal behaviour, the police shall be informed. Should police proceedings be implemented, our Institute reserves the right to hold its own disciplinary hearing, or to choose to wait until the outcome of the police proceedings are known.

18.2 Where emergency services other than the police have been called, disciplinary proceedings shall normally be undertaken immediately afterwards, if appropriate, on behalf of our Institute (see regulation 7.1.2 above).

## **19 Mental health or disturbed behaviour**

19.1 The case of a student who has a declared, or suspected, health (including Mental Health) or wellbeing issue, which may have led to misconduct, may be referred by the Dean of School for consideration under the relevant sections of the Manual of General Regulations, Part 11. 9, Fitness to Study.

19.2 Where a student has been subject to investigation under the Fitness to Study Procedure due to inappropriate behaviour to ascertain whether their difficulties relate to a health (including Mental Health) or wellbeing issue; the Institute reserves the right to refer that student back to the disciplinary procedures should it not be possible to establish an acceptable welfare-based reason for their actions.

## **20 Fitness to practise (suitability)**

20.1 A student on a programme that leads to professional registration and who has received a penalty, including expulsion, under these regulations and procedures, will be the subject of a report to the relevant Dean of School and may be subject to proceedings implemented under our suitability procedure. This may affect their good character reference in future, or may lead to a further decision being taken under suitability procedure.

## **21 The Office of the Independent Adjudicator (OIAHE)**

21.1 If a student has exhausted the internal procedures and is not satisfied with the outcome he/she may request that the case is reviewed by the Office of the Independent Adjudicator which is a body independent of our Institute.

Office of the Independent Adjudicator for Higher Education  
Third Floor  
Kings Reach  
38-50 Kings Road  
READING  
RG1 3AA  
Tel: 0118 959 9813  
E-mail: [enquiries@oiahe.org](mailto:enquiries@oiahe.org)  
Web: [www.oiahe.org.uk](http://www.oiahe.org.uk)

21.2 Any complaint to the OIAHE must be submitted within three months of the completion letter being received by the student (see regulation 15.3 above) (The OIAHE will not normally consider complaints that have not followed our Institute's regulations and procedures through all stages including appeal).

## **22 Monitoring and reporting**

22.1 A tracking process will be established, so that administrative contacts in Schools and Services can learn if a student is involved in more than one disciplinary process at any one time and see earlier penalties administered. A case conference will normally be established by the relevant disciplinary manager or administrative contact to consider how to handle the parallel processes.

22.2 The application of these regulations and procedures will be monitored by the Head of Governance and Legal Services, including details of ethnic origin, gender, disability and age, to ensure consistency of approach and compliance with relevant legislation.

22.3 All disciplinary cases will be reported to our Council in anonymised form.

## APPENDIX 1

Incident report form (Section 7: disciplinary allegation)

Incident reported  
by:

Date:

Time:

Location:

Brief details of incident and name of person responsible for this (if known):

Damage to property if any (please specify):

Personal injuries if any (please specify) and name of person injured (if known):

Emergency services called (please specify):

Name/s of any witness/es:

Signature:

Date:

Time:

This form (with any attached witness statements) is sent to the relevant Disciplinary Manager (Dean /Academic Registrar (see regulation 7.1.1) who should send a copy to the Student Welfare Officer and (as necessary). The investigating officer is required to inform the student of the allegation.

## APPENDIX 2

Witness statement form (Section 7: disciplinary allegation)

Brief details of incident (please use (a) continuation page(s) if necessary)

Please ensure you include the following information where possible:

*Site; Location; Day, date, time; Damage to property if any; Injuries sustained if any; Emergency Services called if any; Name of person responsible - if known.*

Signature

Name (please print):

Date:

Address:

Telephone:

E-mail:

**(this information will be redacted from any copies of the form that are circulated in connection with the application of the student disciplinary regulations and procedures)**

This statement form must be signed and dated. **No unsigned forms will be considered.** This witness statement form may be used to support a disciplinary allegation against a student and will be copied to the student alleged to be responsible. It will, however, be kept strictly confidential to those taking part in any disciplinary hearing. Sensitive personal data relating to the witness (for example, the contact address, telephone number and e-mail address) will be redacted.

## **APPENDIX 3**

**A: DISCIPLINARY HEARING** (for the procedure to be followed by a student disciplinary appeals panel, please see **B** below)

**Strictly confidential**

**Agenda for a disciplinary hearing to be held on (date) at (time) in (place)**

**Panel to convene at (time) in the (place) to consider an allegation of misconduct/ gross misconduct**

**Disciplinary manager  
(or panel membership in case of gross misconduct)**

Name (Chair) Position

Name Position

Name Position

Name (Secretary) Position

**Student and representative**

Name School

Name Position

**Investigating officer**

Name Position

**Written evidence**

1 Allegation and witness statements

2 Response from the student

3 Investigating officer's report and evidence

4 Further statement from student and evidence

5 Any further witness statements

**Procedural papers**

In accordance to student disciplinary procedures.

**Purpose of hearing**

The purpose of the hearing is to determine whether the allegation against (name) can be substantiated on the balance of probabilities and to determine a penalty if any.

It is for the Chair/Panel to determine the issues that are directly relevant to this matter and whether any further statements are needed from the student or the Institute or if a further hearing may be necessary.

### APPENDIX 3

#### Conduct of the disciplinary hearing

The disciplinary hearing will be conducted in line with the following order of business:

##### Order of business

1. [time] Briefing of the panel by the secretary (if required).

Present: the panel, and; the secretary.

2. [time] Commencement of the hearing.

Present: the disciplinary manager/panel;

the secretary;

the investigating officer

the student, and;

the person accompanying the student (if the student has decided to be accompanied)

The alleged student and the person accompanying the student have the right to remain while witnesses are called to give evidence, and to ask questions via the Chair.

3. [time] The investigating officer will put the facts to the disciplinary hearing.

The investigating officer will call witnesses (if required) to give evidence about the facts of the case.

Witnesses shall be called individually to give evidence and to be questioned and shall be present at the hearing for only that purpose. Having given evidence and answered questions the witness must withdraw.

Witnesses may be questioned by the investigating officer, by the Chair and the panel. The student (and the person accompanying the student) may raise points of clarification and/or ask questions via the Chair.

4. [time] The student (or the person accompanying the student) will present their case.

The student will call witnesses (if required) to give evidence in their defence.

Witnesses shall be called individually to give evidence and to be questioned and shall be present at the hearing for only that purpose. Having given evidence and answered questions the witness must withdraw.

