

## Student Disciplinary Procedures

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### 1. Purpose and Scope of the Policy

1.1. These disciplinary procedures apply to all NCIUL students and their purpose is to ensure that student disciplinary matters are dealt with fairly, promptly and in compliance with existing regulations.

1.2. NCIUL has the right to carry out an investigation into any allegation of academic misconduct against a student and may take disciplinary action if it emerges that misconduct took place.

1.3. Within NCIUL Student Disciplinary Policy and Procedures, two major categories of offences are taken into account: Behavioural Misconduct (Section 1) and Academic Misconduct (Section 2).

### SECTION 1: BEHAVIOURAL MISCONDUCT

#### 2.1. Definition

Examples of behavioural misconduct covered within the NCIUL Student Disciplinary Policy and Procedures are:

Harassment of any student, member of staff, or any authorised visitor to the NCIUL, whether sexual, racial or bullying, including defamation of character or slander;

Disruption of, or improper interference with, the academic, administrative, sporting, social or other activities of the NCIUL, including offensive behaviour, whether on NCIUL premises or elsewhere;

General unacceptable behaviour towards others, including excessive noise, violent, threatening or offensive conduct or language on NCIUL premises;

Any action likely to cause injury, impair safety or raise false alarm on NCIUL premise;

Failure to disclose a criminal conviction to NCIUL, subject to the Rehabilitation of Offenders Act;

Acts of dishonesty, including deceit, theft or fraud towards NCIUL, its students or staff;

Conduct that brings NCIUL into disrepute, whether this takes place on or off campus;

Improper interference with attendance monitoring of students by NCIUL; as well as obstruction of, or improper interference with, the functions, duties or activities of any student, member of staff or other employee of the NCIUL or any authorised visitor to the NCIUL

Misuse or unauthorised use of NCIUL premises; in particular, intentional or reckless damage to, or defacement of, NCIUL property or the property of members of the NCIUL and community;

Smoking in non-designated areas;

Damage to property of NCIUL;

Deliberate falsification of student ID, records and information used in order to mislead NCIUL;

A serious breach of health and safety rules;

Physical violence towards a member of staff, students or other people;

Use, possession, buying or selling of illegal drugs;

Possession of an offensive weapon;

Serious misuse of NCIUL's name or property, including computer misuse;

Distribution of promotional material at NCIUL without consent from an authorised person. In particular the NCIUL will not tolerate the distribution of promotional material that encourages excessive alcohol consumption;

Failure to treat others (students, staff, neighbours and other people in the community) fairly and with respect. In particular, this applies to all communication methods including personal contact, e-mail, written communication and social community websites;

Failure to disclose name and other relevant details to an officer or employee of the NCIUL in circumstances when it is reasonable to require that such information be given;

Failure to attend a disciplinary interview, or provide a statement or response to alleged misconduct when requested to do so by the relevant person of authority;

Failure to comply with any penalty imposed by a NCIUL disciplinary authority (including non-payment of a disciplinary fine);

Breach of the provisions of the NCIUL's Code of Practice for Freedom of Speech;

Any other act or behaviour which may be reasonably interpreted as misconduct notwithstanding the lack of equivalent examples above.

## 2.2. General Rules

2.2.1. Any investigation into an alleged act of misconduct shall normally include in its early stages an interview of the student(s) concerned by the relevant authorised person.

2.2.2. Failure to attend a disciplinary interview or provide a statement or response to alleged misconduct when requested to do so by the relevant person of authority, may itself lead to disciplinary proceedings. This means that, when the subject of an allegation refuses to engage, the case may be concluded in their absence.

2.2.3. For cases where a student withdraws from the NCIUL whilst a disciplinary investigation is ongoing, the misconduct case shall normally be concluded in the student's absence, if necessary, by the Disciplinary Committee.

