



Academic Misconduct Policy

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Introduction

1. Northeastern University London (the University) is fully committed to helping and supporting students understand the nature of, and expectations associated with, academic writing, and providing advice, guidance, and self-help material so that students can fully understand what is not acceptable behaviour. Students are expected, with the support provided by the University, to make themselves fully conversant with what constitutes good academic conduct and consequently academic misconduct.
2. The University wishes its approach to be developmental rather than punitive, but in order to protect the standard and integrity of its awards, the University will identify any incident that meets the definition of academic misconduct and will bring this to the attention of the student, and where appropriate the University will impose an academic penalty. It is expected that students will learn from this experience and previous offences will be taken into account when determining penalties for subsequent offences. Proven academic misconduct will remain on the student's record for the entire registration period and will include any period of suspension, repeat year or transfer of programme.
3. There are no time limits associated with the investigation of suspected academic misconduct, and where a case of suspected academic misconduct is identified, including after credit has been given, an award has been made or the student has left the University, the case will be fully investigated.
4. This Policy relates to academic misconduct for assessments for programmes delivered at the University.

General Principles

5. The University is committed to:
 - 5.1. The determination of academic misconduct being an academic judgment.
 - 5.2. Having fair, effective, and timely procedures for handling allegations of student academic misconduct.
 - 5.3. The concept of natural justice, such that students have the right to defend themselves in person against an allegation of academic misconduct, and that staff involved in any panels do not have a personal relationship with the student or any involvement in the setting and marking of the work in question.
 - 5.4. Transparency and equity in terms of penalties imposed for the varying types of misconduct.
 - 5.5. Remedies for academic misconduct being developmental as well as punitive.
 - 5.6. Effective monitoring and reporting processes.

6. In allegations of academic misconduct, the burden of proof is upon the University to prove that academic misconduct has occurred, not for the student to prove that it has not.
7. A lack of intent is not an acceptable defence against an allegation of academic misconduct.
8. In determining whether a case is proven or not, the standard of proof is on the 'balance of probabilities' rather than 'beyond reasonable doubt'.
9. In the most serious cases, the University may determine that a student should be withdrawn from their programme. In such cases, the decision must be approved by Academic Board.
10. If academic misconduct in group work is found and it is clear that it was the act of a specific member(s) of the group, then the appropriate penalties may be applied to those specific members. If plagiarism is confirmed but it is still unclear who in the group was the originator(s), then all students in the group will have the appropriate penalties applied.
11. Subsequent breaches of the academic misconduct regulations will normally receive a more severe penalty than earlier ones.

Definitions

12. For the purpose of this Policy, 'student' refers to all students registered on undergraduate and postgraduate programme, degree apprenticeship programmes, Mobility courses and the NCH Diploma.
13. For degrees, the term 'programme' is used to refer to the curriculum route that leads to a named award as defined in each programme specification. The term 'course' is used to refer to each component of study as defined in each Course Descriptor.
14. It is an offence for any student to be party to or commit academic misconduct in an examination or in the preparation of work that is submitted for assessment.
15. The practices listed below will automatically be deemed to constitute academic misconduct. The list of practices is not an exhaustive list and does not preclude the University from taking action where other forms of academic misconduct are identified.
 - 15.1. Plagiarism: where a student incorporates another person's or body's work by unacknowledged quotation, paraphrase, imitation, or other device in any work submitted for assessment in a way which suggests that it is the student's original work.
 - 15.2. Collusion: where student(s) in the same cohort knowingly or negligently allows their work to be viewed by another student, in any form, and this work is subsequently incorporated in, or represented as, the work of another student; or the collaboration without official

approval between two or more students in the presentation of work, which is submitted as the work of a single student.