5. All parties shall withdraw so that the Chair/panel can consider the decision.

#### B: STUDENT DISCIPLINARY APPEALS PANEL

Strictly confidential

**Agenda for a disciplinary appeals panel hearing to be held on  
(date) at (time) in (place)**

**Panel to convene at (time) in the (place) to consider an appeal  
against the decision of a disciplinary hearing**

**Panel membership**

Name (Chair) Position

Name Position

Name Position

Name (Secretary) Position

**Student and representative**

Name School

Name Position

#### Chair of the disciplinary hearing

Name Position

#### Written evidence

1 Allegation and witness statements

2 Response from the student

3 Investigating officer's report and evidence

4 Further statement from student and evidence

5 Any further witness statements

6 Report and decision of the disciplinary hearing **Procedural papers**

## APPENDIX 3

### Purpose of hearing

The purpose of the appeal hearing is not to re-hear the case presented to the disciplinary hearing, but to assess the appeal on the basis of the grounds set out in regulation 14.3 and to decide upon one of the outcomes set out in regulation 15.2.

It is for the Chair/Panel to determine the issues that are directly relevant to this matter and whether any further statements are needed from the student or the Institute or if a further hearing may be necessary.

### Conduct of the disciplinary appeals panel hearing

The disciplinary appeals panel hearing will be conducted in line with the following order of business:

#### Order of business

1. [time] Briefing of the appeal panel by the secretary (if required).

Present: the appeal panel, and;  
the secretary.

2. [time] Commencement of the hearing.

Present: the appeal panel;  
the secretary;  
the Chair of the disciplinary hearing;  
the student, and;  
the person accompanying the student (if the student has decided to be accompanied)

3. [time] The student (or the person accompanying the student) will present the case for appeal.

The student (or the person accompanying the student) may be questioned by the Chair and the panel. The Chair of the disciplinary hearing may raise points of clarification and/or ask questions via the Chair.

4. [time] The Chair of the disciplinary hearing will present their case.

The Chair of the disciplinary hearing may be questioned by the Chair and the panel. The student (or the person accompanying the student) may raise points of clarification and/or ask questions via the Chair.

5. [time] Both parties shall have the opportunity, if they wish, to make a brief closing statement:

- firstly, the student (or the person accompanying the student), and;
- secondly, the Chair of the disciplinary hearing.

6. All parties shall withdraw so that the panel can consider its decision.

## APPENDIX 4

### Decision letter

#### Confidential

*Insert date, name and address*

*Insert date*

Dear

### **Student disciplinary regulations and procedures: finding of disciplinary hearing**

**Date of incident:** *(insert date)*

This letter confirms that a disciplinary hearing was held in accordance with the *Student disciplinary regulations and procedures* of the Institute on *(insert date)* and notifies the finding of that hearing.

The alleged (gross) misconduct related to *(insert detail as referenced in notification of investigation letter)*

The finding of the disciplinary hearing is as follows: the misconduct/gross misconduct was substantiated on the balance of the probabilities/not substantiated *(delete as appropriate)*.

*(If substantiated)*

The penalty is *(insert as appropriate from penalties listed under section 13.1)*

A full report of the disciplinary hearing is attached/will be sent to you *(delete as appropriate)*. Please let me have any comments on factual accuracy by *(insert date)*/You will have an opportunity to comment on factual accuracy *(delete as appropriate)*.

#### **Right of appeal**

You have the right of appeal *to a member of the Institute Management Team/ a Student Disciplinary Appeals Panel (delete as appropriate)* in accordance with section 14 of the *Student disciplinary regulations and procedures*. Any appeal must be lodged within ten days of the date of this letter on a *Student disciplinary appeal form* and be sent initially to the Head of Governance and Legal Services. I would draw your attention to section 14.3 of the *Student disciplinary procedures* which lists the valid grounds for an appeal. Merely being dissatisfied with the outcome of the procedure is not a valid ground for appeal. If you are in any doubt about the appeal procedures they can be discussed with a representative from the Advice and Information Service (AIS) in the Students' Union.

If an appeal is not received by *(insert date)* the penalty will stand and the proceedings under our *Student disciplinary regulations and procedures* will be considered to have been completed.

Yours sincerely

Name

Position (Chair of disciplinary hearing)

Enclosure: Report of disciplinary hearing (if available)

cc: Head of Governance and Legal Services

Student file

## APPENDIX 5

Student disciplinary appeal form (see regulation 14.2)

**Your details Name:**

**Programme/Year:**

**School:**

**Contact address:**

**Postcode:**

**Contact telephone number: E-mail:**

**Details of appeal:**

**Date of disciplinary hearing:** (please attach copy of the disciplinary hearing *Decision letter* (see regulation 12.5))

**Specific grounds for appeal** (see regulation 14.3) (tick as appropriate)

- Material procedural irregularity ;
- Disregard of material evidence ;
- Perversity of judgement in the face of the evidence presented ;
- Demonstrable bias or prejudice on the part of any person forming the judgment ;
- The penalty is not proportionate to the student's misconduct ;
- The penalty exceeds the authority of the person/s forming the judgement ;
- There is new and material evidence which the student was for exceptional reasons ;unable to present to the disciplinary hearing ;
- other similar grounds specified by the student.

**New and material evidence (if appropriate):** (please attach and enumerate below)

The disciplinary appeal panel will not admit any additional evidence other than that submitted with this form.

The completed form and supporting evidence (if applicable) should be sent to the Head of Governance and Legal Services within ten days of the student receiving the decision letter after the disciplinary hearing (see regulation 14.2).

**Signature:**

**Date:**

## Part 13

### Suitability Procedure

#### 1 Definition

- 1.1 These procedures apply to those programmes leading directly or indirectly to a professional qualification or the right to practise a particular profession or calling.
- 1.2 They shall be invoked where the behaviour or action of a student renders them not fit to be admitted to and practise that profession or calling and thereby ineligible to gain the award for which they are enrolled. This is most likely to occur in one of the following circumstances:
- where the behaviour of a student puts at risk their own health and safety or that of other students, staff or members of the public;
  - where the behaviour of a student will debar them from receiving professional body recognition and thus from receiving the award for which they are enrolled.
- 1.3 These procedures should only be used in those circumstances where it would not be appropriate to follow our Institute's general student disciplinary regulations and procedures (Part 12) or where it is not appropriate to deal with the matter through the academic assessment process.
- 1.4 Each programme leading to professional recognition should make clear the grounds which would render a student unsuitable for their chosen profession and which would be subject to these procedures.

