

Section 17C

Nottingham Trent University

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**Quality Handbook**

**Part E: Regulations**

**Section 17C: Academic  
Irregularities**

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## PART A INTRODUCTION AND GUIDING PRINCIPLES

### 1. Introduction

- 1.1 Academic integrity is fundamental to the values promoted by Nottingham Trent University. The University is concerned to ensure that its assessment regulations are fully and fairly implemented and that no student gains an unfair advantage over others.
- 1.2 This document describes the principles and processes by which the University will manage allegations of academic irregularities.
- 1.3 For the purposes of the Academic Irregularities Process, in this document the following words and phrases have the meaning indicated:

AIAP	Academic Irregularities Appeal Panel
AIPF	Academic Irregularities Penalty Framework
AR	Academic Registry, the owner of the Process
BOE	Board of Examiners
Convenor	Administrator appointed by the School to support the work of the School Academic Irregularities Panel (SAIP)
HoD	Head of Department
PSRB	Professional, Statutory or Regulatory Body
DVC(A)	Deputy Vice-Chancellor (Academic)
SAIP	School Academic Irregularities Panel

### 2. Good Practice

- 2.1 There is an expectation that Schools will:
  - a. Provide students with awareness sessions in relation to academic irregularity;
  - b. Identify at least one person within the School to be a source of information and guidance to academic and administrative colleagues when considering possible academic irregularity cases;
  - c. Develop assessment schemes designed with consideration for the reduction in the risk of academic irregularity.

### 3. Definition of Academic Irregularities

- 3.1 An Academic Irregularity occurs when there is cause to consider that work submitted by a student is not wholly sound in terms of its academic integrity.
- 3.2 The University has three categories of Academic Irregularity within its taught programmes:
  - a. Poor Academic Practice – Cases of inadequate and poor scholarship;
  - b. Academic Misconduct – Minor/limited cases;

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- c. Academic Offence – Substantial cases, multiple minor cases.

## Explanatory note

- While it is still considered an Academic Irregularity, Poor Academic Practice differs from the more serious categories of Academic Misconduct and Academic Offence in that the student is deemed to misunderstand academic practice rather than creating the potential for inappropriate advantage. This principle is reflected in the Penalty Framework, where cases of Poor Academic Practice will be addressed by the Course team without convening a SAIP. The three categories of Academic Irregularity are defined below.

### 3.3 Poor Academic Practice:

- The student demonstrates a lack of understanding of scholarly practice and appropriate academic representation. Sources might be cited incorrectly or inadequately, for example, without quotation marks, even though the author is listed in the references.
- Can apply to all levels of study.
- In cases of Poor Academic Practice the student will receive a written warning that is held on their file. Their result may be revised, and the student will be advised that proven Poor Academic Practice might affect future allegations of Academic Irregularity.
- To ensure the above process operates effectively, Schools will track cases of Poor Academic Practice so that Course Leaders have the information they need to manage each student case.
- A student who has previously received two Poor Academic Practice warnings, or who had had an upheld case of Academic Misconduct or Academic Offence, would not normally be given a further warning. Such a case will be considered as a Misconduct or Offence.

### 3.4 Academic Misconduct:

- It is either the student's first case of Academic Misconduct or there has previously been a second finding of Poor Academic Practice. If there are three cases of Poor Academic Practice, which establishes a pattern, the irregularity would be considered as an Academic Misconduct.
- Can apply to all levels of study; there is an assumption of increasing seriousness as the student progresses through their studies. This is based on an expectation that a student should be aware of proper academic practice and the nature of academic misrepresentation. In keeping with this principle, penalties will be increased if an irregularity is proved later on in the student's course of study.
- The case is minor where there would still be a significant amount of the student's own work/analysis if the copied materials were removed.

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- d. After two upheld cases of Academic Misconduct a further case will be regarded as serious enough to be considered as an Academic Offence.

### 3.5 Academic Offence:

- a. Multiple previous irregularities which may be of a lesser degree but demonstrate a pattern; or
- b. It is the first case of Academic Irregularity and deemed to be so substantial or significant that it is most appropriately dealt with as an Academic Offence.
- c. Can apply to all levels of study; there is an assumption of increasing seriousness as the student progresses through their studies. This is based on an expectation that a student should be aware of proper academic practice and the nature of academic misrepresentation. In keeping with this principle, penalties will be increased if an irregularity is proved later on in the student's course of study.

Where an irregularity is not minor, it is deemed to be substantial. Examples could include, but are not limited to: Cases where material is used without proper acknowledgment or produced with collusion in the following manner:

- a. The copied material forms a significant or substantive part of the work;
- b. Where there would be little left of the student's own work/analysis if the copied materials were removed;
- c. Where the entirety of the work is copied from one or a few sources with little or no further input from the student;
- d. Unauthorised material is taken into an examination or test;
- e. Impersonation in the assessment;
- f. Submission of work where the student has used a third party whose input is not allowed (contract cheating).

### 3.6 The Academic Irregularities Process does not apply to the following:

- a. **Research degrees** (i.e. PhD, MPhil, or Professional Doctorates). The University has a separate policy in place for investigating and adjudicating on alleged research misconduct ([Section 17D of the Quality Handbook.](#))
- b. **Academic Misconduct by teaching and research staff.** Other University processes exist to deal with these matters.

## 4. Principles

- 4.1 All students are required to accept the University's Terms and Conditions of Offer, in doing so they acknowledge that they are bound by all University regulation and process.
- 4.2 All students will normally have access to a course handbook where links to this Academic Irregularity document will be provided.
- 4.3 The Academic Irregularity Process is accessible via the NTU website at: [http://www.ntu.ac.uk/current\\_students/resources/student\\_handbook/index.html](http://www.ntu.ac.uk/current_students/resources/student_handbook/index.html).