2.2.4. If it is determined at a hearing that misconduct has been committed, one or more sanctions may be imposed. Students should be aware that disciplinary sanctions may be disclosed in reference requests, at the discretion of the referee. Possible sanctions are listed below:

A formal warning, that consists of a serious statement by NCIUL regarding the finding of misconduct, and advice to the student about their future conduct. The gravity or level

of misconduct will be identified on a case by case basis. The formal warning shall be held on record for the duration of the student's studies.

A final warning, if the student has previously received a warning, or where this type of warning is deemed fit.

A compensation payment for the direct cost of reparations to property or other reasonable loss of money by person(s), institution or third party as a result of the misconduct.

A fine (i.e., in case of noise disturbance).

Disciplinary suspension from NCIUL for a determined period of time.

Temporary expulsion from the NCIUL, meaning expulsion for a limited time, that will become final should the student be found to have committed further misconduct.

Expulsion from the NCIUL with immediate effect. This means that the student in question shall not be eligible for an exit award and thus, relevant Boards of Examiners may not consider an award unless instructed to do so by the Disciplinary Committee.

2.2.5. A student expelled or suspended as a result of disciplinary proceedings shall have no right to a refund of fees.

### 2.3. Procedures

2.3.1. Misconduct that falls under NCIUL's Student Disciplinary Policy and Procedures can be dealt with in one of two ways.

2.3.2. Procedure A relates to minor offences, where the Head of the Student Office or an authorised person (usually the Faculty Dean), can decide on a sanction.

2.3.3. Procedure B relates to more serious offences, where the Head of the Student Office refers the matter to the Disciplinary Office, who shall decide whether or not to involve the Student Disciplinary Committee.

### 3. PROCEDURE A

3.1. Where the Head of the Student Office decides to, s/he shall have the right to deal with an allegation of misconduct. This may happen in particular when the misconduct is considered a minor one.

3.2. The Head of the Student Office will decide, based on the evidence before them whether or not further action is to be taken. If further action is to be taken, the Head of the Student Office will write to the student to explain the issue that is of concern, the disciplinary process and the potential outcome, and ask for the student's comments on the reports of the case. The student's comments must be received within 10 working days of the date of the letter from the disciplinary authority; if, after receiving the comments from the student or after the 10 working days have passed, they decide that no further action should be taken, they must inform the student; if, after receiving the comments from the student, or after the 10 working days have passed, they decide that a student has committed an act of misconduct, one or more of the following sanctions may be imposed:

A warning, in writing;

A final warning, in writing;

A compensation payment;

A fine;

Alternative sanctions may also be imposed after consultation with the Disciplinary Officer.

#### 4. PROCEDURE B

4.1. In case the Head of the Student Office determines that a case is sufficiently serious, the case shall be referred to the Disciplinary Officer who shall determine arrangements for a hearing with the Student Disciplinary Committee

4.2. The Head of the Student Office may temporarily suspend a student upon report of a serious allegation, pending further investigation.

4.3. Under no circumstances will the Head of the Student Office be a member of any Disciplinary Committee, although they will be responsible for the preparation and presentation of the charge or charges before the Committee. The Head of the Student Office shall inform the concerned student(s) in writing of the allegations and that the case is to be heard by a Disciplinary Committee as decided by the Disciplinary Officer. In any case, a member of administrative staff who has had no involvement in the case will be appointed as secretary to the hearing and will be responsible for sending the student(s) any relevant documents, the summoning of witnesses, and generally for the proper administration of the case.

4.5. In instances where, at the end of the hearing, the offence is not proven, no further action shall be taken against the student. However, if it is determined that misconduct has been committed, one or more of the following sanctions may be imposed:

A warning, in writing;

A final warning, in writing;

A compensation payment;

A fine;

Disciplinary suspension;

Temporary expulsion from NCIUL;

Immediate expulsion from NCIUL;

Alternative sanctions, as decided by the Disciplinary Committee.

#### 5. Interim Suspensions

5.1. An interim suspension shall be applied to the student(s) during the investigation of a disciplinary matter. The interim suspension is decided by the Head of the Student Office, in specific cases such as, but not limited to:

Criminal matters (i.e., alleged or proven acts of violence/sexual offences/harassment/possession of drugs with intent to supply);

Non-criminal matters (i.e., alleged further offences within NCIUL procedures).

