

1. Document Details

Title:	Policy on Revocation of CIT Awards
Author(s):	Office of the Registrar & Vice-President for Academic Affairs / Regulations Committee of Academic Council
This Version Number:	1.0
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Review Date:	December 2019

Important Note: If the 'Status' of this document reads 'Draft', it has not been finalised and should not be relied upon.

2. Revision History

Version Number	Revision Date	Summary of Changes	Changes tracked?
1.0		New policy	

3. Relevant/Related Existing Internal Documents

AC Regulations Committee	July 2013	<i>Policy Governing Academic Honesty, Plagiarism and Infringements Relating to Examinations and Assessments</i>
CIT	Update May 2015	"Rules Governing the Student Disciplinary Committee and Student Disciplinary Procedure", in: <i>CIT Student Regulations</i>
Office of the Registrar & VP for Acad. Affairs	March 2015	<i>Policy on Conflict of Interest (Relating to the Academic Activities of CIT)</i>
CIT	April 2009	<i>Data Protection Policy and Records Management Policy</i>

4. Relevant/Related Existing External Documents

QQI	December 2014	<i>Policy and Criteria for Making Awards</i>
IADT, LIT, ITT	Various	<i>Revocation of (an) Award policies (reference)</i>
Sacramento State, CA		<i>Degree Revocation Policy and Procedure (reference)</i>

5. Consultation History

This document has been prepared in consultation with the following bodies/functions:

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6. Approvals

This document requires following approvals (in order where applicable):

Name	Date	Details of Approval Required
Academic Council	5 October 2018	First approval of new policy
Governing Body	13 December 2018	

7. Context and Purpose

Cork Institute of Technology makes awards to learners to certify and record that the learners have successfully attained specific standards of knowledge, skill and competence, as determined by its academic regulations and the national regulatory framework. CIT awards confer privileges upon successful graduates. These may include eligibility to apply for progression to further academic study and eligibility to apply for positions of employment for which the award has been specified as a prerequisite. To protect the integrity of its academic qualifications and, by extension, the good standing of its successful graduates is of paramount importance to Cork Institute of Technology.

On rare occasions, CIT may discover that the making of an award was unjustified because the award was obtained due to an error or by fraud or academic dishonesty. In such cases, QQI in its *Policy and Criteria for Making Awards* (December 2014) provides for the possibility of revoking the award.

The purpose of this CIT policy is to set out the grounds and procedural framework for the revocation of awards made by Cork Institute of Technology.

8. Scope

This policy applies to all CIT awards, including awards made prior to the adoption of this policy.

9. Definitions

The following definitions shall apply:

Academic Dishonesty	Academic dishonesty shall be understood as any instance of plagiarism or infringement relating to examinations or assessment which has been defined as such under the <u>CIT Policy Governing Academic Honesty, Plagiarism and Infringements Relating to Examinations and Assessments</u> .
Error	For purposes of this policy, the understanding of error shall include, inter alia, clerical and procedural error, oversight and unintentional misrepresentation of the facts of a case, including on the part of a Module Examination or Progression & Awards Board.
Fraud	Fraud shall be understood as any knowing and intentional misrepresentation of the facts of a case leading to the making of an award which would not have been made had the facts been accurately and fully presented.

10. Audiences

This policy is addressed to all staff, students and graduates/former students of CIT.

11. Responsible Officer(s)

Responsibility for maintenance of this policy lies with the Office of the Registrar & Vice-President for Academic Affairs.

