

Student Assessment Irregularities Procedure (Academic Misconduct)

Effective from 1 September 2022

This procedure is applicable to **all** registered and partnership students and should be read in conjunction with the [Student Disciplinary Policy](#).

It sets out what you can expect if you are the subject of an Assessment Irregularities investigation.

If you are a University employee who has discovered a suspected assessment irregularity, please consult the **Assessment Irregularities Colleague Guidance**.

Where reference is made in this procedure to any named University role, this is intended to include their nominees.

INTRODUCTION

Newcastle University has a [Student Charter – Rights and Responsibilities](#) that sets out the University's expectations for the standards of conduct of **ALL** of its students. These academic values are essential to the integrity of an academic community and you are expected to:

- Maintain high standards of academic conduct and honesty
- Familiarise yourself with and applying the guidance provided on examination conduct, good academic practice, including the avoidance of plagiarism and other academic misconduct (for example, the purchasing or misuse of the work of others)
- Ensure that your submitted work is your own and that you acknowledge appropriately any use made of the work of others (as recommended on the [ASK webpage](#))
- Abide by the [Exam Rules and Guidance](#).

University disciplinary investigations use the civil standard of proof. This means that during any University investigation, the authorised person making the determination will need to assess the evidence available to them and make a reasoned judgement as to whether, *on the balance of probabilities*, an assessment irregularity has taken place.

The University is duty-bound to investigate any allegation of an assessment irregularity made against a student and will take disciplinary action where it decides, on the balance of probabilities, that there has been an assessment irregularity.

SUPPORT AND GUIDANCE

We understand that being involved in an investigation into Assessment Irregularities can be a stressful experience. You may find it helpful to seek support and advice via the following services:

- [Student Health and Wellbeing Service](#)
- [Student Progress Service](#)

- [Student Advice Centre of the Students' Union](#)

If you are required to attend any meetings throughout this process, you may choose to be accompanied by a friend or supporter. Please see the [guidance on the role of a friend or supporter](#). We strongly encourage you to access this support.

If you are disabled or have a specific support need, you are encouraged to disclose this at the start of any investigation so that the University can consider whether any adjustments or arrangements need to be put in place for you while your assessment irregularity case is being considered.

ASSESSMENT IRREGULARITIES PROCEDURE

For a glossary of terms and roles used within this document, see *Appendix 1*.

There are three levels at which an assessment irregularities decision may be considered:

- **Level 1: Local Resolution**
Most reports of academic misconduct are dealt with locally in the first instance. The Chair of the Board of Examiners for your programme of study (or their nominee) will investigate the reported assessment irregularity and decide on appropriate action to be taken. For PGR students, where an assessment irregularity comes to light as part of a PGR Panel, the irregularity will normally be initially investigated by the Graduate School and your Faculty PGR Dean.
- **Level 2: Formal Investigation**
Where a Level 1 investigation has happened and the reported assessment irregularities are considered to be more complex, your case may be referred to Level 2 of the procedure for a formal investigation to take place. This is especially likely if the reported assessment irregularities are considered to be major, happen in an examination room, where there have been repeated incidents, or where it is felt that you have not engaged with or been honest during the Level 1 investigation. A Case Officer will be appointed to investigate the case and the outcome will be determined by the Academic Registrar after consideration of all the available evidence.
- **Level 3: Student Disciplinary Committee**
Where the Academic Registrar determines that the reported assessment irregularities are sufficiently complex or major, your case will be referred to a Student Disciplinary Committee for further consideration.

At all levels of the procedure:

The assessment irregularity procedure has two aspects: academic and disciplinary. Where it is determined that, on the balance of probabilities, an assessment irregularity has occurred, there will usually be both an academic and disciplinary sanction imposed.

Notes will be taken of any meetings you are asked to attend; these are not word for word and meetings will **not normally** be recorded. You will normally be provided with a copy of the

notes of any meetings you attend, with the exception of formal hearings which will be provided on request.

You are expected to respond to the details of the report, engage with the investigation and be present (in person or virtually) at any interview or hearing to which you are invited. However, if you fail to engage or attend, without good reason, the University may proceed in your absence.

If your programme of study leads to professional registration and an assessment irregularity is found to have occurred, you may also be investigated under the [Fitness to Practise procedure](#).

If you withdraw from the University while the investigation into the assessment irregularity is still ongoing, the case will normally be concluded in your absence.

If you choose to suspend your studies while the investigation is still ongoing, the case may be put on hold until you return to your studies.

The Student Disciplinary Procedures, rather than this procedure, will normally be followed if you have already received a confirmed mark for the work in question by the Board of Examiners at the point of investigation.