#### 2 Referral procedure

- 2.1 Any person who is concerned that a student's current or past actions renders them unsuitable for professional practice should inform the course tutor/subject area coordinator in writing as soon as practicable.
- 2.2 It shall be the responsibility of the course tutor/subject area coordinator to determine whether there is a *prima facie* case that the student's behaviour would render them unsuitable for professional practice.
- 2.3 If a *prima facie* case is found to exist the dean of school should evaluate the information and determine what action should be taken:
- proceed under these regulations;
  - address the matter through assessment procedures;
  - proceed under our Institute's general student disciplinary regulations and procedures.
  - Proceed under our Institute's fitness to study policy and procedure (Part 11 of Manual of General Regulations)
- 2.4 Where a student has been subject to investigation under the Fitness to Study Procedure due to inappropriate behaviour to ascertain whether their difficulties relate to a health (including Mental Health) or wellbeing issue; the Institute reserves the right to refer that student back to the suitability procedure should it not be possible to establish an acceptable welfare-based reason for their actions.
- 2.5 The student should be notified of the outcome as soon as a decision is reached.
- 2.6 At this stage the dean of school may decide that it is necessary to exclude a student temporarily from our Institute teaching and/or practice placement until further investigations have taken place. This should only take place where it is considered

possible that if the student continues on the programme they could put the safety of themselves and others at risk or in some other way adversely affect the experience of a client group.

2.7 If this is the case the matter should be referred immediately to the Deputy Principal (or designated nominee) who shall be responsible for notifying the student in writing and stating the reasons for this decision.

### **3 Stage one - detailed investigation**

3.1 The dean of school shall be responsible for ensuring that a detailed investigation is carried out.

3.2 The investigation may involve meetings with staff, students or members of the public. Where this is the case a formal record of the discussions shall be made.

3.3 Discussions may also take place with the student under investigation. Where this is the case the student shall have the right to be accompanied by one friend (who may not be a paid legal representative).

3.4 The report shall be completed within 15 working days. A copy of the report shall be sent to the student. On the basis of the report the dean of school will determine whether the case can be dismissed at this stage or whether there is evidence to suggest that the student may be unsuitable for professional practice.

3.5 If there is evidence to suggest that the student may be unsuitable for professional practice he or she should be asked whether they accept the findings of the report. If the student accepts the findings at this stage then the dean of school should notify the Deputy Principal immediately. The Deputy Principal (or designated nominee) will notify the student formally of the outcome.

3.6 There may be two possible outcomes at this stage:

- the student is unsuitable for professional practice and should be excluded from the programme;
- the student is suspended until such time that evidence is produced that he or she is mentally and physically fit to resume studies.

3.7 Exclusion from the programme under these procedures will not debar the student from transferring or enrolling on an alternative programme that does not lead to professional recognition. All students that are excluded from programmes on these grounds shall receive counselling from the school about any alternative options open to them.

3.8 If the student does not accept the findings of the detailed investigation a formal hearing shall be conducted by an investigating panel.

### **4 Stage two - investigating panel**

4.1 The investigating panel shall be chaired by a member of Institute staff at managerial grade or above. In addition to the chair there shall be three other members of Institute staff on the panel and a representative of the Students' Union. Where appropriate up to two further members of the panel may be drawn from partner bodies in the delivery of the professional training. The panel membership must be impartial. No member of staff involved in teaching the student or supervising practice should be involved.

4.2 Where possible we shall seek to ensure that the composition of the panel reflects the character of our institution and/or at least one person has been trained in equality and diversity issues.

4.3 A Secretary to the Panel shall be appointed, who will be in attendance at the panel hearing and shall be responsible for preparing a written record.

- 4.4 The student shall have the right to call and to question witnesses and shall have the right to be accompanied by a friend (who may not be a paid legal representative).
- 4.5 The investigating panel shall have the right to call and to question witnesses in the presence of the student (and friend if present).
- 4.6 If the student does not appear at the date and time scheduled for the hearing the investigating panel shall consider whether any reasons advanced for non-attendance are valid and:
- if members so judge, adjourn proceedings to a later meeting;
  - if no reasons are advanced, or if they are judged invalid, proceed in the respondent's absence, regarding him or her (subject to any written account) as having admitted none of the allegations.
- 4.7 The investigating panel shall consider its findings in private and shall submit a written report to the Dean of School and the Deputy Principal (or designated nominee) as soon as is practicable following its deliberations.
- 4.8 In determining whether the case has been proven, the panel must be satisfied on the balance of *probabilities*.
- 4.9 There are three possible outcomes:
- there are insufficient grounds to demonstrate that the student is unsuitable for professional practice;
  - there are sufficient grounds to conclude that the student is unsuitable for professional practice and that the student should be excluded from the programme;
  - the student is suspended until such time that evidence is produced that he or she is mentally and physically fit to resume studies.
- 4.10 Where there are insufficient grounds to demonstrate that the student is unsuitable for professional practice, the student can continue on the programme and the school must make arrangements to ensure that the student has an opportunity to complete any learning that may have been missed.
- 4.11 Where there are sufficient grounds to exclude the student from the programme this will not debar the student from transferring or enrolling on an alternative programme that does not lead to professional recognition. The student shall be offered counselling by the school about any alternative options open to them.

### **5 Stage three - appeals against the decision of the investigating panel**

- 5.1 A student may only appeal against the decision of the investigating panel on two grounds:
- that due process had not been followed;
  - that there was supporting evidence of which the panel was unaware and which the student was unable to bring to the attention of the investigating panel.
- 5.2 An appeal must be submitted in writing to the Deputy Principal (or designated nominee) within 14 working days of the date of the letter notifying the student of the outcome of the investigating panel. The appeal letter must explain the grounds for appeal and/or include any new evidence.
- 5.3 Within 10 working days of receipt of the complaint, the Deputy Principal (or designated nominee) will decide that there is a *prima facie* case to convene a review panel comprising staff not previously involved in the case.

- 5.4 The composition of the review panel and the procedures followed will be the same as for an investigating panel.
- 5.5 The review panel shall review the case and any new evidence that has been presented to determine whether or not this materially alters the finding of the original investigating panel.
- 5.6 A Secretary to the Panel shall be appointed, who shall be in attendance at each meeting of the panel and shall be responsible for preparing a written record.

## **6 Independent Review**

- 6.1 If the appellant has exhausted the internal procedures set out above and is not satisfied with the outcome he/she may request that the case is reviewed by the Office of the Independent Adjudicator which is a body independent of our Institute.
- 6.2 The grounds and eligibility for review shall be determined by the Office of the Independent Adjudicator.
- 6.3 The findings of any case considered by the Independent Adjudicator shall be considered directly by the Council. The Council shall take the recommendations of the Independent Adjudicator into account in reaching a final decision about any action that should be taken in response to the appeal.

The decision of the Council is final and there shall be no further appeal against this decision.