When an interim suspension has been decided, the student cannot be on NCIUL property, or specific areas of it, other than for specific appointments, agreed in advance and in writing between the student and the Head of the Student Office.

During an interim suspension, the student may not, amongst other activities, attend classes as normal. Learning materials will be available online. The Head of the Student Office might consider alternative solutions in order to mitigate the impact of the interim suspension on the student's studies. These may include permission to enter the NCIUL's premises to meet with teaching staff or to take an examination.

Once an interim suspension has been applied, it must be reviewed by a member of the Student Disciplinary Committee or an independent senior academic staff member appointed by the Disciplinary Officer. The review should take place every two weeks or at key stages as determined within the case management process by the Head of the Student Office. In case a student has been granted an interim suspension for a period of 4 weeks or more during the teaching term, the student has the right to apply in writing to the Head of the Student Office for a review of the interim suspension, clearly specifying the grounds for the review and in particular how the circumstances may have changed.

## 6. Supplementary Provisions

6.1. During the investigation or at the conclusion of a disciplinary matter, the single Disciplinary Panel member or the Student Disciplinary Committee could decide to place an instruction on the student. Possible instructions include, but are not limited to, the following:

No direct or indirect contact with the complainant  
Avoidance of certain areas or activities.

Breach of a specific instruction of an interim suspension and breach of a specific instruction of a disciplinary suspension shall be regarded as a disciplinary offence.

In the event that further misconduct is alleged or established following a sanction of temporary expulsion, the matter will be referred to the Chair of the Student Disciplinary Committee that decided on the temporary expulsion, or another member of that Committee. The person reviewing the case, on the basis of written submissions or during a personal hearing, will determine whether or not the temporary expulsion should be enacted, but will not decide on a sanction for the further misconduct.

## 7. Appeals

7.1. A student has the right to appeal against a decision or sanctions imposed under Procedures A or B.

7.2. Where the decision against which a student is appealing involves partial or full suspension or expulsion, the student shall not be permitted to enter the NCIUL's premises, as appropriate, while the appeal is being determined. Students might be granted permission to attend if they can demonstrate that it would be unreasonable to debar them from their programme of study or for assessment, pending the appeal. Applications should be made to the Disciplinary Officer who may refuse or grant permission to attend the NCIUL and may, if granting permission to attend, limit attendance to specific locations and/or times.

7.3. An appeal should be lodged within 21 calendar days of the decision of the Disciplinary Officer, authorised person, the Disciplinary Committee to the Head of the Student Office. The Appeal should be in writing and should specify the grounds of appeal which may only be one or more of the following:

fresh material evidence is available, which was not available on reasonable enquiry or application at the time of the original hearing;  
a procedural irregularity;  
alleged bias or prejudice;  
excessive or inappropriate punishment.

7.4. The Disciplinary Officer may dismiss an appeal which does not provide a prima facie case. In case the Disciplinary Officer decides that a prima facie case has been established, the appeal shall be considered as follows:

In a case determined by the Student Office, the appeal shall be considered by a member of the Disciplinary Panel nominated by the Disciplinary Officer.

In a case determined by the Student Disciplinary Committee, the appeal shall be considered by a Disciplinary Appeal Committee, appointed by the Disciplinary Officer and consisting of:

- two impartial members of the Student Disciplinary Committee, who did not take part in the initial determination. The Disciplinary Officer will specify which of the two members shall act as Chair; - a student representative.

In a case where a temporary expulsion has been enacted, the appeal shall be considered by a member of the Disciplinary Panel nominated by the Disciplinary Officer.

The Disciplinary Panel member or Student Disciplinary Appeal Committee may, in determining the appeal, confirm or vary or quash the original decision. If a student is reinstated to the NCIUL on an appeal against exclusion or expulsion, he or she shall not suffer any loss of time counted towards residence qualifications for a particular course, and shall be required to pay appropriate fees, notwithstanding temporary loss of tuition and other facilities in the NCIUL.