If the reported assessment irregularity relates to a degree that has already been awarded, please read the [Procedure for Revocation of a Degree or other Distinction conferred by the University](#), which explains what happens in such cases.

See: *Appendices: Examples of assessment irregularities, likely sanctions and their definitions*

Level 1: Local Resolution

Most reports of minor assessment irregularities are considered and determined by the Chair of the Board of Examiners (or nominee) for your programme of study.

The Chair or nominee will notify you of the reported assessment irregularity in writing and will provide you with all available evidence. They will invite you to provide a written statement in response to the report made against you and may also invite you to an interview to discuss the reported assessment irregularity. If you are not invited to an interview, you do have the right to request one (although the circumstances of the reported assessment irregularity and your written response may mean that an interview is not necessary or would not add anything).

The Chair will consider all the evidence available to them and decide on an appropriate outcome, which may include academic and disciplinary sanctions being imposed on you if misconduct is determined.

You will be informed, in writing, of the outcome of your case by the Chair and will be given details of how to appeal any decisions you are dissatisfied with.

Under some circumstances, the Chair may decide it is more appropriate for your case to be referred to Level 2 of this procedure. These circumstances include where:

- The reported irregularity is believed to be major/complex;
- The case involves repeated or persistent assessment irregularities;

- It is determined that you have not been honest during, or engaged fully with the Level 1 investigation.

Level 2: Formal investigation

If your case is being investigated under Level 2 of this procedure, a Case Officer from the Student Progress Service will be appointed to investigate, unless the irregularity took place within an Examination Room, in these instances an Examinations Officer will usually carry out the investigation.

You will be provided with all available evidence and invited to submit a written statement in response to the reported assessment irregularity. It is also likely that you will be invited to attend an interview with the Case Officer/Examinations Officer. If you are not invited to attend an interview, you have the right to request one but this is not mandatory. During any interview, you will be given the opportunity to provide your version of events, provide clarification, and present any mitigating circumstances that you wish to be considered.

The outcome of the case will be determined by the Academic Registrar or nominee and you will be informed in writing whether misconduct has been found, along with any relevant academic/disciplinary sanctions that are being imposed on you. You will also be given details of how to appeal any decisions you are dissatisfied with.

Where it is determined by the Academic Registrar or nominee that the reported assessment irregularity is sufficiently major or complex, your case will be referred to a Student Disciplinary Committee, to be considered under Level 3 of this procedure.

Level 3: Student Disciplinary Committee

More complex and/or major assessment irregularities cases may be referred to a Student Disciplinary Committee for further investigation. The Student Disciplinary Committee will hold a hearing to consider the evidence, and you will be asked to attend to answer questions and respond to the evidence presented.

You will normally be informed in writing within 5 working days of your Level 2 interview and/or receipt of a statement if your case is to be heard by a Disciplinary Committee. You will be notified in writing of the members of the Student Disciplinary Committee. If you have any concerns about the impartiality of any member of the Student Disciplinary Committee, you may write to the Head of the Student Progress Service within 5 working days to request a review of the Committee membership by the Disciplinary Convenor.

A representative from your School may be invited to attend the Student Disciplinary Committee hearing in order to advise the Committee on issues relating to the academic subject or the specific assessment. The School representative is not involved in presenting the case against you and does not form any part in the decision-making process.

After considering all the evidence available, the Disciplinary Committee will determine an appropriate outcome, which may include sanctions. There is a defined list of possible sanctions (academic/disciplinary) that are appropriate at this level (see: **Appendix 2**).

You will be informed of the outcome in writing after the hearing and will be issued with a letter stating the full reasons for the decision within 10 working days. You will also be given details of how to appeal any decisions you are dissatisfied with, with your reasons.

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Student Disciplinary Appeals

You have the right to appeal against any decision or sanction imposed on you.

You should carefully consider your reasons for appeal so that you can explain why you are appealing. Your reasons should include at least one of the following:

- New material evidence is available that was not previously reasonably available;
- Procedural irregularity (i.e., you feel that this procedure was not correctly followed);
- Bias or prejudice (i.e., you feel that the investigation was prejudged or unfair in some way);
- Excessive or inappropriate sanction (i.e., you believe that the sanction imposed on you is not proportionate to the determined irregularity);
- The decision was 'perverse', meaning that no person/committee could have logically reached it on the basis of the evidence before them.

Appeal requests must be submitted in writing to casework@ncl.ac.uk within 21 calendar days of the date of either the Outcome letter (for Level 1 or 2 cases) or the Statement of Reasons (for Level 3 cases).