## Part 14 Complaints procedure

### 1 Scope of the Complaints Procedure

- 1.1 Our Institute describes a complaint as an expression of dissatisfaction with any service or lack of service provided by our Institute. BITE believes it is important that its students feel able to express dissatisfaction to which a response should reasonably be expected. Through the Complaints Procedure, our Institute seeks to provide an accessible, fair and straightforward system which enables students to raise concerns and which ensures an effective, timely and appropriate response. The Complaints Procedure is not restricted to students of our Institute: it may also be initiated by potential students or members of the public. A complaint may also be submitted collectively by a group of students who should nominate a spokesperson who will be the channel of communication for the group, however, a complaint may not be lodged by a third party on behalf of the complainant. The complaints procedure is an internal Institute process, and if the complainant should instruct lawyers to act on their behalf during the complaint this will halt the procedure.
- 1.2 Students are advised to consider whether there are more suitable ways for them to express the concerns that they have before submitting a complaint. For example this may be done through Student Representatives at Programme Committees, or through other feedback mechanisms such as module evaluation questionnaires, or students can discuss their concerns informally with the relevant person in the School/Service such as the Programme Leader, Module Leader, School Office Manager, Director of Studies or Research Degrees Leader.
- 1.3 The Complaints Procedure does not cover the following categories of complaint, for which separate procedures exist:
- appeals against the decisions of Assessment Boards (see Part 7 of this Manual);
  - appeals against annual monitoring reviews, transfer of research degree registration or oral examination decision for postgraduate research students (see Part 9 of this manual);
  - appeals against the decisions of the Extenuation Panel (see Part 6 of this Manual);
  - complaints against the Students' Union (see the Grievance and Complaints Procedure in the Students' Union Bye-Laws);
  - appeals against decisions taken under disciplinary proceedings (see Part 12 of this Manual);
  
  - complaints about businesses operating on Institute premises, but not owned by our Institute (contact the Dean);
  - complaints about the behaviour of other students (see Part 12 of this Manual );
  - appeals against the decisions of Academic Misconduct Panels (see Part 8 of this Manual).
  - appeals against the decisions of Attendance Appeal Panels (see the Institute's Attendance Policy)

### 2 Procedure

- 2.1 There are four stages in the Complaints Procedure:
- STAGE 1: Early Resolution
  - STAGE 2: Formal Conciliation
  - STAGE 3: Formal Review by the Principal's Group
  - STAGE 4: Complaints Review Panel

### 3 Stage 1: Early Resolution

- 3.1 Complainants are strongly advised to make every reasonable effort to resolve their complaint informally through meeting with the member of our Institute staff most directly concerned with the matter, such as the Programme or Module Leader, before proceeding to Stage 2 and submitting a formal complaint. Complaints at Stage 1 should not however be raised with the relevant manager who may investigate the complaint should it proceed to Stage 2 of the Complaints Procedure, such as the Dean or Director of Service. Normally, complaints concerning the structure or organisation of a programme will most appropriately be dealt with by the relevant Programme Committee. In these cases, the complainant should raise the complaint with the student representatives on the Committee, the Programme Leader or Subject Area Head, as appropriate.
- 3.2 Where it is not clear to the complainant which member of our Institute's staff is directly concerned, or the complainant is studying at a partner institution and unclear on the correct complaints procedure to follow, the complainant will be advised by the Complaints Officer. Our Institute acknowledges that other methods may be more suitable when attempting to resolve the complaint at Stage 1 than a meeting, in particular for those students studying by distance learning.
- 3.3 All students at Stage 1 are strongly advised to seek advice and assistance from the Students' Union. The Students' Union should be able to arrange for a case worker to attend conciliation meetings that are arranged between the School/Service and the student.
- 3.4 At Stage 1 the complaint should be raised as soon as possible and normally **no more than 10 working days** after the failure in the service or the matter giving rise to the complaint. The member of staff approached should try to resolve the complaint through meeting with the complainant within 10 working days of receipt of the complaint.
- 3.5 Our Institute recognises that the majority of complaints will be resolved satisfactorily at this stage. However, where the procedure outlined in paragraphs 3.1 to 3.4 above does not produce a satisfactory resolution of the matter giving rise to the concern, the complaint may be formalised and dealt with as in section four below. Complaints should normally be raised **within 2 months** of the matter giving rise to dissatisfaction or **within 10 working days** of an unresolved Stage 1 complaint.

### 4 Stage 2: Formal Conciliation

- 4.1 If a complainant is dissatisfied with the outcome of Stage 1, he/she shall make a written complaint on the complaints form (available from the Students' Union and Institutional Compliance).
- 4.2 Any complainant who has not attempted to resolve their complaint through early resolution (Stage 1) will be asked to explain on the complaints form why they have not completed Stage 1 of the Complaints Procedure e.g. if there were exceptional circumstances that prevented the early resolution attempt.
- 4.3 The complaints form should be completed in full and signed by the student before being lodged with Institutional Compliance within 10 working days of the unsatisfactory outcome of Stage 1 or within two calendar months of the complainant becoming aware of the matter with which he/she is dissatisfied. **An extension of these time limits will only be possible in exceptional circumstances**, such as illness, an apparent risk of victimisation, personal embarrassment or other hindrance beyond the student's control. In such a case, the formal complaint should normally be made within 2 months and the complainant will be asked to explain on the complaint form the reason for the complaint being lodged outside of the time limits.

4.4 If the complaint is made by a research student about the quality of supervision, the complaint form should be lodged with Institutional Compliance within six months after first perceiving that there is inadequate supervision or provision of materials or equipment. As detailed in para 4.2, **an extension of these time limits will only be possible in exceptional circumstances**, such as illness, an apparent risk of victimisation, personal embarrassment or other hindrance beyond the student's control. In such a case, the formal complaint should normally be made within 2 months and the complainant will be asked to explain on the complaint form the reason for the complaint being lodged outside of the time limits.

4.5 The complaints form will be acknowledged within 5 working days of being lodged with Institutional Compliance.

#### 4.6 Investigation of complaint

4.6.1 Following receipt of the completed complaints form, the Complaints Officer will inform the student in writing when the investigation into the complaint has begun by writing to them and informing them who is investigating their complaint. As part of the investigation, the investigating officer will contact the complainant within 5 working days of receiving notification of the complaint. This may be by telephone, email or meeting invite. The complainant will be permitted to bring a friend or student union case worker to any arranged meeting. A written report with a considered outcome from the School or service to the complaint, responding to all points and making clear the grounds on which a decision or settlement has been reached will normally be sent to the complainant within 20 working days of the investigation beginning. During periods outside of the academic calendar this timescale may be slightly longer.

4.6.2 If the issues raised on the complaint form are considered to be more appropriately investigated through the Appeals Procedure then the Complaints Officer will pass the complaint to the Appeals Liaison Officer. The complaint will cease to be handled as a complaint at this point and will instead be processed as an appeal. If a student has submitted both an appeal and a complaint then the appeal will usually be dealt with prior to the complaint. The complaint will be placed on hold until the investigation into the appeal has been completed.

4.6.3 When the investigation into the complaint has begun the Complaints Officer will forward a copy of the complaint form, and any accompanying documentation, to the responsible manager asking them to provide the complainant with a written report responding to specific points raised on the complaints form within 20 working days.