- 15.3. Falsification: where the content of any assessed work has been invented or falsely presented by the student as their own work.
- 15.4. Replication: where a student submits the same or similar piece of work, or substantial sections of the same work, which has already been submitted for any other assessment within the University or elsewhere. An exception to this can be made at postgraduate level where a research course(s) supports the dissertation and use of the research course work is explicitly permitted in the dissertation assessment brief. Students repeating an assessment, course or level are expected to produce new coursework for all assessments except where the referral brief allows students to re-work a failed assessment.
- 15.5. Taking unauthorised notes or devices into an examination.
- 15.6. Obtaining an unauthorised copy of an examination paper.
- 15.7. Communicating, or trying to communicate, with another student or individual during an examination, or attempting to observe or copy another student's written and/or electronic examination script.
- 15.8. Providing assessments for the purpose of academic misconduct – where a student sells to, writes, or provides assessments for another student.
- 15.9. Being a party to impersonation in relation to an examination.
- 15.10. Failure to obtain, or breach of ethical approval, where this is a requirement of the assessment.
- 15.11. Submission of work where the student has used a third party whose input is not allowed ('contract cheating'; use of 'essay mills').
- 15.12. Submitting a fraudulent Extenuating Circumstances claim.

Prevention

16. In order to prevent academic misconduct, all students are provided with appropriate guidance on referencing, and a full explanation and definition of academic misconduct. The associated rules and regulations are covered as part of student induction and a summary included in guides which are available on the student website.
17. All students are therefore expected to be fully conversant with the rules and regulations associated with academic misconduct.

18. In addition, students are required to confirm that the work submitted for assessment is their own work and has not been previously submitted for credit for another course assessment.

Detection

19. The University will use all appropriate mechanisms for detecting suspected academic misconduct, including, but not limited to, the opinions of faculty, the use of software packages, and interviews (of the student by two members of faculty).
20. The University will ensure that suitable briefings are provided for all staff involved in detecting and handling student academic misconduct.

Academic Misconduct Procedures

21. Where faculty determines that there is likely to be academic misconduct in an assessment submitted by a student, or where academic misconduct is detected during an examination by an invigilator, the following should be submitted to [Registry](#):
 - 21.1. the assessment in question
 - 21.2. the corresponding assessment brief or examination paper
 - 21.3. supporting evidence
 - 21.4. a completed Academic Misconduct Form stating the nature and extent of the academic misconduct.
22. A mark for the assessment in question should be withheld from the student until the outcome of the referral is decided. A student may not normally present for reassessment in the affected component until they have been advised of the outcome of the investigation of the misconduct.
23. Registry shall compile the documentation, seeking clarification where required. Registry will inform the student that their assessment is under investigation for Academic Misconduct and that their mark will be withheld while the Academic Misconduct Policy is followed.
24. Major and Minor Offence Classifications
 - 24.1. A **Minor Offence** is defined as any first offence at all levels except for where the academic misconduct allegation meets the criteria for a Major Offence.
 - 24.2. A **Major Offence** is defined as
 - 24.2.1. any second or subsequent offence at any level.
Normally a breach will only be considered subsequent, if at the time of committing the further offence, the

student could reasonably be assumed to have been aware that they had been found to have committed a first offence.

- 24.2.2. any multiple offence (two or more assessments) at any level where the academic misconduct is extensive.
- 24.2.3. all allegations of obtaining an unauthorised copy of an examination paper, use of a third party whose input is not allowed, being a party to impersonation in relation to an examination, and providing assessments for the purpose of academic misconduct shall automatically be treated as a Major Offence.

Procedure for Minor Offences

25. Where Registry determines that, if proved, the offence is likely to be identified as a Minor Offence, it will inform the student that they are under investigation for a Minor Offence and provide them the opportunity to submit any information they may wish for consideration by the Senior Faculty, who will review the case within five days. Once the five days have expired, Registry will send the documentation and any information from the student to a Senior Member of Faculty in the relevant faculty who has not been a party to the marking of the assessment.
26. The Senior Member of Faculty shall review the documentation provided. They may, at their discretion, request further information from the faculty or the student. The Senior Faculty shall then determine on the balance of probability whether the misconduct has been proved. If the allegation is considered to be proven, the Senior Faculty will also recommend a penalty from the University's penalty tariff for a minor offence ([Annex A](#)). The level of penalty recommended is at the discretion of the Senior Faculty on the basis of all the circumstances of the case and the guidance contained in Annex A. Registry will notify the student by email to their University email address of the decision regarding the allegation, and if upheld the penalty to be imposed. They will also be advised of their right of appeal, and Registry will make the student aware of any relevant University support services for further help and guidance.
27. The Senior Member of Faculty may, on their review, consider that the offence, if proven, would likely be a Major Offence. In this case they should return the case to Registry without decision. Registry will then refer the matter to an AMP.