The University Disciplinary Convenor will review your case and decide whether or not your appeal meets the grounds to be admitted. If the Disciplinary Convenor determines that there are no grounds to your appeal, the appeal request will be dismissed.

If your appeal is admitted, the Disciplinary Convenor will decide whether both the finding of misconduct itself and the sanctions will be reconsidered, or only the sanctions.

The appeal will be considered as follows:

- **Level 1 or 2 cases**
The Disciplinary Convenor will appoint a member of the Disciplinary Panel who was not involved with the original case to consider your appeal. They may call a Disciplinary Appeal Committee hearing if they believe this would give more appropriate consideration to the case.
- **Level 3 case**
The appeal will be considered by a Disciplinary Appeal Committee and you will be invited to attend an appeal hearing.

When reconsidering sanctions as part of an admitted appeal, the Disciplinary Panel member or Committee may confirm the original sanctions or put in place different ones (or remove them entirely when misconduct itself is being reconsidered and no misconduct is found).

When an appeal hearing is convened, the arrangements will be as for a Student Disciplinary Committee hearing, except that the Disciplinary Panel member or Disciplinary Appeal Committee members will not have been involved with any earlier considerations.

The decision of the Disciplinary Convenor, Disciplinary Panel member or Disciplinary Appeal Committee is final. At that point the procedures of the University will be exhausted and you will be issued with a Completion of Procedures letter. If you remain dissatisfied, you must appeal to the external ombudsman.

External ombudsman

The Office of the Independent Adjudicator for Higher Education (OIA) runs an independent scheme to review student complaints. The University subscribes to this scheme. Where all of the University procedures relating to your Assessment Irregularity have been completed and you remain dissatisfied with the outcome offered by the University, you can seek an external review by submitting a complaint via the [OIA website](#).

Complaints must be submitted within 12 months of the date of the Completion of Procedures letter.

Confidentiality (see [Student Disciplinary Policy](#))

The Assessment Irregularities Procedure is an internal and confidential process. It is important that you - and any friend or supporter you choose to accompany you to meetings - respect this confidentiality and treat all information as confidential. Where confidentiality is breached, this may be treated as an act of misconduct and investigated under the Student Disciplinary Procedure.

Related Documents

[The University's Code of Practice for Research Degree Programmes](#)

[Fitness to Practise Procedure](#)



APPENDIX 1: Terminology

1.1: Roles

Academic Registrar: the senior University employee with overall responsibility for ensuring a proper outcome of disciplinary investigations.

Authorised Person/Case Officer: an employee of the University who is authorised to undertake disciplinary investigations. This is usually the Chair of the Board of Examiners (Level 1), and a member of the Student Progress Service (Casework team/Examinations Office) (Level 2). The Authorised Person can nominate another senior colleague with appropriate knowledge of the Assessment Irregularities procedure to act on their behalf.

Chair of the Board of Examiners: an academic employee of the University, responsible for overseeing assessment and award process within a specific programme of study. The Chair of the Board of Examiners is responsible for undertaking and determining Level 1 Assessment Irregularities investigations.

PGR Panel: For postgraduate research degree programmes, both the Project Approval Panel and the Annual Review Progress Panel are deemed to be equivalent to the Board of Examiners for taught programmes.

Student Disciplinary Committee: a Committee made up of three impartial senior university employees whose role is to assess evidence presented to them and decide on an outcome and any related sanctions. Members of Student Disciplinary Committees undergo extensive training on numerous topics relating to disciplinary cases.

Student Disciplinary Appeal Committee: a Committee made up of two impartial senior university employees who were not involved in the original investigation and a Students' Union Sabbatical Officer, whose role is to assess an appeal against a Disciplinary decision or sanction.

The Student Progress Service, is the service appointed by the Academic Registrar to act on the Academic Registrar's behalf, with the Head of Service and Case Officers, being responsible for undertaking formal Level 2 investigations into all reports of Assessment Irregularity and reporting any Level 3 cases at the Student Disciplinary Committee, convened to hear the case.

Student Responder: The student who is the subject of an investigation into the reported misconduct (including assessment irregularities)

University Disciplinary Convenor: An academic employee of the University appointed by the University Education Committee to convene Student Disciplinary and Disciplinary Appeal Committee hearings. The Disciplinary Convenor may nominate a deputy, drawn from the Student Disciplinary Panel, to act on their behalf.



1.2: Possible outcomes and sanctions

A sanction is a penalty that is imposed on a student when it is decided that there has been behavioural/academic misconduct.

See [Appendix 2](#) for a list of examples of misconduct and their likely sanctions.