4.6.4 The responsible manager is outlined below:

- (a) Dean, Academic Registry School Office Manager/designated School Complaints staff member, if the complaint is about an academic matter, or relates to a matter arising in the context of a placement/practice placement;
- (b) Director of a Service, or specifically named person, if the complaint is about a non-academic matter.
- (c) If the person cited above is him/herself personally involved in the matter of the complaint, the complaint will be normally be dealt with by his/her manager.

4.6.5 The manager responsible for dealing with the complaint will be asked to:

- (a) make such investigations as he/she deems appropriate;
- (b) ask any person being the subject of a complaint for a written statement on the alleged failure/deficiency;
- (c) contact the complainant, under most circumstances, as part of the investigation process;

- (d) where the complaint relates to a placement/practice placement, ensure that consultation takes place with appropriate placement staff before concluding any investigation. The placement organisation will be asked to nominate a member of staff to act as liaison in respect of the complaint; this may be the practice placement supervisor;
  - (e) provide the Complaints Officer with copies of any documentation referred to during the investigation;
  - (f) keep the Complaints Officer and all other people involved informed on the progress of the investigation, in particular when and why the time limit cannot be adhered to.
- 4.6.6 If the complaint concerns staffing and/or harassment matters, the investigating manager should consult with HR Services regarding the appropriate procedure to adopt before conducting an investigation. If the complaints form, or any documentation submitted with the form, refer to a named member(s) of staff that member of staff will be entitled to see the complaint and any other information relating to them. If the complaint relates to a member of staff in a placement organisation, the investigating manager should consult the manager in the placement organisation regarding the appropriate procedure to adopt in this case.
- 4.6.7 If the investigating manager considers that there is a sufficient evidence for the case to proceed under the staff disciplinary procedure, the case will cease to be handled through the complaints procedure. Where harassment is involved, special provisions apply at each stage of the disciplinary procedure (the anti-harassment procedure refers). Where the member of staff is located in a placement organisation the case will be handled through the arrangements of that organisation. The complainant and the Complaints Officer will be notified of this decision; the complainant will not be disadvantaged by this decision.
- 4.6.8 In concluding their investigation the responsible manager may make one of the following decisions within the procedures laid down by our Institute and under the rules of natural justice:
- (a) to dismiss the complaint;
  - (b) to suggest an amicable settlement to the complainant and member of staff if appropriate. Where the complaint relates to a placement organisation the proposed settlement should also be communicated to the nominated liaison. If this is not mutually accepted within five working days, then the manager shall make a decision under (a) or (c) of this section. If the settlement is accepted, the procedure terminates at this stage;
  - (c) to find the complaint justified and make an offer of redress to the complainant, e.g. an apology and/or appropriate recommendations to the BITE School or Service or placement organisation.
- 4.6.9 The investigating manager shall, within 20 working days of receipt of the complaint form, make a written statement responding to all complaint points making clear the grounds on which a decision or settlement has been reached. The statement shall be sent to the Complaints and Appeals Officer. The Complaints Officer will then send the response to the complainant.

### **5 Stage 3 - Appeal to the Principal's Office**

- 5.1 Following receipt of the response, if the complainant is still not satisfied with the response, he/she should give written notice to the Complaints Officer within 10 working days, explaining why he/she is not satisfied with the outcome. If the matter has been investigated under other Institute procedures, as provided for under para 4.6.7 above, the complainant can equally request a review of this

- decision. In each case, the complainant should indicate the matters which he/she considers to be outstanding.
- 5.2 If a review is requested by the complainant the complaint file will be forwarded to the Associate Head of Governance and Legal Services by the Complaints Officer. Within 10 working days of receipt of the request for review, the Associate Head of Governance and Legal Services will decide whether there is sufficient evidence for the case to be further examined by a Complaints Review Panel, provided that:
- (a) there is, at the time, still a complaint which comes under the scope of this procedure;
  - (b) the student's desired outcome to the complaint is achievable;
  - (c) the complaint was lodged within the set time limit.
- 5.3 If there is insufficient evidence for the case to be referred to a Complaints Review Panel, the complainant shall receive a written statement explaining the reasons for this. The complainant at this stage has completed the internal procedures and may request that the case is reviewed by the Office of the Independent Adjudicator which is a body independent of our Institute.
- 5.4 If there is sufficient evidence for the case to be further examined by a Complaints Review Panel, the Associate Head of Governance and Legal Services may consider the possibility of a mediatory meeting with the parties involved at Stage 2 of the procedure. If the meeting is successful, the complainant and other party will be informed of the outcome in writing within 10 working days. When an attempt to achieve a resolution through mediation is unsuccessful or would appear to be inappropriate, the Complaints Officer will be advised to convene a Complaints Review Panel.
- 5.5 The Complaints Officer shall normally convene a Complaints Review Panel within 25 working days of the notification, to consider and adjudicate on the complaint.
- 5.6 The Complaints Review Panel shall normally consist of the following members:
- (a) a Chair, who shall be a member of the Principal Group, Dean, Director of Service or other senior member of staff;
  - (b) one member of staff;
  - (c) a trained representative of the Students' Union or nominated person.
- 5.7 In the event of a complaint against a Dean or Director of a School, Director of Service, Member of the Principal's Group or the Principal, the Complaints Review Panel shall consist of the following members:
- (a) a Chair, nominated by the Council, who shall normally be a lay member of the Council;
  - (b) two members of staff one of whom shall be at management grade;
  - (c) the President of the Students' Union or nominated member of the Executive Committee.
- 5.8 Where possible our Institute shall seek to ensure that the composition of the panel reflects the character of our institution and/or at least one person has been trained in equality and diversity issues.
- 5.9 The Complaints Officer shall make available to the Complaints Review Panel the complaint form, previous correspondence relating to the complaint and any other relevant documentation.
- 5.10 The outcome and the reasons for the decision of the Complaints Review Panel will be communicated to the complainant within 10 working days of the hearing. The Complaints Review Panel will, at the same time, send a report summarising the complaint, the action taken to resolve it, and the Panel's conclusions and recommendations to the Principal and the relevant Dean of School/Director of Service. The decision of the Review Panel will be binding.
- 5.11 If the complaint is upheld the Dean of School/Director of Service concerned will be asked to respond to the Principal and to the Chair of the Complaints Review Panel within 15 working days of receipt of the report, stating what action has been taken or is proposed

in the light of the Panel's recommendations. The Complainant will also be notified of action taken or action proposed in response to the Panel's recommendations.

5.12 The procedure of the Complaints Review Panel hearing shall be as specified in paragraph 6 below.

5.13 As far as is practicable, confidentiality shall be preserved in the investigation of the complaint. However, information provided by the complainant may be used when a complaint is investigated.

