



Code: QA230
 Title: Procedures for dealing with breaches of Examination Regulations
 Date: 08/12/2021
 Approval: Academic Council

1 Purpose

The purpose of this document is to define procedures for dealing with breaches of Examination Regulations.

2 Interpretation

“**Candidate**” is a person taking an examination.

“**Chief Invigilator**” is a person responsible for the management and co-ordination of examination venue(s).

“**The Discipline Committee**” is constituted under the [NUI Galway Candidate Code of Conduct](#) and for the purpose of this Policy shall act as a board of appeal

“**ESG**” is the Examinations Security Group (ESG) which investigates all suspected breaches of the University’s Examination Regulations. For the purposes of the NUI Galway Student Code of Conduct, the ESG is the “Designated Authority” as defined in the said Code.

“**Examination Regulations**” are outlined in the Examination Regulations document.

“**Invigilator**” is a person at an examination who ensures that University examinations run as smoothly and efficiently as possible and in accordance with the University’s regulations.

“**Marks and Standards**” are regulations which apply to the assessment of Candidates’ performance on programmes of learning.

“**Personation**” is assuming the identity of another person.

“**Student Code**” is the NUI Galway Student Code of Conduct.

3 Breaches of Examination Regulations

All suspected breaches of the University’s Examination Regulations are investigated by the ESG. The Examination Regulations are available on the [Examinations Office website](#).

If any Candidate shall be adjudged by the ESG, to have violated any of the of the Examination Regulations, or in any other way to have acted improperly, (s)he will be subject to sanction detailed in section 5.4 below.

4 Membership of the ESG

Members of the ESG are nominated by the Colleges and appointed by Academic Council. All meetings of and interviews held by the ESG will be chaired by the ESG Chair or Vice Chair (or their nominee). The Examinations Office provides administrative support to the ESG.

5. The Process

5.1 In the Examination Hall

If, during an examination, an Invigilator suspects that a Candidate may be in breach of the University's Examination Regulations, the Invigilator will report the suspected breach to the Chief Invigilator.

If, upon further observation, the Chief Invigilator is concerned that a breach may be taking place, particularly if the Candidate has notes (of any kind including on hands and arms), he/she may speak to the Candidate at that point and remove any notes, or escort the Candidate to the bathroom and require her/him to wash any notes from the hand/arm. The Candidate will be allowed to continue with the examination and a full report of the incident, together with the notes (or transcribed notes from hands/arms), will be sent to the Examinations Office.

At an appropriate point during or immediately on conclusion of the examination, as deemed appropriate by the Chief Invigilator, the Chief Invigilator will advise the Candidate that a report of the incident will be made to the Examinations Office and that the Candidate may be called to an interview by the ESG. The Candidate will be given a 'Breaches of Regulations in Examinations Venue' form with advice to this effect.

5.2 After the Examination

The Chief Invigilator's report of the incident is sent to the Examinations Office and the Examinations Officer meets the Chair and Vice Chair of the ESG each week during examination periods to decide if the reported breach falls into one of the following three categories:

- (a) No further action required
- (b) Report to result in the issue of a formal reprimand
- (c) Refer for interview with the ESG

A Candidate found in possession of notes or other material which is not permitted in an examination hall is always called for interview.

If a decision is made not to proceed further in the matter of the Chief invigilator's report, the Candidate will be so informed.

The Examinations Office will notify the Candidate if and when their interview will take place and will also send the Candidate a copy of the material being assessed by the ESG. The Candidate may submit a written statement to the Examinations Office in advance of the interview for consideration by the ESG.

5.3 At the interview

The Candidate may bring a student colleague of the student's choice or a Students Union representative (but not any other person or body unconnected with the University). This person may not participate in the interview. The primary purpose of this support person is as a support to the student, not to speak on the student's behalf. It is not appropriate for a member of University staff to attend a student interview as the student's support person. The NUI Galway email address and phone number of this support person will need to be provided in advance of meeting. At the interview the ESG will ask the Candidate to give his/her explanation of the incident at issue.

The ESG may also request information from other sources as appropriate, for example from the lecturer marking the examination paper, if it feels that such input is relevant or required. If necessary, the ESG may meet with the Candidate more than once.

Interviews may be conducted online using a secure audio/visual application in line with advice from ISS and CELT (<http://www.nuigalway.ie/celt/>).

It is the **responsibility of the candidate** to be available in person in the immediate post exam period.

If interview has to be conducted online it is the **responsibility of the candidate** to be available via NUIG email contact and/or mobile phone in the immediate post exam period.