No Case to Answer: There is insufficient evidence available for the University to conclude that misconduct has occurred. No further action will be taken against you on this occasion, unless further evidence is made available to the University. No record will be kept on your University file of the disciplinary investigation or its outcome. This outcome is possible at any level of the procedure.

Advice and Guidance: There is insufficient evidence available for the University to determine that misconduct has occurred, however you may still receive advice and guidance with regards to your future conduct. No record of misconduct will be kept on your University file, but a note will be made as to the advice and guidance given to you. This will not need to be disclosed in references. This outcome is possible at any level of the procedure.

Caution: There is sufficient evidence for a finding of misconduct and the level of misconduct is deemed to be low. A note of the finding of misconduct and caution will be made on your University file. This will not normally need to be disclosed in references. This outcome is possible at any level of the procedure.

Warning: There is sufficient evidence for a finding of misconduct and the level of misconduct is deemed to be moderate. A written warning will be issued to you. A note of the finding of misconduct and the warning will be kept on your University file. It is for any referee to decide whether to disclose this outcome in references. This outcome is possible at any level of the procedure.

Final Warning: There is sufficient evidence for a finding of misconduct and the level of misconduct is deemed to be serious. A written warning will be issued to you. A note of the finding of misconduct and the warning will be kept on your University file. It is for any referee to decide whether to disclose this outcome in references. If further similar misconduct is found, it is likely that you will be referred to a Student Disciplinary Committee for further consideration. This outcome is possible at Level 2 and 3 of the procedure.

Suspension: There is sufficient evidence for a finding of misconduct and the level of misconduct is deemed to be very serious. You will be suspended from the University for a defined period of time (usually up to one academic year) and will not be allowed on campus during this time. This will be noted on your University file and will usually be disclosed in references. This outcome is possible at Level 3 of the procedure only.

Deferred Expulsion: There is sufficient evidence for a finding of misconduct and the level of misconduct is deemed to be very serious. A Student Disciplinary Committee has decided that an expulsion would be an appropriate sanction but has agreed to postpone that sanction to allow you the opportunity to change your behaviour. If further similar misconduct is found, even of a relatively minor nature, it is likely that you will be re-referred to a Student

Disciplinary Committee to decide whether an immediate expulsion is appropriate. This will be noted on your University file and will usually be disclosed in references. This outcome is possible at Level 3 of the procedure only.

Expulsion with immediate effect: There is sufficient evidence for a finding of misconduct and the level of misconduct is deemed to be very serious. Your studies will be terminated with immediate effect. You may or may not be entitled to an exit award. This will be noted on your University file and will usually be disclosed in references. This outcome is possible at Level 3 of the procedure only.

1.3: Types of Assessment Irregularity

Breach of ethical governance: any academic practice which violates ethical guidelines for student research at any level.

Breach of University examination rules: this includes copying from/conferring with other students; being in possession of/using unauthorised materials or equipment in an examination room; causing disruption in an examination (such as by leaving a mobile phone switched on); being in possession of/using a mobile phone/smart watch during an exam; notes within a dictionary or other object.

Collusion: Working with other students to produce a piece of work that you submit for individual assessment, where the assessment guidelines do not specifically allow this. This can happen as part of any submitted work (including take-home exams). Collusion can include allowing another student to copy your assessed work or providing opportunity for them to do so. Proof-reading which goes beyond merely advice about language/grammar may also be considered collusion.

Contract cheating (sometimes known as 'custom essay writing'): Purchasing or submitting assessed work created by another person which you then submit as your own work. It is also an offense to supply work that you have produced to another student or third-party, regardless of whether or not you receive payment.

Dishonesty: any attempted assessment irregularity that is detected prior to the work being submitted.

Falsification of research results: this includes falsifying results by inclusion or suppression.

Plagiarism: the unacknowledged use of another person's words, ideas or works without specific acknowledgement. Plagiarism can occur in an examination script as well as in assessed coursework and may also involve the use of electronic materials. The inclusion of a source in a bibliography is not always sufficient to avoid plagiarism if the source is not specifically acknowledged within the text of the assessment.

Self-plagiarism (sometimes known as 'auto-plagiarism'): this is when you submit work that you have already submitted (in part or in whole) for another assessment at Newcastle or elsewhere. It may be considered as an attempt to gain multiple credit for the same piece of

work. This does not apply to draft copies of research work or other work submitted for formative assessment.