Procedure for Major Offences

28. Where Registry determines that, if proved, the offence is likely to be identified as a Major Offence, it will refer the matter to an Academic Misconduct Panel (AMP).
29. All offences identified as Major will be investigated by an AMP.
30. The AMP will comprise:

- 30.1. A Dean, Associate Dean, or Head of Faculty, independent of any Faculty to which the student's programme of study is related (Chair)
 - 30.2. One member of Faculty, independent of any Faculty to which the student's programme is related
 - 30.3. A member of the Quality Team, who will also act as Secretary and will advise the panel on procedural matters and record decisions of the panel
31. Where the student has a record of a previous case(s) of academic misconduct, the outcome(s) of the case(s) are made available to the current AMP only after the Panel has made a determination of guilt for the case being considered. Information about previous cases is provided only for the purposes of informing the decision regarding the penalty to be imposed. The current AMP must not include anyone who sat on a previous AMP(s) for the student.
 32. The student may submit a written statement concerning the alleged academic misconduct and may submit witness statements. The student shall provide any such statements to the Secretary to the AMP not less than seven calendar days prior to the date of the AMP meeting.
 33. The student will be invited to attend the AMP and may be accompanied by a friend¹ or Student Union representative. They will be provided with copies of the documentation presented to the AMP.
 34. A student cannot be represented by another person at an AMP meeting except in cases where a student is not capable of representing themselves (e.g., they are suffering from evidenced mental health issues).
 35. If the student does not attend the AMP meeting without giving a valid reason, or if the student formally confirms to the Secretary that they will not be attending, or they accept the allegation, the Chair of the AMP shall have the discretion to proceed in the student's absence.
 36. Exceptionally, the student can request the rescheduling of a meeting, providing reasonable notice is given, together with sufficient reason, or evidence supplied of why the student is unable to attend on the scheduled day, e.g., accident, serious illness.
 37. The AMP will normally interview the Faculty/staff member who identified the alleged misconduct. If they are unable to attend, the AMP will be provided with a written report(s).
 38. Where appropriate, it may be possible to convene a meeting virtually, e.g., using a video conferencing platform. The decision to conduct the meeting of the AMP in this way rests with the Chair of the AMP.

¹ The definition of friend excludes professional representation, unless the case is made that this would not be natural justice, and cannot be another student who is involved in the academic misconduct case.

39. On completion of the representations, the AMP will conduct its deliberations in private, to decide whether the academic misconduct is proven or not proven.
 - 39.1. Where the academic misconduct is **not proven**, the student shall be informed in writing within seven calendar days that the allegation was not upheld, and no further action will be taken. Their work will be marked as normal. The outcome letter will summarise the AMP's decision, including the grounds on which the decision was based.
 - 39.2. Where the academic misconduct is **proven**, the AMP will have the discretion to impose a penalty which it deems is appropriate in all the circumstances of the case. The AMP will be informed by the penalty tariff guidance at [Annex A](#), but is not tied to the guidance where the AMP determines that there are relevant mitigating or aggravating factors. The student will be informed in writing within seven calendar days; and the outcome letter will summarise the AMP's decision, the grounds on which the decision was based, and the penalty to be applied. The student will also be informed of their right of appeal and will be referred to any relevant University support services for further help and guidance.
40. Where the findings of the AMP call into question the authorship of other assessments submitted by the student, the AMP will suspend its decision while a preliminary investigation into these other assessments is made. Where these preliminary investigations find a *prima facie* case, the AMP will reconvene to consider these assessments. Where the preliminary investigation finds no *prima facie* evidence, the AMP will make a penalty decision on the original assessment in which misconduct had been found.
41. Where the AMP considers that the student should be [withdrawn from their programme](#), the decision must be reported to the Chair of Academic Board.
42. The student and members of staff will be sent copies of the outcome of the AMP, which will clearly state the process undertaken and a summary of the rationale for the outcome determined by the AMP.