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- 4.4 Relevant regulations, including this Process, will be drawn to the attention of students by respective Schools at the beginning of the academic year or any other point of entry.
- 4.5 In all cases of alleged Academic Irregularity, students will be treated as blameless until a case against them is proved.
- 4.6 The facts must be established before consideration of the consequences of the alleged incident on a student's performance, assessment or progression.
- 4.7 Whenever a student is invited to any meeting investigating an alleged Academic Irregularity the student will be informed of the nature of the allegation and that they have the right to be accompanied. The University does not permit students to be legally represented at the SAIP, except in exceptional circumstances. For the avoidance of doubt, the definition of "exceptional circumstances" in this context is a matter for determination by the University.
- 4.8 The HoD or suitably experienced academic (such as the Course Leader in cases of Poor Academic Practice), will make an initial decision as to whether there is a case to answer.
- 4.9 The determination of whether Academic Misconduct or an Academic Offence has occurred is based on findings from the evidence presented to the SAIP. It is therefore a matter to be decided by the SAIP and should not be a matter for the Board of Examiners, whose role is to consider the wider student profile to ensure overall proportionality. The evaluation of the student profile will be based on their achievement of the learning outcomes of the programme.
- 4.10 In all cases the SAIP will come to a decision based solely on the evidence presented to it.
- 4.11 Where the SAIP is satisfied that an Academic Irregularity has **not** taken place the matter will be considered ended. This decision exonerates any students under investigation.
- 4.12 If the SAIP finds that there is evidence that Academic Misconduct or an Academic Offence has taken place the panel will apply the penalty solely to the piece of work under discussion. The penalty will be commensurate with the University's Academic Irregularity Penalty Framework (See Appendix 5).
- 4.13 Lack of intent is not an acceptable defence against an allegation of Academic Irregularity.
- 4.14 Where an allegation is upheld against an assessment at the final attempt stage and deemed an Academic Misconduct or an Academic Offence, the student will not be permitted to resubmit the assessment. This is to ensure fairness with the wider student body.
- 4.15 The Board of Examiners has overall authority to determine the outcome for each individual case based on several factors taken together. These are the decision of the SAIP and the penalty the Panel has applied, the student's full academic profile, and any extenuating circumstances brought to the attention of the Board through the Notification of Extenuating Circumstances Process (See Section 17A of the Quality Handbook).
- 4.16 The role of the Examination Board is not to revisit the detail of the SAIP decision on Academic Misconduct or Academic Offence, rather the Board will take an overall

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view of the student academic position, to ensure that penalty outcomes are effective, appropriate and proportionate.

- 4.17 If an allegation is made after the conferment of any award, such allegations may be investigated up to one year after the conferment date.
- 4.18 Where an allegation of Academic Misconduct or Academic Offence is proved, the appropriate Professional or Regulatory Body may need to be informed if this is deemed appropriate by the School.
- 4.19 Records must be kept in each student case and retained in line with current University retention policy.
- 4.20 The student has a right to appeal under the Academic Irregularities Appeals Procedure (see **Part C**).

## 5. Monitoring and Reporting

**All cases of Poor Academic Practice, Academic Misconduct and Academic Offence must be reported to the Academic Registry, by the SAIP convenor or administrator. This is to enable monitoring by the Academic Standards and Quality Committee.**

- 5.1 The Academic Registry will produce annual monitoring reports which will be made available to the Academic Standards and Quality Committee (ASQC) - to inform University level monitoring, reporting and planning processes.
- 5.2 These annual monitoring reports will be based at School level, and will summarise the following:
  - a. The number of Poor Academic Practice warnings issued;
  - b. The number of SAIPs held during the academic year by School, including a summary of Academic Misconduct and Academic Offences, and the SAIP penalty outcomes;
  - c. Those instances where a Board of Examiners made adjustments to student outcomes based on any Extenuating Circumstances;
  - d. Consistency in the application of the Penalty Framework by SAIPs.
- 5.3 No monitoring report will identify an individual student.
- 5.4 Academic Registry will provide guidance on the processes where required and develop anonymous case histories to support the work of Schools, through staff development programmes.

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## PART B PROCESS FOR DEALING WITH ACADEMIC IRREGULARITIES

### 6. Introduction

- 6.1 The Process describes how the University shall manage allegations of academic irregularities and must be adhered to where an academic irregularity is suspected. Staff must ensure that they have grounds to believe that a case of academic irregularity has occurred.
- 6.2 Academic irregularity occurs where a student gains, or creates the potential to gain, advantage in summative assessments. This includes all examinations and all course work.
- 6.3 Courses operated through collaboration with an NTU partner will be subject to the Process. This is unless it is explicitly agreed at validation to adopt other arrangements and this will form part of the approved Collaborative Agreement.
- 6.4 Validated Centres should develop and operate their own processes for managing cases of academic irregularity, and these should align appropriately with the NTU process.

### 7. Related University Processes

- 7.1 Other procedures that are of relevance to the Process and should be considered include:
  - a. Academic Appeals Process;
  - b. Complaints Process for Students;
  - c. Student Code of Behaviour;
  - d. University/School Codes of Ethics;
  - e. Suitability criteria set by PSRBs for students undertaking professional courses of study (fitness to practice) where applicable.
- 7.2 Where on investigation of an Academic Irregularity Appeal, it appears to the University that the matter should be dealt with through the University's Student Complaints Process, or the Student Code of Behaviour, it will be transferred to that Process and the student will be informed of the transfer. Where only a part of the matters raised within an Academic Irregularity Appeal are transferred to other University processes, the Academic Irregularity Appeal will be put on hold pending the outcome of this investigation. The student will be informed and made aware of the change in time limits for dealing with the Academic Irregularity Appeal.

### 8. Initiating the Academic Irregularities Process

- 8.1 Where there is a suspected case of academic irregularity the Module Leader must provide a written factual statement indicating clearly the alleged Academic Irregularity, supported by appropriate evidence. This statement and any

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supporting evidence (e.g. Turnitin reports), should be attached to the work of the student.

- 8.2 The Module Leader should then notify the Course Leader, who will determine if the case is Poor Academic Practice or potentially more serious. Where the case is deemed to be Poor Academic Practice, it will be dealt with by the Course Leader, in the manner summarised below.