12. Policy

A. General Principles

1. Cork Institute of Technology may, at any time, exercise its right to revoke an award previously made by the Institute if it is discovered and proven to the satisfaction of the CIT Academic Council that the learner upon which it was conferred did not deserve the award.
2. A learner shall be deemed not to deserve an award if Academic Council is able to satisfy itself following investigation by a Board of Enquiry that the award was obtained due to an error, by fraud, or through academic dishonesty not previously discovered and addressed under applicable CIT policy. A recommendation to and by Academic Council to revoke an award does not necessarily imply an intention to deceive on the part of the learner.
3. The final decision on revocation lies with Governing Body, acting on the recommendation of Academic Council.
4. Executive responsibility for implementing a Governing Body decision on revocation is delegated to the Registrar & Vice-President for Academic Affairs.
5. The Registrar shall notify the learner of the revocation and of the grounds on which the award has been revoked, and shall require the student to return the award documentation (parchment / certificate and transcript of results) forthwith.
6. The revocation of an award may be appealed by the appellant (the learner) to the President via the formal Procedure Governing Appeal to the President.

B. Procedure

1. *Invoking the Policy*

All claims under this policy that an award made may have been undeserved shall be submitted to the Registrar & Vice-President for Academic Affairs, together with any available evidence.

Claims made or received by faculty staff or students should normally be submitted through the faculty. Claims made or received by central administration staff (e.g. in the Examinations Office or Admissions) should normally be submitted via the Student Affairs & Administration Manager.

Any claim regarding undeserved awards shall be treated as confidential by all parties involved.

2. Investigating a Claim Concerning an Undeserved Award

1. Initial Review by the Registrar

The Registrar reviews the initial claim and, on consultation with the claimant(s) and any other Institute staff or external persons as relevant to the case, determines whether the claim warrants further, more detailed investigation.

If the Registrar determines on initial review that there is no case to answer, s/he informs the claimant and the relevant faculty or administrative staff of this.

2. Investigation by Board of Enquiry (into Claims Concerning Undeserved Awards)

Where the Registrar determines that the case should be investigated further, s/he refers the case to the Board of Enquiry (into Claims Concerning Undeserved Awards).

a) Board of Enquiry – Composition, Term of Service and Quorum

The Board of Enquiry is a standing board composed of senior Institute staff and a representative of the CIT Students' Union Executive. The membership shall be as follows:

- i) The Registrar or, subject to the approval of Academic Council, her/his nominee from one of the pools indicated under ii;
- ii) Three (3) members appointed by the President, subject to the approval of Council, of which:
 - Two senior academic managers, one of which to come from each faculty, to be selected from the following: Heads of Faculty and Heads of School/College;
 - One senior manager from the central administration, to be selected from the following: Vice-Presidents other than the Registrar; Head of Strategic Development; Dean of Academic Quality Enhancement; Dean of Graduate Studies; Head of Research; Academic Administration & Student Affairs Manager and Human Resources Manager;
- iii) One (1) member of the CIT Students' Union Executive appointed by the Students' Union.

The term of the Board of Enquiry will normally be three years for staff members and one year for the Students' Union representative. If the Students' Union representative continues in office, her/his period of service on the Board of Enquiry extends automatically, up to three years in total.

Board members appointed under ii) may be reappointed by the President for a second consecutive term, subject to approval by the Academic Council.

Where an investigation is still ongoing when the term of the Board of Enquiry ends, the President, following consultation with the Board, shall determine if the term of the sitting Board is to be extended for a maximum of one additional year to allow the Board to reach a conclusion.

At the first meeting of a new Board of Enquiry a Chairperson shall be elected from the membership.

A quorum shall be three members. A final recommendation on revocation can be made by the full Board only. A recommendation shall be carried by majority vote; in case of a tie the Chairperson of the Board shall have the casting vote.

If necessary in the context of a particular investigation, the Board of Enquiry may co-opt up to two (2) additional internal or external persons with requisite expertise and experience to advise the Board members on particular matters in connection with the investigation.

The co-opted members are entitled to participate fully in the proceedings of the Board for the purpose and duration of the investigation, with exception of the vote on the final recommendation of the Board on revocation, in which they shall not participate.

b) Reserve Board and Substitution

Together with the Standing Board, a Reserve Board is also formed to avoid breaches of confidentiality should substitution become necessary during an investigation.