A note on minor/major assessment irregularities

There is no firm definition of what constitutes a 'minor' or 'major' assessment irregularity, as it depends on lots of factors, including:

- The proportion of the submitted work affected;
 - The credit value of the module and the percentage contribution of the assessment in question
 - The academic level of the work (UG/PG/PGR) and the stage you are at within your programme (Yr 1 , Yr 2 etc.
 - Whether this is your first offence of an assessment irregularity;
 - Whether the Case Officer believes there was an intention to deceive;
 - Whether you have displayed dishonesty during the course of the investigation;
 - Any mitigating circumstances.
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APPENDIX 2: Examples of misconduct and likely sanctions

Level of procedure	Assessment Irregularity Type <i>N.B. This list is not exhaustive</i>	Indicative disciplinary actions/sanctions	Indicative academic sanctions
Level 1	<p>Any <u>minor</u> breach of the rules for University exams, including but not limited to:</p> <ul style="list-style-type: none"> - failure to follow invigilator instructions, being in possession of/using unauthorised calculators/dictionaries, causing disruption during an exam (including leaving a mobile phone switched on, opening an exam paper or starting to write before the start of an exam, continuing to write after the exam has ended. <p>Any <u>minor</u> assessment irregularity reported for submitted coursework including, but not limited to:</p> <ul style="list-style-type: none"> - Permitting another student to copy – verbatim or in substance – any assessed coursework (this includes providing an opportunity for another student to copy work even if it was not the intention that the work be copied). - Sharing assessed coursework online via a website or any other medium, other than for a genuine academic reason. - The falsification of research results (including the suppression of data). - Plagiarism - Self-plagiarism - Collusion - Procuring or attempting to procure assessed work created by another person. 	<ul style="list-style-type: none"> - Caution - Warning <p><i>N.B. No sanction greater than a Warning can be given at Level 1</i></p>	<p>A reduced mark (which may be zero)</p> <p>A requirement to resubmit the assessment (or an alternative) within timescales determined by the Chair of the Board of Examiners.</p> <p>A requirement to resubmit a project proposal or progress report within a defined timescale (Postgraduate Research Students only)</p> <p>A requirement to make minor amendments to research data or thesis submitted for examination (Postgraduate Research Students only)</p> <p>An appropriate and proportionate alternative sanction agreed with the Student Progress Service</p>

	<ul style="list-style-type: none"> - Dishonesty (including attempted assessment irregularities detected before the submission of work) <p>Any <u>minor</u> breach of research ethics.</p>		
Level 2	<p>Any <u>more major breaches</u> of the rules for University exams, including but not limited to:</p> <ul style="list-style-type: none"> - copying from or conferring with another student; being in possession of/using unauthorised notes/materials in an examinations room; possession of/using a mobile phone or smart watch during an exam; unauthorised notes within/on a dictionary or other object. - Impersonating another student or allowing another student to impersonate you. - Introducing unauthorised exam scripts into the examination process. <p>Any <u>more major</u> assessment irregularity reported for submitted coursework including, but not limited to</p> <ul style="list-style-type: none"> - Permitting another student to copy – verbatim or in substance – any assessed coursework (this includes providing an opportunity for another student to copy work even if it was not the explicit intention that the work should be copied). - Sharing assessed coursework online via a website or any other medium, other than for a genuine academic reason. - The falsification of research results (including the suppression of data). - Plagiarism - Self-plagiarism - Collusion - Procuring or attempting to procure assessed work created by another person. 	<p>Any of the above or:</p> <ul style="list-style-type: none"> - Final warning <p><i>N.B. No sanction greater than a Final Warning can be given at Level 2</i></p>	<p>Any of the above or:</p> <ul style="list-style-type: none"> - A mark of zero for one or more modules - A mark of zero for the future calculation of stage averages and degree classification - A requirement to resubmit the assessment (or an alternative) within timescales determined by the Chair of the Board of Examiners. - A requirement to resubmit a project proposal or progress report within a defined timescale (Postgraduate Research Students only) - A requirement to make amendments to research data or thesis submitted for examination (Postgraduate Research Students only) - A requirement to resubmit the thesis, in accordance with research degree conventions

	Repeat or persistent instances of any of the above already considered under Level 1 of this procedure Any <u>more major</u> breach of research ethics		
Level 3	Any of the above where the case is believed to be complex or sufficiently serious to warrant further impartial consideration, or where there are repeated instances of assessment irregularities.	Any of the above or: - Suspension from studies - Deferred Expulsion - Expulsion with immediate effect (with exit award) Expulsion with immediate effect (without exit award)	Any of the above or: Being deemed to fail the whole academic year and required to pass the module or stage before being permitted to proceed Being deemed to fail the whole programme and not being permitted to be considered by a Board of Examiners <i>The SDC may impose further academic sanctions to those listed as deemed appropriate due to the circumstances of the case</i>
<i>N.B. The Student Disciplinary Committee may impose further academic sanctions to those listed, as deemed appropriate, due to the circumstances of the case</i>			