### 8.3 Management of Poor Academic Practice

Where a Course Leader has decided that the student work in question contains Poor Academic Practice, the following process should apply:

- a. An explanation will be given on why the student work demonstrates Poor Academic Practice, and the evidence on which this is based is provided;
  - b. A written warning will be given, and held on the student file;
  - c. It should be made clear to the student that there are potential implications of multiple instances of Poor Academic Practice;
  - d. The student is advised that they have a right of appeal to the view of the Course Leader that the work demonstrates Poor Academic Practice. In such cases the student must put their reasons in writing to the Head of Department, who will decide whether or not the work demonstrates Poor Academic Practice, based on the written material. No panel is convened;
  - e. In terms of accepting or rejecting the appeal against Poor Academic Practice, the decision of the Head of Department is final.
- 8.4 In all other cases of potential Academic Misconduct or an Academic Offence, the Course Leader will forward all evidence to the Head of Department or suitably experienced academic responsible for the provision in question.
- 8.5 The HoD/experienced academic will determine whether there are reasonable grounds to suggest the student contravened assessment regulations and whether there is a case that requires examination as a case of Academic Misconduct or an Academic Offence. In making this decision the HoD/experienced academic shall:
- a. Draw a distinction between Poor Academic Practice or whether the case warrants investigation as Academic Misconduct or an Academic Offence;
  - b. Have available any materials relating to the alleged Academic Irregularity, for example coursework, examination scripts, documents notifying that an incident is suspected;
  - c. Discuss the circumstances with relevant staff members, as appropriate;
  - d. At this stage there is no requirement to inform the student(s) that an investigation into possible Academic Irregularities is under way.
- 8.6 The HoD/experienced academic should determine the outcome normally within 5 working days of the alleged academic irregularity being reported to them. The HoD/experienced academic may determine that if there are doubts that the work can be reasonably ascribed to the student, but limited evidence is available, the Module Leader or Course Leader may interview the student.

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- 8.7 If the HoD/experienced academic decides that there are reasonable grounds to suggest that there is a case for adjudication, the SAIP convenor will be notified so that the matter can be considered by the SAIP.
- 8.8 If the HoD/experienced academic finds that the case is Poor Academic Practice it will be referred back to the Course leader and dealt with under the process agreed for Poor Academic Practice.

## 9. The School Academic Irregularities Panel

- 9.1 The purpose of the SAIP is:
- To review all written and oral information provided by both the student and School representatives;
  - Determine on the balance of probabilities whether Academic Misconduct or an Academic Offence has occurred;
  - To apply the penalty in keeping with the Penalty Tariff Framework.
- 9.2 The SAIP has the authority to determine whether or not the level of seriousness is commensurate with Academic Misconduct or an Academic Offence, and will reach penalty decisions accordingly.

## 10. Membership

- 10.1 The membership of the SAIP will be confirmed by the Dean of School and will comprise:
- A HoD or suitably experienced academic (who must not be the student's HoD or Chair of the Board of Examiners concerned) as Chair;
  - At least two other academics taken from a register chosen by the Dean. Neither should have direct involvement with the module, student or their course, including the relevant BOE;
  - An administrator to take minutes and record decisions.

## 11. Convening the School Academic Irregularities Panel

- 11.1 The Convenor shall arrange a meeting of the SAIP and will be responsible for the timely circulation of an invitation letter and all relevant documentation to the student, Academic Team representatives, other attendees and Panel members. The convenor is also responsible for communicating the outcomes of the SAIP to the Board of Examiners.
- 11.2 All parties should be given a minimum of 10 working days' notice of the meeting of the SAIP.
- 11.3 At this stage, the student may decide to admit to the academic irregularity. This should be done in writing to the Chair via the SAIP Convenor. In such cases the student is not required, but may still choose to attend the SAIP. The SAIP shall convene to decide on the penalty (using the Academic Irregularity Framework) which shall be notified in writing to the Board of Examiners.

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- 11.4 Where the student makes a timely (i.e. **before or** at the start of the panel meeting) admission that they have committed Academic Misconduct or an Academic Offence, the SAIP has the authority to take this into consideration when determining the penalty outcome. Where appropriate, the panel has the authority to reduce the penalty to be applied.
- 11.5 Where a reduction in penalty has been applied, this decision should be clearly articulated and must be referenced to the Penalty Framework so it is apparent why the reduction has been applied. Such cases should be included in the annual report to the Academic Registry.
- 11.6 The student is normally permitted to bring one person in support. This person may be a friend, partner, parent or a representative of Nottingham Trent Students' Union. The University does not permit students to be legally represented at the SAIP, except in exceptional circumstances. For the avoidance of doubt, the definition of "exceptional circumstances" is a matter for determination by the University.
- 11.7 A maximum of two School representatives should attend the SAIP meeting if required to provide evidence.
- 11.8 The student may submit a written statement concerning the alleged academic irregularity and may submit witness statements. The student shall provide any such statements to the SAIP via the Convenor to be received not less than 5 working days prior to the date of the SAIP meeting.
- 11.9 The student and School may bring witnesses to provide evidence at the SAIP meeting. Details of any witnesses must be provided in writing to the SAIP Convenor by the student/School at least 5 working days before the SAIP meeting date. If a request to bring a witness is received outside of this timeframe, agreement that they may attend the SAIP is at the discretion of the Chair of the Panel.
- 11.10 If either the student or the staff representatives in attendance wish to present additional written information, it should be made available to all parties at least 5 working days before the SAIP meets. If additional written information is introduced after this deadline or at the SAIP meeting it will be at the discretion of the Chair whether it is accepted. If additional written information is introduced at the SAIP and accepted, all parties should be given an appropriate period of time to read the information during a recess from the SAIP meeting.
- 11.11 If the student does not attend the SAIP meeting without giving a valid reason, or if the student formally confirms to the Chair to confirm they will not be attending, or they accept the allegation, the Chair of the SAIP shall have the discretion to proceed in the student's absence. If a valid reason for non-attendance is provided it is at the discretion of the Chair of the Panel whether the meeting is rescheduled or proceeds.
- 11.12 In the circumstances noted in 11.10, the SAIP will conduct the meeting based on the staff representation and/or written information made available. Where appropriate, it may be possible to convene a meeting virtually, e.g. using Skype. The decision to proceed through such a communication medium rests with the Chair of the SAIP.