The members of the Reserve Board shall be nominated and appointed following the principles used for formation of the standing Board of Enquiry under a) above.

Should a conflict of interest cause a member of the standing Board to absent herself/himself from an investigation, the Board of Enquiry calls on a member of the Reserve Board to stand in and serve on the Board. The substitute member shall serve on the Board for the purpose and duration of the investigation which gave rise to the conflict only. Where in doubt, safeguarding the independence of the decision-making shall take precedence over representative composition in the selection of the substitute member.

The term of the Reserve Board shall cease with that of the standing Board.

c) Declaration of Interest

Given the potentially sensitive and serious nature of the matters to be investigated and the inherent reputational risk, it is essential that the Board of Enquiry is able to conduct, and is seen to conduct, each and every investigation in an open-minded, independent and impartial manner.

It shall therefore be incumbent on every Board member to familiarise herself/himself with the [CIT Policy on Conflict of Interest](#) and to remain alert for potential conflicts of interest throughout.

In line with the [CIT Conflict of Interest Policy](#), Board members shall examine each claim for its potential for conflict of interest when first presented. If they do not detect any potential interest, each member formally declares the absence of interest to the Registrar.

Should a conflict of interest arise, or be identified, at any stage in the proceedings, this must be declared to the Board of Enquiry and the Registrar immediately, and the Board member affected by the conflict must withdraw or be withdrawn from the investigation with immediate effect.

Should the Registrar herself/himself be affected by a potential conflict of interest, this must be declared to the President, who shall take on the functions of the Registrar under this policy from that point onwards, or shall request a Nominee from the pools indicated under a) ii. to do so.

Following withdrawal the relevant party must continue to treat any information obtained on the investigation up to this point as confidential. All related communications and documentation (including emails and notes) held by the withdrawing Board member or, if withdrawing, the Registrar must be securely destroyed respectively deleted.

d) Procedure for Review by Board of Enquiry

The nature of the individual cases which may come under this policy may differ considerably. Consequently, rather than a fixed series of steps, a number of common procedural principles are set out hereunder which shall govern an investigation of the Board of Enquiry.

i. Aim

The sole aim of an investigation by the Board of Enquiry (into Claims Concerning Undeserved Awards) is to establish to its satisfaction, based on the totality of the available evidence, whether the award in respect of which the claim was made was deserved or undeserved, in order to make a recommendation on revocation of the award to the CIT Academic Council.

ii. Referral to Alternative Processes

In the course of an investigation, the Board may form the view that there are aspects of a case which lie outside of its own remit, but fall within the scope of other CIT regulations or policies under which they should be followed up, or require external investigation under applicable law. Examples might be cases involving potentially serious disciplinary infractions, breaches of terms of employment, or professional negligence on the part of current or past members of the Institute.

Where the Board agrees that such a situation may have arisen, the Chairperson shall relay the necessary information to the Registrar, together with any relevant evidence. The Registrar shall in turn contact the relevant head(s) of function, committee chair(s) or external agency with a view to invoking the applicable process(es). Information received and imparted during a referral shall be treated as confidential by all parties, except where and to the extent that disclosure is required by law.

Having referred aspects of a case to an alternative process, the Board has no further role in investigating these aspects, though it is entitled to confirm with the Registrar – or President as the case may be – whether an alternative process has been initiated following referral.

iii. Investigative Procedures

Within the scope of its remit, the Board of Enquiry shall have the right and the power to request any documents, to call and interview any witnesses, and to conduct such other pertinent internal and external enquiries as the Board shall in its absolute discretion decide.

The Board of Enquiry has discretion to regulate its own procedures as long as these remain in keeping with the spirit and procedural framework of this policy.

iv. Record-Keeping

Written records of all proceedings shall be kept, along with all documents and any other material evidence presented. The Registrar will appoint a member of her/his staff to undertake all related duties, including notification of the graduate whose award is being investigated and of any other parties concerned, circulation of any relevant documents, and archiving of records in line with CIT records management and data protection policies.