Where the Disciplinary Officer dismisses an appeal, or the nominated Disciplinary Panel member or Student Disciplinary Appeal Committee confirms the decision appealed against, there shall be no further appeal within the NCIUL. Provision for independent external review is made through the existence of the Office of the Independent Adjudicator. The Independent Adjudicator's role is to review the application by the NCIUL of its own internal procedures. Further information about the Adjudicator's role is available from [www.oiahe.org.uk/](http://www.oiahe.org.uk/).

## 8. General Provisions for the Conduct of Hearings

8.1. In all proceedings before an authorised person, Disciplinary Panel member, Student Disciplinary Committee or Student Disciplinary Appeal Committee, such a

person or Committee shall take evidence and receive submissions, either in writing or in person, and consider the allegation and all other circumstances which appear to them to be relevant. Evidence from other sources may be taken into account in reaching a decision.

8.2. Unless specifically provided elsewhere, the student shall be invited to attend and present their case, and to be present and be heard during the hearing. However, students may waive their right to attend or fail to attend, and in that case the hearing shall proceed in their absence.

8.3. All students shall be informed of the allegation against them and given an opportunity to make a written statement. The student can also be accompanied by a friend or supporter, as well as having the right to be informed of all of the evidence.

8.4. In all other respects, the conduct of the hearing shall be a matter for the authorised person or the Chair to determine. A written but not verbatim record of the hearing shall be made by the Secretary.

## SECTION 2: ACADEMIC MISCONDUCT

### 9. Principles, Aims and Definitions

9.1. These procedures seek to ensure that student academic misconduct matters are dealt with fairly and promptly by those with clear authority from the NCIUL. The procedures apply to NCIUL students and need to be read in conjunction with NCIUL Institutional Regulations for OU validated awards (available at <https://nciul.ac.uk/catalogues-prospect-institutional-regulationsvalidated-awards-ou/>).

9.2. NCIUL has the right to investigate any allegation of academic misconduct against a student and may take disciplinary action where it decides, on the balance of probabilities that an irregularity has occurred.

9.3. The probabilities that procedure takes into account two components, meaning the academic and the disciplinary. As a general principle, through these Student Disciplinary Policy and Procedures NCIUL will disregard that part of a student's work that is shown to have been produced by improper means, while promoting learning by the normal requirement for the work to be resubmitted. The second aspect of the procedure is disciplinary. The NCIUL takes disciplinary action in all cases of misconduct.

9.4. Academic misconduct usually involves the use of improper means by a student in the assessment process. This includes, but is not limited to, the following:

Any breach of the rules for NCIUL examinations (see NCIUL Examinations Procedures and NCIUL Assessment and Examination Handbook, Section 1.6), including:

copying from, or conferring with, other students  
being in possession of/using unauthorised material or equipment in an examination room



possession of/using a mobile phone during an exam, notes within/on a dictionary or other object, causing disruption during an exam (this includes leaving a mobile phone switched on).

Impersonating or allowing another person to impersonate a student.

Collusion, which happens when people deliberately agree to act together in order to deceive.

Permitting another student to copy, verbatim or in substance, formative or summative 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). Within these provisions, also allowing the sharing or copying of any such assessed work on a website or in any other medium.

The falsification (by inclusion or suppression) of research results.

Plagiarism. This is defined as the unacknowledged use of another person's ideas, words or works either verbatim or in substance without specific acknowledgement. For the avoidance of doubt, plagiarism may occur in an examination script as well as in assessed coursework, projects, reports and like work and may involve the use of material downloaded from electronic sources such as the internet. Furthermore, the inclusion of a source in a bibliography is not of itself a sufficient attribution of another's work.

Auto (self) Plagiarism, defined as an attempt to gain double credit for the same piece of work. This applies when work has already been submitted for an assessment at NCIUL or elsewhere. However, it does not apply to draft copies of research work.

Procuring or attempting to procure assessed work created by another person. Students are expected to produce their own work and therefore any submission of work by another person constitutes improper means. In particular, the commerce of essays and dissertations, whether the student is the one selling or buying them, is strictly forbidden.