## **6 Procedural Rules for the Complaints Review Panel**

6.1 The hearing shall take place in private, in our Institute, on a date fixed by the Chair in consultation with members of the Panel. The role of this independent Panel will be to review all the evidence provided by both parties and give impartial consideration of the issues raised. The decision of the Panel is final and binding, although if the complainant is dissatisfied with the decision, they have recourse to refer their complaint to the Office of the Independent Adjudicator. The Complaints Review Panel report will be circulated to all Panel members, respondents and complainants within 10 working days of the conclusion of the hearing.

Where there is a clear justification for doing so e.g. where travel costs are prohibitive of the students' mode of attendance makes attendance in person difficult, a request to conduct the Panel via video link can be considered. The Chair of the panel will have final say on whether the panel can be convened via video link. For any panel via video-link the Chair and internal panel members would be located at an on-campus location at our Institute. Guidance regarding conducting a panel via video link will be shared with all parties prior to the panel by the Complaints Officer.

6.2 The complainant may be accompanied at the hearing by one friend (who may be a Students' Union Advice and Information Service Case Worker but not a paid legal representative). Where several students are bringing the same complaint, they shall appoint two of their number (each accompanied by one friend who cannot be one of the complainants) to attend the hearing. Both the complainant and their friend will have the opportunity to address the panel and ask questions. It is recommended that students consult with the Students' Union Advice and Information Service as they may be able to represent complainants at the hearing or accompany them. The Institute will pay reasonable, travel expenses incurred as a result of the complainant's attendance at the hearing.

6.3 After the date of the hearing has been fixed the Complaints Officer shall, at ten working days before the hearing, write to the complainant(s) and the School / Service:

(a) notifying the date of the hearing;

(b) requesting six copies of any written submissions from the complainant and / or respondent, to be submitted at least six working days before the hearing date;

(c) requesting the complainant(s) to provide the name(s) of any other friend(s) who will accompany them at the hearing and the name(s) of any witness(es) they would like to call (It is the responsibility of the complainant(s) to notify such friend(s) or witness(es) of the hearing.);

(d) requesting the complainant(s) to provide details of any reasonable adjustments that may need to be made for the hearing in order to accommodate the complainant if they have a declared disability.

6.4 At all times following the lodging of a complaint under the formal complaints procedure, a member of our Institute staff who is concerned or named in the complaint or whose conduct is by implications called into question by the

complaint has the right to be represented by a friend, who shall normally be another member of staff of our Institute. Such a friend may be a trade union representative but not a paid legal representative. In addition to the complainant and respondent, the parties involved shall include the placement liaison in respect of a placement/practice placement organisation, and the Dean of the BITE School in respect of a collaborative partner acting as respondent.

- 6.5 The Complaints Officer will circulate all the information received to the Panel and to the parties involved at least five working days before the date of the hearing. Additional information received will usually be sent out to all parties by post. The complainant and School / Service will also be notified by other means (email or telephone) that additional evidence has been sent out. Please note that the Institute will not accept any responsibility for documentation arriving late as a result of postal delays.
- 6.6 Written information not received in advance shall not be considered by the Panel unless the Panel decides, in exceptional circumstances, to receive such evidence. If the Panel decides to receive such evidence the report of the hearing will detail the Panel's reasons for choosing to accept the information.
- 6.7 If the complainant does not appear at the date and time scheduled for the hearing, the Complaints Review Panel shall consider whether any reasons advanced for non-attendance are valid, and:
  - (a) if members so judge, adjourn proceedings to a later meeting;
  - (b) if no reasons are advanced, or if they are judged invalid, proceed in the complainant's absence.
- 6.8 The Panel will decide whether or not any particular witness should be called.
- 6.9 The Complaints Officer shall be responsible for servicing the hearing, and for producing the report on behalf of the panel.
- 6.10 The Chair has the power to regulate the procedure of the hearing within the spirit of these rules, having regard to the need to maintain informality and reasonable despatch of the proceedings.
- 6.11 Time limits may be departed from only at the discretion of the Chair. If a complaint lapses as a result of failure to keep to a time limit, the complaint cannot be recommenced. Time is calculated on working days throughout the year.
- 6.12 In exceptional circumstances the Panel may consider documents or hear evidence in the absence of the parties.
- 6.13 The Panel shall endeavour to present to the Principal a unanimous report of the facts found and the recommendations made on the basis of those facts. If the report is not unanimous, the minority shall be entitled to record their views and submit them to the Principal.

## **7 Independent Review**

- 7.1 If the complainant has exhausted the internal procedures at Stage 4 and is not satisfied with the outcome he/she may request that the case is reviewed by the Office of the Independent Adjudicator which is a body independent of our Institute.
- 7.2 The grounds, eligibility for review and outcomes shall be determined by the Office of the Independent Adjudicator.
- 7.3 A report on the findings of cases considered by the Independent Adjudicator shall be received by Regulations Committee on a regular basis.

## **8 Reporting of Formal Complaints to the Council and the Academic Board**

- 8.1 The Complaints Officer shall report annually to the Council and the Academic Board on formal complaints received. The report will include: the number of formal complaints lodged; the number satisfactorily addressed at Stage 2; the number of complaints that proceed to Stage 4; the number of complaints that proceed to a Complaints Review Panel;

and number proceeding to independent review. Data concerning equal opportunities monitoring shall also be provided. Any overall recommendation(s) arising from the reviews will be drawn to the attention of the Council and the Academic Board.

## **9 General Principles underlying the Complaints Procedure**

9.1 Our Institute's Complaints Procedure recognises the importance of the protection of the rights of those wrongly accused. Malicious or frivolous accusations will be viewed as a serious matter by our Institute and could lead to disciplinary action, or legal proceedings.

## Part 15

### Freedom of speech

*In accordance with the requirements of S.43 of the Education (no. 2) Act 1986 our Institute makes the following Regulations, governing the conduct of staff and students, and prescribing procedures to be followed in order to maintain freedom of speech within the law on Institute premises. They are to be read in conjunction with other Institute Regulations, including Disciplinary Regulations, which they supplement but do not supersede.*