All materials and records connected to an investigation shall be kept and archived safely and securely. All communications made and documentation distributed to Board members or other concerned parties must be treated as confidential at all times, with exception of communications and documents which have been specifically and explicitly released by the Chairperson of the Board of Enquiry, Registrar or – where relevant – President for circulation to Academic Council, Governing Body, or other public fora.

On conclusion of an investigation, it will be incumbent on Board members to securely destroy respectively delete all related communications and documentation containing confidential information (including emails and notes).

v. Notification and Representation of Graduates Whose Award is Under Investigation

The rights of the graduate whose award is under investigation and of any other parties involved to adequate consultation and representation shall be respected to the furthest extent possible without compromising the integrity of the investigation.

To this end, the relevant graduate shall be notified in writing that an investigation into her/his award has been initiated as soon as is feasible, having first secured any potential material evidence which might otherwise be compromised, but not normally any later than five (5) working days from the first meeting of the Board of Enquiry.

The graduate shall have a right to submit a statement, supported as appropriate by statements from witnesses, a right to be heard in person, and a right to be accompanied by a friend/representative of their choice, who may speak to the Board on her/his behalf.

The graduate shall have the right to see any written or recorded evidence against her/him, except where it is the agreed view of the Board that disclosure may compromise witnesses or otherwise damage the integrity of the investigation prior to its completion.

The graduate and her/his friend or representative shall also be entitled to be present and to ask questions of witnesses who are called by the Board to present evidence, except where the Board agrees that this may compromise the witnesses or otherwise damage the integrity of the investigation prior to its completion.

3. Reporting to Academic Council

1. Reporting by the Registrar

All claims concerning undeserved awards must be reported by the Registrar to the next available sitting of Academic Council, whether or not a claim has been referred to the Board of Enquiry for further investigation. In addition, if an investigation has been launched under this policy, the Registrar shall notify Council of this.

Following submission of the recommendation of the Board of Enquiry on revocation to Academic Council, it may also be appropriate for the Registrar to notify Council if aspects of an investigation have been referred to alternative CIT processes or externally under applicable law.

Reports to Academic Council should be anonymised to the furthest extent possible to protect the privacy rights of the graduate whose award is under investigation and of any other parties involved, as well as to avoid prejudicing the investigation by the Board of Enquiry.

2. Reporting by the Board of Enquiry and Recommendation on Revocation

On conclusion of an investigation, the Chair of the Board of Enquiry provides the Registrar with a short written report on the investigative process and its findings. This report shall include the Board's recommendation to Academic Council with regard to the revocation of the award. The recommendation shall be either to revoke the award, or not to revoke the award.

In addition, the Chairperson of the Board shall produce an anonymised executive summary of the report which is suitable for forwarding to Academic Council to inform its decision on revocation. Academic Council may invite the Chair of the Board of Enquiry to speak to the summary report, giving due regard to upholding the requisite confidentiality and the privacy rights of the parties concerned throughout, including when publishing the record of Academic Council proceedings.

4. Revocation of the Award

Informed by the Board's findings and recommendation, Academic Council will propose to Governing Body to revoke the award in question, or will propose that the award should not be revoked.

Where Governing Body approves revocation, the Registrar notifies the former learner of the Institute's decision to revoke the award, and of the grounds on which the award has been revoked. The Registrar also notifies the learner of her/his obligation to return the award documentation (parchment / certificate and transcript of results) forthwith.

5. Appeals Procedure

Former learners or any other parties concerned wishing to appeal any decision on revocation taken under this policy may do so under the formal CIT *Procedure Governing Appeal to the President*.

Irrespective of an appeal being made, it is incumbent on any learner who has been notified of the revocation of her/his award to return the award documentation without delay on being requested to do so by the Institute.

If a learner fails to comply with this requirement, CIT may take any reasonable measures open to it, including but not limited to barring or suspending the learner's enrolment in another Institute programme.