5.4 The Decision

Once the ESG is satisfied that it has all the information necessary, it will make a decision. Where the Candidate is found to have been in breach of the Examination Regulations, depending upon the severity of the incident, the penalties are as follows:

- (a) Letter of reprimand
- (b) 5% reduction of marks for the relevant module
- (c) 10% reduction of marks for the relevant module
- (d) 15% reduction of marks for the relevant module
- (e) Zero mark for the relevant module
- (f) Zero mark for the relevant module with a cap on the mark for the subsequent sitting (if a subsequent sitting is allowed by the [Marks and Standards](#) for the programme) of a pass mark for the relevant programme.

The ESG shall also have power to deprive the Candidate of the credit for his/her result in the relevant module, either wholly or in part, for having violated the Examination Regulations, and shall have power to exclude the Candidate from the particular examination for a period not exceeding two years. In cases of Personation, the personator and the personated shall be liable to permanent exclusion from the University.

The decision will be communicated to the student's NUI Galway student email address.

Being called for interview by the ESG can be a stressful experience for Candidates, therefore Candidates are advised to ensure that they read and abide by the University's Examination Regulations at all times.

Record of breach of examination regulations will be retained in the accordance with NUI Galway policies and procedures in relation to confidentiality and data protection in '[NUI Galway Records Retention Policy QA442](#)', copies of which are available on the University website.

5.5 Appeal of Decision

A decision may be appealed to the Discipline Committee pursuant to the Student Code. Details on this process and timelines will be included in the letter with the ESG decision to student. In this event, the Discipline Committee acts as a board of appeal and its decision shall be final. The process and procedures outlined in the Student Code shall apply.

For the avoidance of doubt, notwithstanding that the ESG as Disciplinary Authority is authorised under the Student Code to refer matters by reason of their gravity or nature directly to the Disciplinary Officer (as defined in the Student Code) or the Discipline Committee, matters arising from a breach of the Examination Regulations will be dealt with initially by the ESG and shall only fall to be dealt with

under the Student Code on referral or appeal.

6. Related Documents /Attachments

Appendix 1

Procedures for dealing with breaches of Examination Regulations where exams are conducted online and/or proctored.

1. Purpose

The purpose of this document is to define procedures for dealing with breaches of Examination Regulations.

2. Interpretation

“**Candidate**” is a person taking an examination.

“**Module Leader**” is a person responsible for the management and co-ordination of their online and/or proctored examinations.

“**The Discipline Committee**” is constituted under the NUI Galway Candidate Code of Conduct and for the purpose of this Policy shall act as a board of appeal.

“**ESG**” is the Examinations Security Group (ESG) which investigates all suspected breaches of the University’s Examination Regulations. For the purposes of the NUI Galway Student Code of Conduct, the ESG is the “Designated Authority” as defined in the said Code.

“**Examination Regulations**” are outlined in the Examination Regulations document.

“**Marks and Standards**” are regulations which apply to the assessment of Candidates’ performance on programmes of learning.

“**Personation**” is assuming the identity of another person.

“**Student Code**” is the NUI Galway Student Code of Conduct.

3. Breaches of Examination Regulations

Where exams are conducted online and/or proctored, students are expected to adhere to all exam regulations. Where a Module Leader believes a student did not adhere to the exam regulations as set out in [QA229 Examinations Regulations](#) the Module Leader should follow the guidance as outlined in the [Protocol for Module Leaders](#) when Conducting Follow up Interviews with Students document. If they feel there are grounds for referring the student to the ESG they should use the appropriate [Breaches of Regulations Online Assessments Form](#) and ensure to submit it along with all relevant documentation to the [Exams Security Group](#) .

All suspected breaches of the University’s Examination Regulations are investigated by the ESG. The Examination Regulations are available on the [Examinations Office website](#).

If any Candidate shall be adjudged by the ESG to have violated any of the of the Examination Regulations or in any other way to have acted improperly, (s)he will be subject to sanction detailed in section 5.4 below.

4. Membership of the ESG

Members of the ESG are nominated by the Colleges and appointed by Academic Council. All meetings of and interviews held by the ESG will be chaired by the ESG Chair or Vice Chair (or their nominee). The Examinations Office provides administrative support to the ESG.

5. The Process

5.1 Online Assessment by the Module Leader

Module Leaders (Owners) reserve the right to follow up with a student by online interview if there is any concern in relation to the integrity of the assessment. This discussion should be regarded as a mini-viva, the purpose of which is to provide an opportunity for the student to demonstrate that the information they provided in their alternative assessment can be consistently presented at interview also.

Module Interviews will be setup as outlined by [ISS guidelines](#).

In cases where the same breach involving more than 10 students has been identified in a module, the Module Leader can request individual online interviews with students, but where student numbers are large this is not a feasible scenario. In these cases, the Module Leader shall compile the written evidence for the breach for each student and forward it to the ESG. The Module Leader shall present this evidence in a meeting with the ESG.