Dishonesty. Any attempted assessment irregularity including that detected before submission of the work, is considered an attempt to use improper means and may be considered as dishonesty.

9.5. Students should also refer to NCIUL Institutional Regulations for OU Validated Awards, Section 23 on Academic Misconduct, available at <https://nciul.ac.uk/catalogues-prospect-institutional-regulations-validated-awardsou/>.

## 10. GENERAL RULES

10.1. The NCIUL shall have the right to investigate any allegation of academic misconduct against a student, and may take disciplinary action where it decides, on the balance of probabilities, that an act of misconduct has been committed.

10.2. Any investigation into an alleged act of academic misconduct shall normally include in its early stages an interview with the student(s) concerned by the relevant authorised person.

10.3. Failure to attend an academic misconduct interview or provide a statement/response to alleged misconduct when requested to do so by the relevant person of authority, may itself lead to disciplinary proceedings. When the subject of an academic misconduct allegation refuses to engage or has withdrawn from NCIUL while the investigation is going on, the case may be concluded in their absence.

## 11. Sanctions

11.1. When it is determined that an academic misconduct has been committed, one or more sanctions may be imposed, and eventually disclosed in references, should the referee decide so. The following sanctions may be imposed, in accordance with the Amber Tariff (see Annex 2) although the list is not exclusive:

A formal warning, meaning a serious statement from NCIUL of a finding of misconduct, advising the student about their future conduct and held on record for the duration of the student's studies.

A final warning, where a student has previously received a warning, or where this type of warning is deemed fit.

A resubmission (with or without mark penalty). Resubmission of the original assessment, or an alternative, will be determined by the Chair of the Board of Examiners and be regarded as an assessment as if for the first time, in order that the student may pass the module overall.

A module resit, loss of credit or reduction in award classification or qualification (as outlined in Annex 2).

## 12. PROCEDURE: STAGE A - FIRST COURSE OF ACTIONS

12.1. Action to be taken by the Person Discovering a Suspected Irregularity:

### Outside an Examination Room

The Chair of the Board of Examiners will advise the Head of the Student Office that academic misconduct has been alleged and provide the evidence in support of this allegation. The Chair of the Board of Examiners shall investigate the alleged irregularity and provide the student with a copy of this procedure, advise the student of the allegation in writing, provide the student with a copy of the affected work (where relevant) and ask the student to respond in writing. The Chair may also request statements from witnesses.

If, on the basis of any written statement and the evidence, the Chair is satisfied that no irregularity has taken place, the student shall be so informed by the Chair in writing and no further action shall be taken.

### In an Examination Room

- Where a suspected irregularity is discovered by an invigilator in an examination room during an examination, the invigilator shall remove the student from the room and inform

the student of the nature of the suspicion. The invigilator shall inform the student that the matter will be reported to the relevant Dean. The invigilator shall make a note of the questions answered in whole or in part at the relevant time and any illicit material in the student's possession shall be confiscated. The student shall be permitted to return to the examination room to complete the rest of the examination. The Chief invigilator shall make a written report to the relevant Dean. In accordance with the NCIUL Examination Procedures (Section 2.4), in serious cases of misconduct, a student may be asked by the invigilator to leave the room at once, without completing the examination. The candidate's unfinished examination papers will be sent to the Dean of the relevant Faculty with a full report of the incident of suspected cheating or other form of misbehaviour. A copy will also be sent to the Academic Registrar and the student will be subject to disciplinary procedures.

### **13 PROCEDURE: STAGE B - DISCIPLINARY PROCEEDINGS**

#### **a) Level 1 - Action taken by the Chair of the Board of Examiners**

13.1. Before the interview, the student shall be given the opportunity to see the evidence and to be interviewed by the Chair together with another academic colleague. A brief written record of the meeting should be kept, and the student is allowed to participate with a friend or supporter.

13.2. If, after the interview, the Chair is satisfied that no irregularity has taken place, s/he will inform the student that no further action will be taken.