Appeals

43. The student may appeal against the conclusion or penalty of an academic misconduct offence where any of the following apply:
 - 43.1. There has been a significant procedural flaw or irregularity that compromised the fairness of the process.
 - 43.2. New material evidence, which must be supported by explanation of why it could not reasonably have been provided at an earlier stage.
 - 43.3. There is a bias or reasonable perception of bias during the procedure.

- 43.4. An outcome, decision and/or penalty, being unreasonable or disproportionate.
44. An appeal must be lodged with [Registry](#) via the [Appeal Form for Students](#) within 14 calendar days of the student receiving the formal notification of the outcome, or the student will be deemed to have accepted the conclusion. Exceptionally, this deadline may be waived where evidence is provided to show circumstances prevented an appeal being lodged.
45. Where no evidence or insufficient evidence is submitted, the student will be issued with a completion of procedures letter informing them that their appeal has been rejected and that they have exhausted the University's internal appeals procedure relating to academic misconduct, and advising that any further request for redress will need to be made to the Office of the Independent Adjudicator.
46. Where it has been determined that sufficient new evidence has been submitted to warrant referral to a panel, the case shall be referred to an Academic Misconduct Appeal Board (AMAB).
47. The AMAB will comprise:
- 47.1. A Dean, Associate Dean, or Head of Faculty, independent of any Faculty to which the student's programme of study is related, and independent of the AMP (Chair).
 - 47.2. One member drawn from Academic Board or the Teaching, Learning and Enhancement Committee, independent of any Faculty to which the student's programme of study is related, and independent of the AMP.
 - 47.3. A member of the Quality Team will serve as Secretary and will advise the panel on procedural matters and record decisions of the panel.

Proceedings of an Academic Misconduct Appeal Board

48. An AMAB will normally meet to consider an appeal within 28 calendar days from receipt of the appeal.
49. The student may be invited to attend the AMAB and may be accompanied by a friend or Student Union representative.² The student will be provided with copies of the documentation presented to the panel.
50. The student does not have to attend the AMAB, but it is in their interest to do so.
51. A student cannot be represented at AMAB except in cases where a student is not capable of representing themselves (e.g., they are suffering from evidenced mental health issues).

² The definition of friend excludes professional representation, unless the case is made that this would not be natural justice, and cannot be another student who is involved in the academic misconduct case.

52. The AMAB will normally interview any person(s) whom the AMAB believes may be able to provide relevant information, including the student and Faculty. If individuals are unable to attend, they will provide the AMAB with a written report.
53. The Chair of the AMAB, with agreement from the other members, can postpone the process to gather more information relating to the case. The Secretary will reconvene the Board when the additional information is collected.
54. The AMAB will review the original evidence; reports provided by the AMP and faculty, where applicable; and the evidence on which the appeal is based. The AMAB will then decide whether the allegation of academic misconduct is proven or not proven.
 - 54.1. Where the academic misconduct **is not proven**, the penalty shall be withdrawn, and the student shall be informed that no further action will be taken.
 - 54.2. Where the academic misconduct **is proven**, the AMAB will either confirm the original penalty recommended, or impose an alternative penalty based on the published penalty guidelines at [Annex A](#). The AMAB cannot raise the penalty from that initially imposed prior to the appeal. The student will also be referred to University student services for further help and guidance if required.
55. This marks the end of the appeal stage. The student will be issued with a Completion of Procedures (COP) letter confirming that they have exhausted the University's internal appeals procedure relating to the case of academic misconduct and advising that any further request for redress will need to be made to the Office of the Independent Adjudicator (OIA).