#### 1 General

- 1.1 Our Institute believes that the maintenance of freedom of thought and expression within institutions of learning is essential to their claim to be such. To prevent the articulation of certain viewpoints for no other reason than that they are not accepted by some groups, or even by the majority, is to prevent equally the full understanding, and due analysis and criticism, of those views; in consequence it protects those who hold such views from having to defend them against the arguments of those who do not.
- 1.2 It is nevertheless recognised that the articulation of certain views or the use of certain expressions may also in themselves constitute incitement to riot, insurrection, racial hatred, sexual harassment, discrimination on such grounds as race or sex, or other criminal activities. Their mere utterance may itself be unlawful. On other occasions, the articulation of such views may make probable a breach of the peace. It is the clear duty of our Institute authorities to attempt to prevent any breach of the law where it is in their judgement reasonable to assume that this might occur.
- 1.3 There is an intermediate area where what those uttering them claim to be mere expressions of opinion are seen by others as abusive, threatening, intimidating, humiliating, degrading, or as 'verbal violence', even though their utterance is not itself a breach of the law. It remains however, axiomatic that such expressions should be met not by violence but by rational analysis and argument. The suppression of points of view by violence or intimidation is contrary to the nature of institutions dedicated to learning, but so too is excessive insistence on expressing publicly views which are certain to cause offence or distress to others. Conflict of moral principles is never easy to resolve, even where one such principle is the right to freedom of lawful expression; self-restraint and consideration for the feelings of others are here the best guides.
- 1.4 The remainder of these Regulations addresses three types of event:
  - (a) events on Institute premises arranged by Institute staff outside the normal teaching programme (which latter term shall be held to subsume Special Courses as well as courses leading to awards of our Institute);
  - (b) events arranged by the Students' Union (BITESU) or a society thereof, or on Institute premises by an individual student;
  - (c) events outside the normal teaching programme arranged by any person or group of persons not covered by (a) or (b) above, but held on Institute premises.

## 2 Regulations

- 2.1 The Principal and staff, and the President of BITESU and the Students' Union collectively, shall at all times do whatever is reasonably practicable to ensure that the use of Institute premises (including those occupied by BITESU) is not denied to any individual or body of persons on any ground connected with the beliefs or views of that individual or of any member of that body, or the policy or objectives of that body, subject only to the caveats in paragraphs 2.4 and 2.5 below.
- 2.2 Where, at any of the events listed in paragraph 1.4 above, views may be publicly expressed, whether verbally or otherwise, adequate notice shall be given to the Principal or his or her designated officer (normally the Head of Governance and Legal Services); a period of less than 14 days' notice shall be regarded as inadequate. Such notice shall include:
- (a) the date, time and place of the event;
  - (b) in the case of staff and student-organised events, the name of the individual or group responsible for them and, where it is a group, the name of the individual who will act as correspondent to the group;
  - (c) in the case of other events, the name of the individual or group responsible and, where it is a group, the name of the individual who will act as correspondent to the group, plus where possible the name of at least one member of staff or Students' Union officer connected with the group and willing to act as co-sponsor of the event, who together with the correspondent or organising individual shall sign an undertaking to comply with all lawful instructions of our Institute authorities regarding the organisation of the event;
  - (d) the arrangements proposed for security measures and for caretaking, if these are necessary.
- 2.3 The Principal or designated officer shall within seven days of the receipt of such notice, where no objection is made to the arrangements proposed, signify consent. Changes required to the arrangements shall similarly be notified within seven days.
- 2.4 Where it seems to the individual or group organising the event that views may be expressed which are unlawful, or that other unlawful actions may take place, this must be notified to the Principal or designated officer at the same time as the notice described in paragraph 2.2 above is delivered, or if suspicion that this may occur arises thereafter, immediately. When for this reason or otherwise the Principal or designated officer reasonably believes that an unlawful act may be committed, he or she may refuse permission for the event to take place on Institute premises.
- 2.5 In accordance with the same procedure specified in paragraph 2.4, the organiser(s) of an event must notify the Principal or designated officer if he/she/they judge that a breach of the peace may occur during/before/after the event. When for that reason or otherwise the Principal or designated officer reasonably believes that there may be a breach of the peace during/before/after the event, he or she shall as soon as is practicable consult the Senior Police Officer (or his/her nominee) in the Metropolitan Police Division within which the event is to take place. After such consultation, permission for the event may be refused. Where it is not, the Principal or designated officer shall act in concert with the Senior Police Officer and the organiser(s) of the event to ensure that freedom of speech is maintained and that no breach of the peace occurs.
- 2.6 Whenever an event falling within the provisions of Regulation 2.4 or 2.5 is proposed, the Principal or designated officer shall inform of his or her actions and decision the Chair and Deputy Chair of Governors.
- 2.7 Our Institute will not unreasonably refuse permission for events to be held on its premises. To ensure this, the Principal or designated officer shall, before refusing

permission for an event to take place, inform themselves upon the following questions:

- (a) whether there is likely to be incitement of those attending the event to commit a criminal act;
- (b) the likelihood of the expression of views contrary to the criminal law;
- (c) whether the event is in direct support of an organisation whose aims and objectives are illegal;
- (d) whether the event could give rise to any breach of the peace (bearing in mind the advice of the Senior Police Officer of the appropriate Division of the Metropolitan Police);
- (e) the safety of persons attending the event and of persons in the vicinity who might foreseeably be put at risk;
- (f) the security of our Institute premises;
- (g) the good name of our Institute.

2.8 Any breach of these Regulations shall, in the case of a student or group of students, fall to be handled under the Student Disciplinary Regulations. A breach by BITESU or one of its affiliated clubs or societies shall be considered by the Council (or by the Chair or Deputy Chair acting on its behalf), which shall decide what action to take. A breach by a member of staff shall be handled in accordance with the disciplinary procedures agreed with the relevant trade(s) unions.

2.9 A student signing upon enrolment an undertaking to observe the Institute Regulations shall be deemed formally to have accepted both the letter and the spirit of these Regulations. Similarly, BITESU and its affiliated clubs and societies shall in the exercise of the functions given them in the constitution approved by the Council have due regard to the rights of freedom of speech and lawful assembly.

### **3 Delegation**

3.1 The Council delegates its powers in respect of the matters dealt with in these Regulations to the Principal or his/her designated officers, except insofar as the latter may deem it desirable to seek advice or a decision from the Governors, or the Chair or Deputy Chair, where this is reasonably practicable.

## Part 16 - Assuring Higher Education Quality During and Proceeding Covid-19

In response to coronavirus pandemic and its possible recurrence, Institute has moved towards a sustainable blended learning methodology that will allow staff and students the flexibility to move from physical classroom teaching to digital classroom teaching without compromising quality in the delivery of teaching and learning.

Measures are in place to ensure participation and engagement of students on the digital platform with an emphasis on peer interaction and lecturers delivering student centered learning. Institute has considered the OfS<sup>1</sup> response and guidance for radical improvements in digital teaching. Institute has reviewed QAA and UK Higher Education Institutions to apply best practice in supporting the shift to digital delivery during the Covid-19 pandemic<sup>2</sup>.

### Operational planning

Institute has a robust operational plan to support students and staff throughout the pandemic and manage expectations with the understanding that coronavirus is here to stay and we have to rise above it to live and learn. We will share data and information made available by the government health organisations on any recurrence and variants.

We continue to adopt the following contingencies:

- a. incorporating emergency actions taken immediately before or at the onset of lockdown to implement business continuity plans, conduct risk analysis, close campuses, ensure the safety of students and staff, and identify how teaching and assessment could continue
- b. incorporating a forward-looking strategy, to develop interactive digital blended delivery, and coming out of lockdown commence space planning for an eventual return to campus and resume some in-person teaching and learning in the context of physical distancing guidelines. The importance of clear communication is paramount in both contingences.