13.3. If, after the interview, the Chair is satisfied that an irregularity occurred, the outcome will depend on the seriousness of the irregularity:

If the Chair determines that a negligible or minor irregularity occurred, and if either the student has no previous proven record of plagiarism or there was no intention to deceive, normally the Chair shall impose one or more sanctions or other actions listed below:

A warning, in writing.

A reduced mark or a mark of zero for those elements of the assessment/s where plagiarism has been determined, or a mark of zero for the whole assessment.

A requirement to resubmit the assessment.

An alternative sanction agreed as appropriate and proportionate with the Amber Tariff (see Annex 2) in consultation with the Student Office.

The Chair shall also:

Issue the student with an outcome letter advising that the academic misconduct charge is considered to be upheld and informing the student of the sanctions or actions imposed.

Advise the student that an appeal against this outcome can be lodged with the Head of the Student Office within 21 calendar days.

Send a copy of the outcome letter to the Academic Registrar to be held on the student's record for the duration of the student's studies.

If relevant, instruct those marking the assessment(s) in question to apply the relevant sanctions.

If following the interview, the Chair determines that an irregularity has taken place and that it is more serious than in paragraph a) above, s/he will inform the student in writing that a report on the matter will be made to the Head of Student Office and the Academic Registrar and:

attach all written evidence gathered during the investigation

describe how the academic mark(s) for the assessment(s) in question have been determined

include the credit rating of the affected module(s) and the assessment percentage of the affected assignment(s)

advise on the extent of the possible irregularity

detail the academic consequences for the student if a mark of zero is returned for the element / whole of the assessed work

provide details of the arrangements the Faculty has taken to disseminate rules and policies on good academic practice such as the avoidance of plagiarism (e.g. a copy of degree programme handbook, referencing guidance, etc.)

note any mitigation raised by the student

provide a copy of the notes of the meeting with the student and any other relevant documentation, including a recommendation as to possible academic sanctions if the allegation of the irregularity is upheld.

b) Action taken by the Faculty Dean

13.4. If, on the basis of any further written statement and the evidence, the interested Faculty Dean is satisfied that there is no misconduct case to answer, the student and the Chair of the Board of Examiners will be informed in writing and no further action shall be taken.

13.5. If, on the basis of any further written statement and the evidence, the Faculty Dean determines that there is sufficient evidence that an assessment irregularity has occurred the student shall be given the opportunity to be interviewed by two academic members of the Faculty. The student may be accompanied by a friend/supporter.

13.6. If following the interview, the Faculty determines there has been an academic misconduct, the Faculty shall take one of the following actions:

In a straightforward and less serious case:

A warning, in writing;

A final written warning, in writing;

A resubmission (with or without mark penalty). Resubmission of the original assessment, or an alternative, will be determined by the Chair of the Board of Examiners and be regarded as an assessment as if for the first time, in order that the student may pass the module overall.

A module resit, loss of credit or reduction in award classification or qualification (as outlined in Annex 2).

An alternative sanction agreed as appropriate and proportionate in consultation with the Disciplinary Officer.

The use of, or intention to use, unauthorised material or equipment in an examination room should be regarded as a serious academic misconduct, and reflected in the sanctions imposed.

The Student Office will:

Issue the student with an outcome letter advising that the academic misconduct charge is upheld and informing the student of the sanctions or actions imposed.

Advise the student that they may appeal against this outcome within 21 calendar days. Hold a copy of the outcome letter on the student's record for the duration of the student's studies.

Complex or more serious cases will be referred to a Disciplinary Committee for a disciplinary hearing (see Stage C of the procedure below) and the students informed in writing of this. Pending the hearing and when there are reasonable grounds for doing so, the Student Office may temporarily suspend the student from the NCIUL or from specific facilities.

#### 14. STAGE C: MISCONDUCT PANEL

14.1. The Disciplinary Officer has the right to determine whether the case shall be heard by a Disciplinary Panel of three members or by a single Disciplinary Panel member. The Disciplinary Officer will nominate the member(s) and Chair of the Panel.