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## 12. The conduct of the School Academic Irregularities Panel

- 12.1 The SAIP shall conduct the meeting in accordance with the Process outlined in Appendix 4.
- 12.2 The SAIP shall consider the written materials submitted and during the meeting, the Panel may seek clarification of the student, staff representatives and witnesses as appropriate and shall come to a decision on the basis of all the evidence provided.
- 12.3 On completion of the representations the Panel will conduct their deliberations in private, to decide if the allegation should be upheld or not.
- 12.4 If the allegation is **not upheld** the student must be informed in writing within 3 working days of the panel meeting. The outcome letter will summarise the panel decision, the grounds on which the decision is based. SAIP attendees (excluding witnesses), the course leader and HoD should also be informed of the SAIP outcome, within the same timeframe.
- 12.5 If the SAIP decides that the allegation **is upheld** the student must be informed in writing within 3 working days of the meeting. The outcome letter will summarise the panel decision, the grounds on which the decision is based, and the penalty to be applied. Students will also be informed of their right to appeal. SAIP attendees (excluding witnesses), the course leader and HoD should also be informed of the SAIP outcome, within the same timeframe.
- 12.6 If the SAIP decides that the allegation **is upheld** it must inform the Board of Examiners of the outcome, with details of the penalty applied based on the University's Academic Irregularities Penalty Framework.
- 12.7 Where Academic Misconduct or an Academic Offence comes to light at or after a Board of Examiners has met and within one year of a student's assessment, the Process shall comprise:
  - a. Consideration by the HoD in accordance with the University process;
  - b. A SAIP in accordance with the University process;
  - c. A reconvened BOE, as soon as practicable following the receipt by the Chair of the BOE of a report from the SAIP.

## 13. Report to the Board of Examiners

- 13.1 In all proved cases of Academic Misconduct or Academic Offences, the SAIP will forward a report on the decision reached, the grounds on which the outcome is based, and the penalty applied. The report will be sent to the Chair of the Board of Examiners, accompanied by the written minutes. The Board will not revisit the decision of the panel, but will consider the penalty outcome in the context of the student's overall profile of assessed marks. The Examination Board may take any Extenuating Circumstances into account and apply mitigation where appropriate. The student will be notified of the Board's decision in line with standard Board of Examiner notification timescales.

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## PART C ACADEMIC IRREGULARITIES – APPEALS PROCESS: RIGHT OF APPEAL IN CASES OF ACADEMIC IRREGULARITY

### 14. Grounds for Appeal

- 14.1 If an allegation of academic irregularity has been upheld by the SAIP the student will be informed in the outcome letter that they have the right to appeal under **Part C**.
- 14.2 If the student wishes to contest the decision of the SAIP they are entitled to submit an Academic Irregularities Appeal on the following grounds only:
- Ground A: That there was a material procedural error (including disproportionate penalty imposed) at the SAIP meeting;
  - Ground B: That new and relevant material or evidence has become available which was not previously available for consideration by the SAIP.
- 14.3 There are no other grounds on which an Academic Irregularities Appeal will be considered. Disagreement with the academic judgement of a Board of Examiners' decision does not in itself constitute a reason to appeal. Academic judgement is a judgement that is made about a matter where only the opinion of an academic expert will suffice. For example, a judgement about assessment or degree classification or a judgement about a decision where a student is required to repeat or take further assessment will usually be academic judgement, and a student cannot appeal simply because they believe they ought to have received a higher grade or mark. An Academic Appeal can be made in relation to fairness of procedures or facts of a case; however, the student's academic performance must have been materially affected.
- 14.4 If the student wishes to submit an Academic Irregularities Appeal against the decision of the SAIP, they must do so in writing via the [Appeals Portal](#), within 5 working days from the date on the letter notifying them of the SAIP decision. Students must outline the reasons for their Academic Irregularities Appeal and must clearly state the grounds on which the Appeal is being made.
- 14.5 If the Academic Irregularities Appeal against the decision of the SAIP is being made on the grounds that new and relevant material or evidence has become available, the student must submit that evidence as part of the Appeal submission via the [Appeals Portal](#).
- 14.6 The DVC(A) or nominee shall consider whether the Academic Irregularities Appeal against the decision of the SAIP has been made on one or more of the permitted grounds.
- 14.7 If the DVC(A) or nominee decides that the Academic Irregularities Appeal against the decision of the SAIP is not within one or more of the permitted grounds for appeal or has been received out of time the student shall be informed in writing within 15 working days of receipt by the Academic Registry of the appeal submission. The student shall be informed that the Academic Irregularities Appeal has been rejected on that basis, and that the original outcome remains unchanged. Such a decision by the DVC or nominee is final and there is no further right of appeal regarding academic irregularities within the University's procedures.

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14.8 Where an appeal has been rejected, the DVC(A) or nominee will issue the student with a Completion of Procedures Letter.

## 15. Consideration of Appeals

15.1 If the DVC(A) or nominee decides that the Academic Irregularities Appeal against the decision of the SAIP does satisfy one or more of the permitted grounds, the DVC or nominee will either:

- a. Refer the submission back to the relevant School for reconsideration and action and inform the student of the decision and actions; or
- b. Convene an Academic Irregularities Appeal Panel Hearing.

15.2 Where the appeal has been referred back to the relevant School for reconsideration and action, the Chair of the SAIP will have discretion to take Chair's Action to amend the original penalty recommended by the SAIP. Any such reconsideration does not guarantee a change to the original penalty. There is no further right of appeal under this procedure.

15.3 Where the Chair of the SAIP has reconsidered the penalty the School will notify the student and the DVC(A) or nominee of the outcome within 10 working days.

15.4 Where it is not appropriate for the Chair of the SAIP to take Chair's Action, the DVC(A) or nominee may require the School to convene a new SAIP with new membership to consider the allegation afresh in accordance with section 11 of this procedure. The student will retain the right of appeal following the outcome of the reconvened SAIP.

15.5 The AIAP hearing shall be convened by the Academic Registry within 20 working days of the DVC(A) (or nominee) confirming that the appeal has been made on one of the permitted grounds, i.e. no later than 35 days from initial receipt of the appeal.

## 16. Academic Irregularities Appeal Panel – Composition

16.1 The AIAP shall comprise three members. Two of the Panel members shall be University staff nominated by the Academic Registrar, of whom one shall act as Chair. The Panel Chair shall be a Dean of School or other suitably senior and experienced member of staff. The third panel member shall be a representative of the Students' Union Executive.

16.2 Persons who have been affected by, or involved in dealing with the alleged academic irregularity, including members of the SAIP, shall not be eligible to serve on the AIAP.