Institute has established a senior COVID steering committee chaired by the Principal; members will include student president (deputy chair), the Institute Secretary, Chief Operations Officer, Teachers and Student Welfare Officer. It will report to the Council, sharing vital information with the Academic Board, Executive Committee, Student Welfare Committee and Learning & Quality Committee. The COVID Steering committee will meet, initially online, on a weekly basis and monitor the lockdown and the gradual easing of restrictions.

<sup>1</sup> <https://www.officeforstudents.org.uk/news-blog-and-events/press-and-media/universities-response-to-pandemic-could-see-radical-improvements-in-digital-teaching-says-ofs/>

<sup>2</sup> <https://www.qaa.ac.uk/docs/qaa/guidance/how-uk-higher-education-providers-managed-the-shift-to-digital-delivery-during-the-covid-19-pandemic.pdf>

## **Academic planning for 2026-27**

Arrangements are in place for the academic year 2026-27. These includes a digital platform ready to deliver blended teaching and learning, facilitating peer interaction, and peer discussion forums that follow on from the digital lessons.

BITE has streamlined processes capable of processing the forecast student numbers quickly without compromising institutional oversight of academic standards. This include the ability to combine and move smoothly between face to face and virtual modalities as the situation evolves, without disrupting the quality of teaching, learning and the whole student experience. This approach is feasible because our learning resources are designed to be suitable for either virtual or physical delivery by lecturers who are selected for their skills in both modes.

## Part 17 Academic Freedom

### General

1.1 This Regulation sets out the Institute's commitment to **academic freedom, freedom of speech within the law, equality, integrity, and objective governance**, in accordance with the Office for Students (OfS) regulatory framework and relevant legislation.

1.2 The Regulation applies to:

- Academic staff
- Students
- Visiting academics and researchers
- Governors, external stakeholders, and partners where academic activity is concerned

1.3 This Regulation is binding on all institutional decision-making, disciplinary processes, academic governance, and strategic development.

### 2. Core Principles

The Institute is founded on the principles of **independence, innovation, and free-thinking**.

In accordance with these principles, the Institute affirms the following core values:

- a. **Academic freedom and equality**
- b. **The pursuit of truth and freedom of speech within the law**
- c. **Open, fearless, and evidence-based debate**
- d. **Institutional protection of equality through integrity and objectivity in governance**

These principles underpin all academic, managerial, and disciplinary actions of the Institute.

### 3. Definition of Academic Freedom

3.1 Academic freedom is defined as the **freedom within the law** of academic staff, students, and other members of the Institute to:

- a. Question and test received wisdom;
- b. Put forward new ideas, hypotheses, and interpretations;
- c. Express controversial, unpopular, or dissenting opinions;
- d. Conduct research, teaching, learning, and scholarly activity without fear of institutional reprisal;
- e. Criticise the functioning, governance, policies, or practices of higher education institutions, including the Institute itself.

3.2 Academic freedom applies across teaching, assessment, research, publications, public engagement, internal debate, and external commentary.

### 4. Protection from Detriment

4.1 No academic staff member, student, or stakeholder shall suffer **detriment**, including but not limited to:

- Dismissal or threat of dismissal
  - Disciplinary action
  - Loss of privileges, progression, or opportunities
  - Harassment or exclusion
  - Adverse assessment or evaluation
- solely as a result of exercising academic freedom or lawful freedom of speech.

4.2 Disciplinary procedures shall **not** be used to suppress:

- Legitimate academic disagreement;
- Critical debate;
- Research findings;
- Lawful expression of opinion.

4.3 Any action that may restrict academic freedom must be:

- Lawful;
- Necessary;
- Proportionate;
- Supported by clear evidence;
- Subject to independent oversight.

## 5. Freedom of Speech within the Law

5.1 The Institute is committed to the pursuit of truth and freedom of speech **within the law**, including compliance with:

- Equality legislation
- Public order and safety law
- Defamation and harassment law

5.2 Lawful speech shall not be restricted merely because it is:

- Controversial;
- Unpopular;
- Offensive to some;
- Challenging to prevailing views.

5.3 The Institute actively supports **open and fearless debate**, recognising that intellectual progress depends on the ability to question orthodoxies.

## 6. Equality, Integrity, and Objective Governance

6.1 Academic freedom is inseparable from **equality of participation**.

6.2 The Institute protects equality by ensuring that:

- Governance decisions are evidence-based and objective;
- Policies are applied consistently and without bias;
- Academic judgement is not overridden by political, ideological, or commercial pressure.

6.3 Academic decisions (including curriculum, assessment, research evaluation, and peer review) shall be made **only on academic grounds**.

## 7. Consultation and Voice of Academic Staff

7.1 The Institute is committed to ensuring that members of Higher Education staff have the opportunity to make their voice heard, **directly or indirectly**, on any matter of concern to them.

7.2 Academic staff shall be:

- Consulted on institutional strategy;
- Engaged in policy development;
- Involved in decisions affecting academic standards, quality, and resource allocation.

7.3 Consultation mechanisms include:

- The Council (Governing Body)
- Student Voice Committee
- Remuneration and General Committee
- Academic Boards and committees;
- Staff forums;
- Formal consultation exercises;
- Representation through elected bodies.

## 8. Whistleblowing and Protected Disclosure

8.1 The Institute maintains a **clear, accessible, and protected whistleblowing procedure**.

8.2 Staff, students, and stakeholders may raise concerns regarding:

- Academic misconduct;
- Governance failures;
- Abuse of authority;
- Breaches of academic freedom;
- Regulatory non-compliance.

8.3 Whistleblowers shall not suffer detriment for making disclosures in good faith.

8.4 The whistleblowing procedure is available at:

[www.biot.org.uk/registry](http://www.biot.org.uk/registry)

## 9. Responsibilities

### 9.1 Institutional Responsibilities

The Institute shall:

- Promote a culture of intellectual openness;
- Train staff and governors on academic freedom obligations;
- Ensure disciplinary frameworks respect this Regulation;
- Monitor compliance through governance structures.

### 9.2 Responsibilities of Staff and Students

Academic freedom must be exercised:

- Responsibly;
- In accordance with the law;
- With respect for evidence, academic standards, and the rights of others.

## 10. Oversight, Review, and Enforcement

10.1 Compliance with this Regulation is overseen by:

- The Council (Governing Body)
- Academic Board
- Education Quality and Standards Committee

10.2 Any alleged breach of academic freedom protections shall be:

- Investigated independently;
- Considered transparently;
- Subject to appeal.

10.3 This Regulation shall be reviewed at least every **three years**, or earlier if required by regulatory change.