14.2. Staff from the Student Office will not be a member of any Student Misconduct Panel **but** shall be responsible for the preparation and presentation of the charge or charges before the Panel. The Student Office shall inform the student(s) concerned in writing of the allegations and shall inform the student(s) that the case is to be heard by a Student **Misconduct Panel** or single Misconduct Panel Member.

14.3. The secretary is appointed among members of administrative staff with no involvement in the case, and shall be responsible for sending the student(s) any relevant documents, the summoning of witnesses, and generally providing administrative support for the Hearing.

14.4. The Misconduct Panel decides on which further academic sanction or sanctions or other actions to be taken as it deems appropriate. Examples of possible sanctions or other actions are listed below.

A warning, in writing;

A final written warning, in writing;

A resubmission (with or without mark penalty). Resubmission of the original assessment, or an alternative, will be determined by the Chair of the Board of

Examiners and be regarded as an assessment as if for the first time, in order that the student may pass the module overall.

A module resit, loss of credit or reduction in award classification or qualification (as outlined in Annex 2).

A requirement to resubmit the assessment;

Being deemed to fail the whole academic year and required to pass the module or stage before being permitted to proceed;

14.6. On behalf of the Committee, the Secretary shall also:

Issue an outcome letter advising the student of the decision reached by the Committee and informing the student of the sanctions or actions imposed.

Advise the student that they may appeal against this outcome within 21 calendar days.

Arrange for the Student Office to hold a copy of the outcome letter on the student's record for the duration of the student's studies.

15. Reporting to the Board of Examiners and similar bodies

15.1. The Chair of the Board of Examiners shall be informed of the status or, when available, the outcomes of any case considered by the Student Disciplinary Committee or the Student Office.

15.2. The Chair has also the responsibility to ensure that relevant module leaders and, where appropriate, the Extenuating Circumstances Committee are aware of the sanction(s) determined, and the Registrar shall ensure that the sanctions are applied.

16. Supplementary Provisions for the Conduct of Hearings

16.1. The student will be invited to attend and present their case. If the student decides not to attend or fails to attend, the hearing will proceed in their absence. The student may be accompanied to the hearing by a friend or supporter and the panel may gather evidence from other people

16.2. The conduct of the hearing will be determined by the Chair and a written record of the hearing will be made by the Secretary.

17. Appeals

17.1. A student may appeal against a decision under the Academic Misconduct Procedure by following the process set out below.

17.2. An appeal shall be lodged within 21 calendar days of the decision to the Head of the Student Office. The Appeal should be in writing, accompanied by supporting documentation and should specify the grounds on which the appeal is made, which may include one or more of the following:

fresh material evidence that, was not available on reasonable enquiry or application at the time of the original hearing;

a procedural irregularity;

perceived bias or prejudice;

excessive or inappropriate penalty;  
that the decision reached was perverse in that it was one no reasonable person would have reached on the available evidence.

The Disciplinary Officer will initially decide if there is sufficient evidence under the specified grounds for the appeal to be considered. If the evidence is not sufficient, the Disciplinary Officer will dismiss a case. Where the Disciplinary Officer determines that there is sufficient evidence, the appeal will be considered by a member of the Disciplinary Panel nominated by the Disciplinary Officer, for minor cases; or for more serious cases, the appeal will be considered by a Student Disciplinary Appeal Committee.

The Student Disciplinary Appeal Committee may, in determining the appeal, confirm, vary or quash the original decision.

Where the Disciplinary Officer dismisses an appeal wholly or in part or the Student Disciplinary Appeal Committee confirms the decision appealed against, there shall be no further appeal within the NCIUL. Provision for independent external review is made through the existence of the Office of the Independent Adjudicator. The Independent Adjudicator's role is to review the application by the NCIUL of its own internal procedures. Further information about the Adjudicator's role is available from [www.oiahe.org.uk](http://www.oiahe.org.uk).