Withdrawal of Student and/or Withdrawal of Credit/Award

56. Where an AMP recommends that the student be withdrawn from their programme, or the withdrawal of credit or an award, this must be approved by the Chair of Academic Board.

Office of the Independent Adjudicator

57. The Office of the Independent Adjudicator (OIA) is an independent body set up as a result of the Higher Education Act 2004 to run a student complaints scheme. Membership of the OIA is a requirement of the Higher Education and Research Act 2017 and the Office for Students.
58. At the end of the procedure, the student will receive a Completion of Procedures letter. At this point if the student remains dissatisfied, they have the right to refer the decision to the OIA, within 12 months of the date of the Completion of Procedures letter. Details are available [here](#).

Monitoring, Reviewing and Reporting

59. The University will have effective arrangements through Academic Board to monitor, evaluate, and improve the effectiveness of this Policy and Procedures.
60. Registry will maintain a record of academic misconduct outcomes and appeals and ensure that appropriate action has been taken.
61. An annual report on academic misconduct and appeals will be reported to the University's Course Assessment Board.
62. No report will identify an individual student.

Version History

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3.1	February 2019	April 2018	Student Academic Services	August 2019
Referenced documents	Academic Misconduct Form, Appeal Form for Students			
External Reference Point(s)	UK Quality Code Theme: Assessment; Office of the Independent Adjudicator			

Annex A: Penalty Tariff and Guidelines

Guidelines

1. Plagiarism in group work. If plagiarism is confirmed, and it is clear that it was the act of a specific member(s) of the group, then the appropriate penalties may be applied to those specific members. If plagiarism is confirmed but it is still unclear who in the group was the originator(s), then all students in the group will have the appropriate penalties applied.
2. In a case of alleged collusion, where for one or more of the students it is a second or subsequent case of academic misconduct, it will be automatically referred to an Academic Misconduct Panel. This is for all students named in the allegation regardless of whether it is another student's first offence and has been deemed a Minor offence. However, the penalty imposed on each individual will still be in line with the penalty tariff below.
3. An offence will be deemed sequential if, at the time of committing the second offence, the student could reasonably be assumed to be aware that they were committing a second offence.

Penalties

Please note there are different penalties listed in the tariff for an unauthorised copy of an examination paper, contract cheating, impersonation in relation to an examination, and providing assessments for the purpose of academic misconduct.

Undergraduate, Postgraduate and Degree Apprenticeship Programmes

Type of offence	Guidance	Penalty
Minor	Where the misconduct is very minor and there is reason to believe that it may have occurred due to a poor understanding of University policies or the conventions of academic writing (i.e., a level 4 or direct entry student)	(i) The student should receive a letter of caution that will remain on their file for the duration of the student's programme and will be taken into account in the result of any further allegations of academic misconduct. Those sections of the work not subject to academic misconduct will be marked as normal.
Minor	Where the misconduct is minor	(ii) Those sections of the work not subject to academic misconduct will be marked as normal but the mark awarded for the assessment will be capped at the minimum pass mark.
Minor	Where the misconduct is substantial	(iii) The student should fail the particular assessment to which the allegation relates. Subject to the relevant assessment regulations, the student may have the right to resit and with the

Type of offence	Guidance	Penalty
		assessment mark capped at the pass mark.
Major	<p>Where the AMP determines that a lesser penalty is appropriate in the circumstances.</p> <p>Where the AMP believes there were relevant and compelling extenuating factors.</p>	(iv) The student should fail the assessment to which the allegation relates. Subject to the relevant assessment regulations, the student may be given one final reassessment attempt for that element. Students will be required to produce new assessments for the failed element and will not be permitted to re-work the material previously submitted. The course mark will be capped at the pass mark. ³ .
Major	Where it is the student's second offence and the AMP considers that there are no relevant extenuating circumstances.	<p>(v) The student should fail the whole course, all marks for any assessments on the course to be set at zero. Subject to the relevant assessment regulations, the student may be given one final attempt at all elements for the course. The student will be required to produce new assessments and will not be permitted to re-work or resubmit material previously submitted and passed.</p> <p>The course mark will be capped at a pass.</p>
Major	<p>Where the AMP considers that there is evidence that the student planned or otherwise purposefully engaged in the misconduct (i.e., contract cheating) but there are relevant mitigating circumstances.</p> <p>Where the student has been found to have committed previous offences but the AMP considers that the student should be permitted to remain on their programme of study.</p>	(vi) The student should fail the course for which the assessment relates without opportunity for resit. Marks for all assessments for the course will be set at zero.
Major	Where the student has been found to have committed	(vii) The student should be withdrawn from the programme. The student may