16.3 A nominated member of AR staff shall act as Secretary to the AIAP for administrative purposes, including the handling of formal communications between parties involved in the AIAP hearing.

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## 17. Academic Irregularities Appeal Hearing – Preparatory Steps

- 17.1 The student shall be given at least 10 working days' written notice of the AIAP hearing and shall be provided with a copy of the record taken at the SAIP and any report that the SAIP may have prepared for the AIAP hearing.
- 17.2 If the student cannot attend the AIAP hearing due to illness or other mitigating circumstances, they must inform the Chair of the AIAP as soon as possible. Supporting evidence, such as a medical note, will be required. In such circumstances, the Chair of the AIAP will decide whether to reschedule the AIAP hearing or to proceed in the student's absence.

## 18. Conduct of the Academic Irregularities Appeal Hearing

- 18.1 At the AIAP hearing the student may be accompanied or represented by one other person. This person may be, for example, a friend, partner, parent or Students' Union representative. The University does not permit students to be legally represented at the AIAP except in exceptional circumstances. For the avoidance of doubt, the definition of "exceptional circumstances" in this context is a matter for determination by the University.
- 18.2 The student must inform the Chair of the AIAP of the name and capacity of any person accompanying them to the AIAP hearing at least 5 working days before the AIAP hearing.
- 18.3 The AIAP hearing shall not be a re-run of the original case but a review of the original decision based on the grounds of the Academic Irregularities Appeal that the student has submitted. The student will present the grounds for their Academic Irregularities Appeal to the AIAP. A representative of the SAIP will present the grounds on which their decision was based.
- 18.4 The Chair of the AIAP shall have the discretion to allow the introduction of new evidence during the AIAP hearing.
- 18.5 The Secretary to the AIAP shall take formal notes of the proceedings.

## 19. Academic Irregularities Appeal Outcomes

- 19.1 The AIAP has the power to uphold the original decision of the SAIP, overturn or amend the original decision or order a re-convening of the SAIP.
- 19.2 The Chair of the AIAP shall inform the relevant HoD, Chair of the SAIP and the student of the Panel's decision (including the rationale for that decision) in writing within 5 working days of the AIAP hearing.
- 19.3 The decision of the AIAP is final and there is no further right of appeal regarding the academic irregularity case in question within the University's procedures.
- 19.4 If the student is not satisfied with the outcome of the University's processes they may request an independent review of their case by the Office of the Independent Adjudicator for Higher Education. The student must complete the University's internal procedures before they can request an OIA review.

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- 19.5 Submissions to the OIA must be made using the OIA's form and submitted within 12 months from the date on the Completion of Procedures Letter from the University. The student must include their Completion of Procedures Letter with their submission.
- 19.6 A student who has completed the University's internal procedures may request a Completion of Procedures Letter from Academic Registry.
- 19.7 Further information can be found on the OIA's website at [www.oiahe.org.uk](http://www.oiahe.org.uk).

## Appendix 1: Types of academic irregularity

Nottingham Trent University considers that committing an academic irregularity is wrong because it undermines academic integrity and the value of the University's awards. The Academic Irregularities policy seeks to ensure that this principle is defended and upheld for the benefit of former, current and future students. The policy is part of a balanced institutional approach which also seeks to develop good academic practices, including:

- Supporting students in understanding what constitutes an academic irregularity;
- Supporting students in developing skills to avoid academic irregularities;
- Supporting students in developing their academic writing skills;
- Designing assessment activities that reduce the opportunities for academic irregularities.

### **Academic Irregularity includes the following:**

#### **Poor Academic Practice**

- Poor scholarly work which is not considered Academic Misconduct or an Academic Offence is regarded as Poor Academic Practice. This could include the inclusion of text from other sources with attribution that is inadequate. One example is where a student uses a phrase from an author without using quotation marks, even though the author is listed in the references.
- Such cases do not require a School Academic Irregularity Panel, and will be managed by the Course Team in discussion with the Head of Department.
- In cases of Poor Academic Practice the student will receive a written warning which is held on their file, the mark attained may be revised, and the student is advised that proven Poor Academic Practice might affect future allegations. No further action is taken at this stage.
- If a student commits multiple instances of Poor Academic Practice, the third case will be dealt with as Academic Misconduct.
- If cases of Poor Academic Practice are concurrent, it may be inappropriate to escalate the cases to Academic Misconduct, if the student has not had the opportunity to learn from their Poor Academic Practice warnings.

#### **Cheating, examples include:**

- Communicating with another candidate during an examination or assessment, except if the assessment regulations specially permit this, e.g. group assessments;
- Communicating during an examination with anyone other than the authorised invigilator or another authorised member of staff. This includes oral, written or any other electronic means of communication;
- Introducing any written or electronic materials into the examination room, unless expressly permitted;
- Gaining access to unauthorised material relating to an examination before or during the exam;

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- Obtaining a copy of an 'unseen' written examination paper in advance of the date and time for its authorised release.

In the context of the above the term 'examination' is deemed to include 'phase tests' or any other tests carried out under examination conditions.

## Plagiarism

The incorporation of material derived from the work (published or unpublished) of another, by unacknowledged quotation, paraphrased imitation or other device in any work submitted for progression towards or for the completion of an award, which in any way suggests that it is the student's own original work. Such work may include printed material in textbooks, journals and material accessible electronically for example from web pages.

### Examples of plagiarism include:

- The inclusion in a candidate's work of material from another person's work without the use of quotation marks and full acknowledgement of the source;
- The summarising of another person's work by simply changing words or altering the order of presentation, without full acknowledgement;
- Self- plagiarism. Students are not permitted to reuse work they have previously submitted, without proper reference and acknowledgement in the current assessment being submitted.

## Collusion

Is an understanding or agreement between two or more people to intentionally cooperate for either or both to gain an unfair advantage in assessment and may include:

- Unauthorised and unacknowledged joint authorship in an assessment task;
- Unauthorised and unacknowledged copying or use of material prepared by another person for use in submitted work. This may be with or without their consent or agreement to the copying or use of their work. If copied with the agreement of the other candidate both parties are guilty of Academic Irregularity.

**NB** The University encourages students to share ideas and exchange reference material prior to each student writing up their own personal presentation of an assessed piece of work. Some course teams may stipulate an assessment as "assessed group work". In this instance, course teams will indicate the criteria and manner in which work is assessed and the way in which individual marks are ascribed to members of the group.