## 18. Monitoring

18.1. The Head of the Student Office will make an annual report to the Student Experience and Quality Enhancement Committee (SEQE) of all proven cases of academic misconduct investigated under this procedure.

## 19. Confidentiality

19.1. All information provided to the relevant Faculty, Student Office, Registry or the adjudicating bodies in the course of the investigation and hearing of any allegation of an assessment irregularity will be treated as confidential, except that (i) the student against whom the allegation is made will be entitled to know the source of such information in the interests of open justice and (ii) any requirements of the Data Protection Act shall apply.

19.2. Improper use of such confidential information may result in disciplinary proceedings.

19.3. Relevant members of staff with a need to know may receive in confidence a copy of the determination of the Academic Misconduct Proceedings and senior NCIUL staff may similarly in confidence receive such a copy in order for the NCIUL to learn and/or act on issues identified in the proceedings.

## ANNEX 1. PLAGARISM REPORT FORM

The completed form should be sent to the student and to the Associate Dean

Student name:

Course Title:

Module:

Assessment title:

Level:

Module marked by:

First reported plagiarism: Yes/No (Include date and module title of previous case)

Evidence of plagiarism:

- Similarity to internet source:
- Similarity to text source:
- Copying from another student:
- Other issues:



## ANNEX 2. AMBER TARRIF GUIDELINES

### 1. Assign points based on the following criteria:

#### History

<b>First offence</b>	<b>100 points</b>
<b>Second offence</b>	150 points
<b>Third offence +</b>	200 points

#### Amount

<b>Below 5% AND less than two sentences</b>	<b>80 points</b>
<b>As above but with critical aspects or key ideas plagiarised</b>	105 points
<b>Between 5% and 20% OR more than two sentences but not more than two paragraphs</b>	105 points
<b>Between 20% and 50% OR more than two paragraphs but not more than 5 paragraphs</b>	130 points
<b>Above 50% OR more than five paragraphs</b>	160 points
<b>Submission purchased from essay mill or ghost-writing service</b>	300 points

Year

<b>Year 1</b>	<b>70 points</b>
<b>Year 2</b>	115 points
<b>Year 3/ Postgraduate</b>	140 points

Value of Assignment

<b>Standard weighting</b>	<b>30 points</b>
<b>Large project (e.g. final year dissertation)</b>	60 points

### Additional Characteristics

Evidence of deliberate attempt to disguise plagiarism by changing words, sentences or references to avoid detection 40 points.

### **2. Penalties will be awarded based on the points.**

### Summative Assignments

In all cases a formal warning is given, and a record made contributing to the student's previous history.

<b>Points</b>	<b>One or more of these penalties may be applied</b>
<b>280 - 329</b>	No further action beyond formal warning

	Assignment awarded 0% - resubmission required, with no penalty on mark
<b>330 - 379</b>	No further action beyond formal warning
	Assignment awarded 0% - resubmission required, with no penalty on mark
	Assignment awarded 0% - resubmission required but mark capped or reduced
<b>380 - 479</b>	Assignment awarded 0% - resubmission required but mark capped or reduced
	Assignment awarded 0% - no opportunity to resubmit
<b>480 - 524</b>	Assignment awarded 0% - no opportunity to resubmit
	Module awarded 0% - re-sit required, but mark capped or reduced
	Module awarded 0% - no opportunity to re-sit, but credit still awarded
<b>525 - 559</b>	Module awarded 0% - re-sit required, but mark capped or reduced
	Module awarded 0% - no opportunity to re-sit, but credit still awarded
	Module awarded 0% - no opportunity to re-sit, and credit lost
	Award classification reduced
	Qualification reduced (e.g. Honours -> no Honours)
	Expelled from institution but credits retained
<b>560+</b>	Expelled from institution with credits withdrawn
	Module awarded 0% - no opportunity to re-sit, and credit lost
	Award classification reduced
	Qualification reduced (e.g. Honours -> no Honours)
	Expelled from institution but credits retained
	Expelled from institution with credits withdraw

Formative Assessments

280 - 379	Informal warning
380+	Formal warning, with record made contributing to the student's previous history