³ Level 6 or Level 7 Dissertation/Capstone Project the reworking of the piece of work may be permitted. This will be decided on a case by case basis. The panel will discuss this with the course leader / project supervisor to ascertain whether this is practicable.

Type of offence	Guidance	Penalty
	<p>previous major offences and the AMP considers on the basis of all the relevant circumstances that it is not in the interest of the University community for them to remain at the University.</p> <p>Where the AMP considers that there is evidence that the student planned or otherwise purposefully engaged in the misconduct. (i.e., contract cheating, theft of copyright).</p> <p>Where the AMP considers that the student's conduct undermined the integrity of the assessment process (i.e., obtaining an exam script, impersonation).</p>	<p>be eligible for award of credit or an exit award, where they have sufficient credit and meet the learning outcomes for that award. In such cases, the student is not eligible for admission onto any other University programme.</p>
Major	<p>Where the student has previously been found to have committed a Major Offence and the AMP considers there to have been a pattern of misconduct such that the student cannot remain within the University community.</p> <p>Where the AMP considers that the student's conduct disrupted the assessment process.</p>	<p>(viii) The student should fail the entire level/stage of the programme to which the allegation related with no right to re-sit. All credit and marks for that level to be withdrawn. The student may be eligible for an exit award where they have sufficient credit and meet the learning outcomes for the award. The student will not be eligible for admission to any other University programme.</p>
Major	<p>Where the AMP determines that, considering the seriousness of the offence alone or in combination with a previous finding(s) of misconduct, it would be inappropriate for the student to remain at the University or hold any credit or award from the University.</p>	<p>(ix) The student should be withdrawn from their programme and all credits and marks should be withdrawn. In such a case, the student would not be eligible for any award and would not be eligible for entry to any other University programme. Where an award has already been made, it should be withdrawn.</p>

NCH Diploma

Type of offence	Description	Penalty
Minor	<p>Where, for good reason, the student was not aware of the regulations.</p> <p>Exceptionally where there are circumstances that would suggest that natural justice means the lightest penalty should be imposed.</p>	(x) The student should receive a letter of caution that will remain on their file for the duration of the student's programme and will be taken into account in the result of any further allegations of academic misconduct. Those sections of the work not subject to academic misconduct will be marked as normal.
Minor	Any minor first offence, excluding those which are automatically a Major offence	(xi) The student should fail the particular assessment to which the allegation relates, with the right to resit and with the assessment mark capped at the pass mark.
Major	<p>First offence - obtaining an unauthorised copy of an examination paper.</p> <p>Second offence</p>	(xii) The student should fail the assessment to which the allegation relates. The student shall be given one final reassessment attempt for that element, subject to the relevant assessment regulations. Students will be required to produce new assessments for the failed element and will not be permitted to re-work assessments. The course mark will be capped at the pass mark.
Major	<p>Any third offence at any level</p> <p>Multiple offences where academic misconduct is deliberate, calculated and extensive</p> <p>Any second or subsequent offences of obtaining an unauthorised copy of an examination paper.</p> <p>Any first offence of being a party to impersonation in relation to an examination.</p> <p>Any first offence of providing assessments for the purpose of academic misconduct.</p>	<p>(xiii) The following penalties may be considered:</p> <p>The student should be withdrawn from the Diploma.</p>