## Falsifying Data

The presentation of data in laboratory report and projects, based on experimental work passed off as having been carried out by the candidate when it has not been, or it has been obtained by unfair means. This also includes falsifying survey data.

## Personation

Personation or impersonation is the assumption by one person of the identity of another person with the intent to deceive, or to gain unfair advantage.

Examples include:

- One person assumes the identity of a candidate, with the intention of gaining unfair advantage for that candidate;

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- The candidate is knowingly and willingly impersonated by another with the intention of gaining unfair advantage for the person personated.

## **Contract Cheating**

A form of cheating where a student submits work for assessment, where they have used one or more of a range of services provided by a third party, which is not permitted. The effect may be similar to collusion, impersonation or plagiarism as defined above. The contract with the student can include payment or other favours. For example:

- The commissioning of a piece of assessment in response to a set task;
- The purchase and re-use of an assessment intended for that task or another.

## **Dishonest Practice**

The use of any form of dishonest academic practice not identified within the above categories and definitions. The University has the final decision on what constitutes Dishonest Practice.

In the most severe cases of Academic Irregularity, the University will have the authority to terminate the student's studies.

## Appendix 2: Academic Irregularities – Examinations

These regulations apply during the University's Main, Referral and Half-Year examination periods, published here:

[http://www4.ntu.ac.uk/current\\_students/studying/exam\\_dates\\_support/index.html](http://www4.ntu.ac.uk/current_students/studying/exam_dates_support/index.html)

All students attempting seen and unseen examinations during the University's published assessment periods must abide by the University's Examination Code of Conduct, available here:

[http://www4.ntu.ac.uk/current\\_students/studying/exam\\_dates\\_support/student\\_exam\\_guide/index.html](http://www4.ntu.ac.uk/current_students/studying/exam_dates_support/student_exam_guide/index.html)

At the beginning of each examination, the Lead or Senior Invigilator will read the Examination Code of Conduct to all students.

Any student arriving late, that is, up to but no later than 30 minutes from the published exam start time, will be given a printed copy of the Examination Code of Conduct.

A breach of the Code of Conduct is not necessarily an academic irregularity and may be addressed by the Examinations Team without invoking the Academic Irregularities procedure. If, for example:

- The student failed to present a valid student ID card to the invigilator;
- The student was found to have a mobile phone, smart watch, or other unauthorised electronic device on their person but was not seen using the device during the exam;
- The student's mobile phone rang during the exam;
- The student was found during the exam in possession of food or drink other than water in a clear plastic bottle.

Then the Examinations Team may contact the student by email, copying their School, to explain how they are in breach of the Code of Conduct. This list is not exhaustive.

The student will be informed that any subsequent breach of the Code may result in further action under the Academic Irregularities regulations or the Student Code of Behaviour procedure.

Where a member of staff who is invigilating or otherwise overseeing an examination has reasonable grounds to suspect that an academic irregularity is occurring, or is reliably informed by any other person that an academic irregularity is suspected, it is the responsibility of the member of staff to:

- a. Bring to the student's attention the suspicion of academic irregularity as soon as possible;
- b. Ensure that the student is prevented from further committing the alleged academic irregularity, by, for example, confiscating any relevant evidence such as unauthorised notes, mobile phones, smart watches or unauthorised electronic devices;
- c. Permit the student to complete the examination or assessment having drawn a line across the candidate's answer booklet to indicate the point at which the intervention was made (if the candidate persists with the irregularity, however, they shall be expelled from the room. If such action is necessary,

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care will be taken to ensure that the inconvenience and disruption to other candidates is minimised);

- d. Attach to the student's completed work an Examination Incident Report Form describing the incident in detail. The report will include any explanation given by the student at the time and the name of any witnesses. Where appropriate it will be accompanied by the relevant evidence and countersigned, with comments, by the Lead Invigilator.

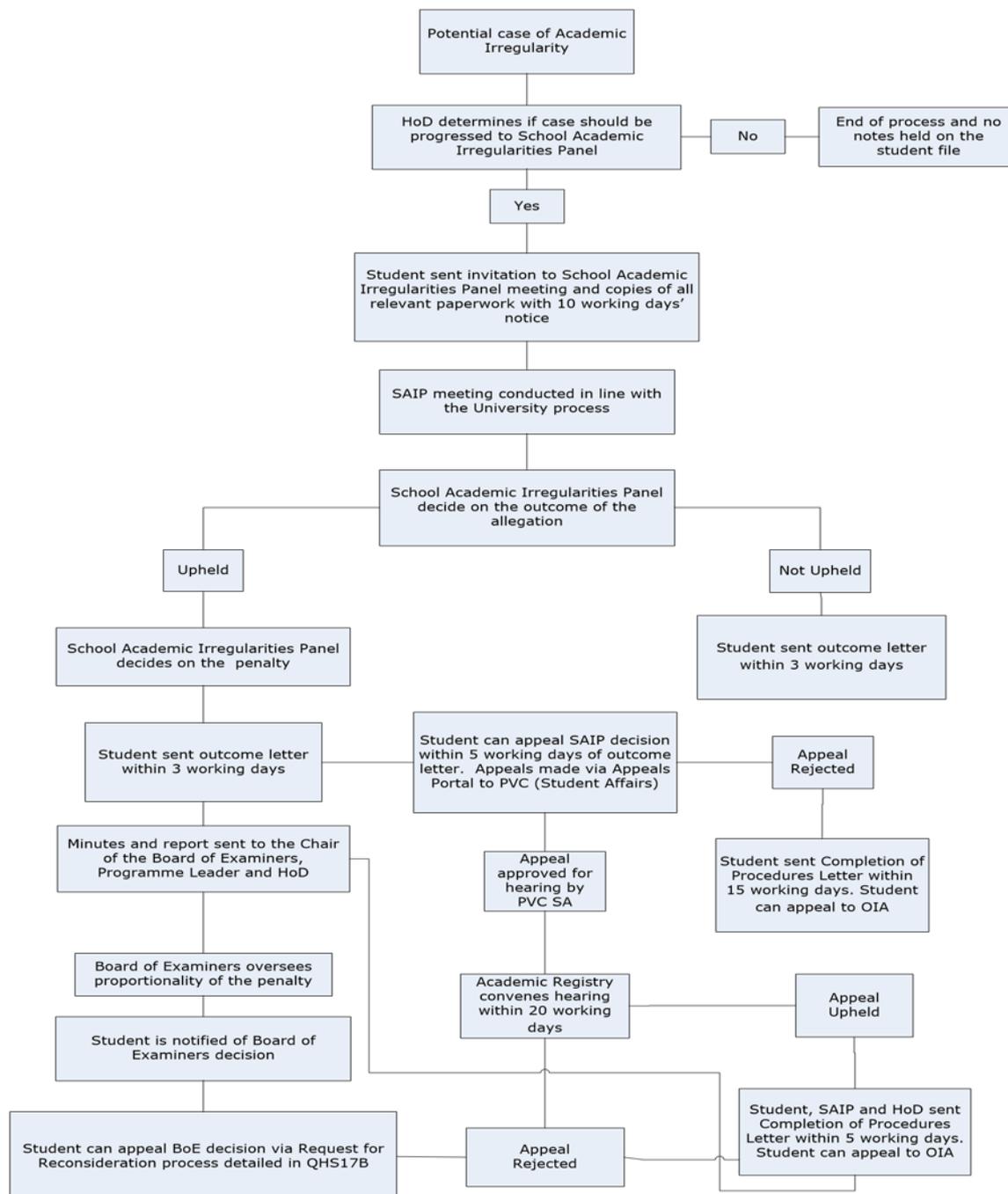
The Examinations Team will email a statement on the incident to the following School staff:

- School Administration Manager;
- Module Leader;
- Head of Department/experienced academic;
- Course Leader.

The HoD/experienced academic will review the report and the evidence and determine whether there are reasonable grounds for invoking the School Academic Irregularities procedure described in Section 11 of this document.

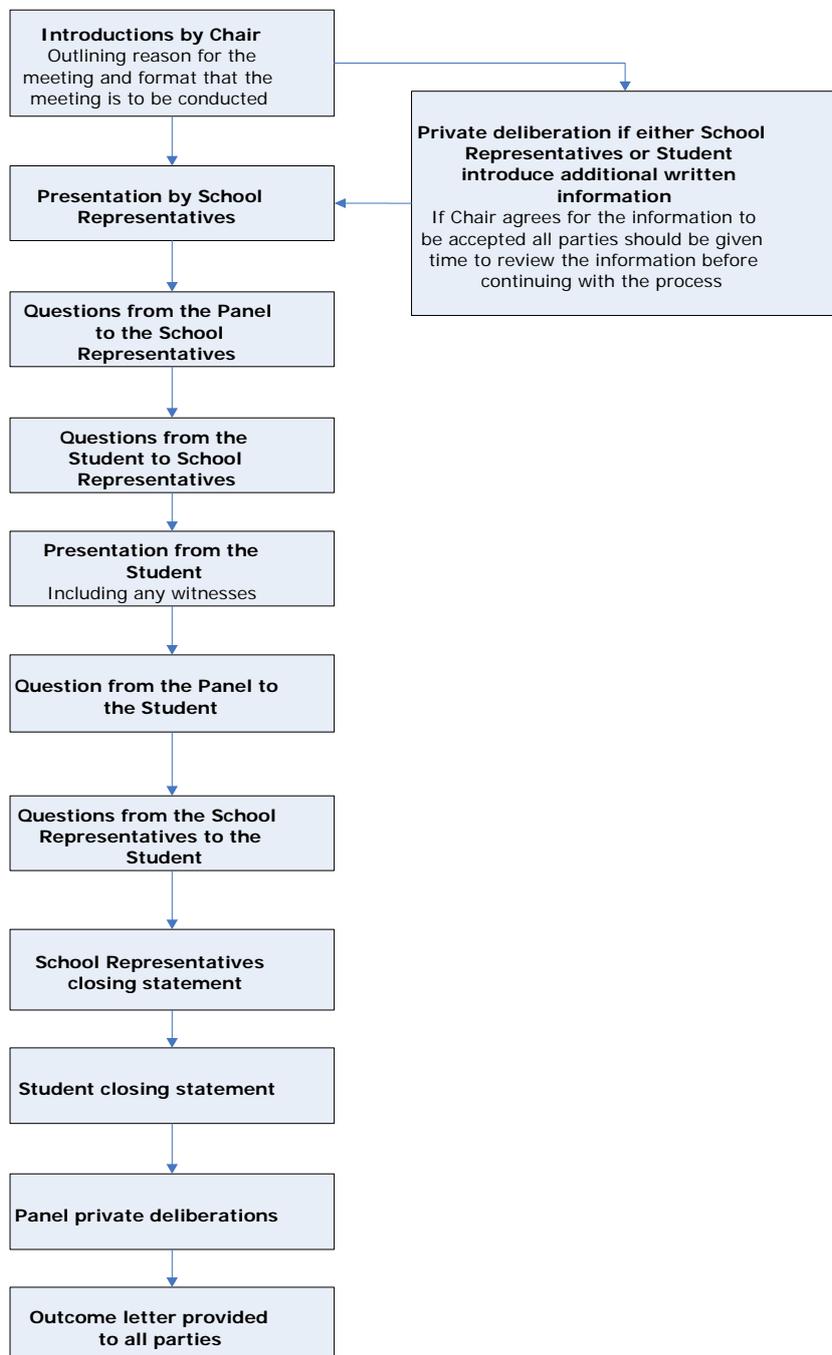
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## Appendix 3: Flowchart for Academic Irregularities process



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## Appendix 4: School Academic Irregularities Panel Process



## Appendix 5: Academic Irregularities Penalty Framework

### 1. Principles of the Penalty Framework

Principles of the Academic Irregularities Penalty Framework:

- It demonstrates transparency, fairness and consistency.
- It is designed to apply to all forms of academic irregularities.
- It includes some flexibility to accommodate more complex cases.
- If the student admits the allegation in a timely manner (i.e. before the SAIP has been held), the panel may take this into account when determining the penalty to be applied. The reasons given should be clearly minuted.
- The Board of Examiners considers the penalty applied by the SAIP and will take into account the student's assessed marks and any Extenuating Circumstances that may apply.
- Where applicable, students will be directed to appropriate sources of support.