5.2 After the Online Interview with the Module Leader

Module Leader (Owners) who remain concerned that the student may be in breach of exam integrity requirement following the Interview, can refer the student to the ESG. The Module Leader must complete the relevant breach of examination regulations form and send it, with a copy of the Exam Paper, to the Examinations Office.

The Examinations Office will notify the Candidate if and when their interview will take place and will also send the Candidate a copy of the material being assessed by the ESG. The Candidate may submit a written statement to the Examinations Office in advance of the interview for consideration by the ESG.

It is the **responsibility of the candidate** to be available via NUIG email contact and/or by mobile phone in the immediate post exam period.

In cases where the same breach involving more than 10 students has been identified in a module, it is not necessary for the Module Leader to individually interview students. The Module Leader must compile and present the written evidence for the module breaches to the ESG. Should the ESG then decide that the cases should be considered by the ESG, the Module Leader must notify all affected students via email that their case is being forwarded to the ESG for consideration. This email/letter should include

- details of the breach,
- inform them that their case is being forwarded to the ESG for consideration and deliberation,
- include QA230 as an attachment or a link for student's information,
- inform them that they have the right to make a written response to their case to the ESG (email any response to examsecuritygroup@nuigalway.ie within three days of receipt of the email), and

- inform the students that the ESG will follow up with them individually via email with their decision.

5.3 ESG interviews and deliberations

For students called to interview with the ESG, interviews may take place virtually using a secure audio/visual application in line with advice from ISS and CELT (<http://www.nuigalway.ie/celt/>).

The Candidate may bring a student colleague of the student's choice or a Students Union representative (but not any other person or body unconnected with the University). This person may not participate in the interview. The primary purpose of this support person is as a support to the student, not to speak on the student's behalf. It is not appropriate for a member of University staff to attend a student interview as the student's support person. The NUI Galway email address and phone number of this support person will need to be provided in advance of meeting. At the interview the ESG will ask the Candidate to give his/her explanation of the incident at issue.

The ESG may also request information from other sources as appropriate, for example from the lecturer marking the examination paper, if it feels that such input is relevant or required. If necessary, the ESG may meet with the Candidate more than once.

For Candidates involved in a large group breach report (10 students or more affected), the ESG will not individually interview Candidates as it is not feasible considering the large number and deadlines involved. In these cases the ESG will consider the evidence presented by the Module Leader as well as any written responses from students.

5.4 The Decision

Once the ESG is satisfied that it has all the information necessary, it will make a decision. Where the Candidate is found to have been in breach of the Examination Regulations depending upon the severity of the incident, the penalties are as follows:

- Letter of reprimand
- 5% reduction of marks for the relevant module
- 10% reduction of marks for the relevant module
- 15% reduction of marks for the relevant module
- Zero mark for the relevant module
- Zero mark for the relevant module with a cap on the mark for the subsequent sitting (if a subsequent sitting is allowed by the Marks and Standards for the programme) of a pass mark for the relevant programme.

The ESG shall also have power to deprive the Candidate of the credit for his/her result in the relevant module, either wholly or in part, for having violated the Examination Regulations, and shall have power to exclude the Candidate from the particular examination for a period not exceeding two years. In cases of Personation, the personator and the personated shall be liable to permanent exclusion from the University.

The decision will be communicated to the student's NUI Galway student email address.

Being called for interview by the ESG can be a stressful experience for

Candidates, therefore Candidates are advised to ensure that they read and abide by the University's Examination Regulations at all times.

Record of breach of examination regulations will be retained in the accordance with NUI Galway policies and procedures in relation to confidentiality and data protection in '[NUI Galway Records Retention Policy QA442](#)' copies of which are available on the University website.

5.5 Appeal of Decision

A decision may be appealed to the Discipline Committee pursuant to the Student Code. Details on this process and timelines will be included in the letter with decision to student. In this event, the Discipline Committee acts as a board of appeal and its decision shall be final. The process and procedures outlined in the Student Code shall apply.

For the avoidance of doubt, notwithstanding that the ESG as Disciplinary Authority is authorised under the Student Code to refer matters by reason of their gravity or nature directly to the Disciplinary Officer (as defined in the Student Code) or the Discipline Committee, matters arising from a breach of the Examination Regulations will be dealt with initially by the ESG and shall only fall to be dealt with under the Student Code on referral or appeal.

Responsibilities

Name	Responsibility
Registrar and Deputy-President	Policy Owner
Examinations Office	Ensuring implementation of policy
Examinations Office	Monitoring and reporting compliance with the policy
Examinations Office	Revisions to the policy
All Candidates at University examinations	Compliance with policy