### 2. Key considerations

The AIPF reflects the following significant considerations:

- The number of previous offences;
- The extent and amount of the academic irregularity
- The stage of the student in their course
- There may be circumstances when a particular case and set of circumstances do not easily fit within the AIPF. On the basis of such exceptional situations, the SAIP reserves the right to apply a penalty which varies from the AIPF since it is impossible to pre-judge every situation which might occur. In such cases, approval should be sought from the Chair of the Board of Examiners, and any decisions and their grounds noted clearly in the minutes.
- PSRB requirements may require adjustments to the AIPF for some courses. These adjustments to the AIPF should be approved by the relevant SASQC and communicated to all staff and students.

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### 3. The University Academic Irregularity Penalty framework

POOR ACADEMIC PRACTICE	MISCONDUCT	OFFENCE
<ul style="list-style-type: none"> <li>SAIP is not convened</li> <li>Dealt with by Course Team within the Department</li> <li>Written warning given to the student</li> <li>No further action taken at this point, but a record is kept on the student file</li> <li>Student has the right of Appeal against findings of Poor Academic Practice. This will be considered by the Head of Department</li> </ul>	Dealt with at SAIP	Dealt with at SAIP
	<b>Penalty Range</b>	<b>Penalty Range</b>
	Element Capped at Pass	Module Capped at 0
	Element capped at 0	Level Capped at Pass
	Module Capped at Pass	Ordinary Degree
	Module Capped at 0	Studies terminated
<p><b>Definition as noted in 3.3</b></p> <p>Applies at any level</p> <ul style="list-style-type: none"> <li>The student demonstrates a lack of understanding of scholarly practice and appropriate academic representation. This could include the inclusion of text from other sources with attribution that is inadequate. One example is where a student uses a phrase from an author without using quotation marks, even though the author is listed in the references.</li> <li>Can apply to all levels of study</li> </ul>	<p><b>Definition as noted in 3.4</b></p> <p><b>Academic Misconduct</b></p> <ul style="list-style-type: none"> <li>It is either the student's first case of Academic Misconduct or there has previously been a second finding of Poor Academic Practice. If there are three cases of Poor Academic Practice, which establishes a pattern, the irregularity would be considered as an Academic Misconduct.</li> <li>Can apply to all levels of study, there is an assumption of increasing seriousness as the student progresses through their studies. This is based on an expectation that a student should be aware of proper academic practice and the nature of academic misrepresentation. In keeping with this principle, penalties will be increased if an irregularity is proved</li> </ul>	<p><b>Definition as noted in 3.5</b></p> <p><b>Academic Offence</b></p> <ul style="list-style-type: none"> <li>Multiple previous irregularities which may be of a lesser degree but demonstrate a pattern</li> <li>A threshold has been reached of two previous cases of proved Academic Misconduct</li> <li>Where it is the first case of Academic Irregularity, however this is deemed to be so substantial or significant that it is most appropriately dealt with as an Academic Offence</li> <li>Can apply to all levels of study, there is an assumption of increasing seriousness as the student progresses through their studies. This is based on an expectation that a student should be aware of proper academic practice and the nature of academic</li> </ul>

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<p>In cases of Poor Academic Practice the student will receive a written warning that is held on their file, the mark attained may be revised, and the student is advised that proven Poor Academic Practice might affect future allegations of Academic Irregularity</p>	<p>later on in the student's course of study.</p> <ul style="list-style-type: none"> <li>The case is minor where there would still be a significant amount of the student's own work/analysis if the copied materials were removed.</li> </ul>	<p>misrepresentation. In keeping with this principle, penalties will be increased if an irregularity is proved later on in the student's course of study.</p> <ul style="list-style-type: none"> <li>Where an irregularity is not minor, it is deemed to be substantial. Examples could include, but are not limited to: Cases where material is used without proper acknowledgement or produced with collusion in the following manner: <ul style="list-style-type: none"> <li>The copied material forms a significant or substantive part of the work.</li> <li>Where there would be little left of the student's own work/analysis if the copied materials were removed.</li> <li>Where the entirety of the work is copied from one or a few sources with little or no further input from the student, work is taken into an examination or test to assist the student with cheating; impersonation; submitting bought essays or solutions (contract cheating).</li> </ul> </li> </ul>
<p><b>NOTES</b></p> <p>1 Where an allegation is upheld against an assessment at the final attempt stage and deemed Academic Misconduct or an Academic Offence, the student will not be permitted to resubmit the assessment.</p> <p>2 Where the student makes a timely admission that they have committed academic misconduct or an academic offence, the SAIP has the authority to take this into consideration and reduce the penalty to be applied. The panel is not obliged to reduce the penalty, but has this authority if it deems this is appropriate.</p> <p><b>Timely</b> would be typically an admission before a SAIP meeting has been conducted.</p>		

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**Reduction in Penalty** would be typically applying a lower penalty at a point down one stage of the Penalty Framework, e.g. movement from an element capped at 0 to the element being capped at a Pass.

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<b>Policy Owner</b>
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Academic Registry
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<b>Change History</b>
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Date	Version	Details of Change
19/12/10	1.0	Significant revision of existing policy
25/02/11	1.1	Amended format and content following feedback
02/03/11	1.2	Final amendments by Chair of Working Group.
22/03/11	1.3	Post ASQC Minor amendments
16/10/12	2	Amendments to UG AIPf due to introduction of Grade Based Assessment (GBA) marking scheme and rename of Academic Office to Academic Registry
22/09/14	3	Amendments to AIPf and Academic Registry changed to Academic Office
12/09/17	4	Use of three tiered approach, poor scholarship, academic misconduct, academic offence. Revised nomenclature (Academic Office changed to Academic Registry; Head of Academic Office changed to Academic Registrar; ATL changed to HoD; inserted Deputy Dean). Inserted paragraph to enable transfer to other processes of the University.
12/09/18	5	Amendments to reflect experience of operation. New sections to respond to QAA guidance on Contract Cheating.

<b>Equality Impact Assessment</b>
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Date	Version	Completed by
02/03/11	1.0	CASQ on behalf of AO during policy development
		Submitted to Equality & Diversity Team post approval- ASQC March 2011
24/08/17		Academic Registry