

### Annex A.3 Academic Misconduct Policy & Procedure

<b>Policy owner:</b>	Northern School of Contemporary Dance – Quality Office
<b>Lead contact:</b>	Quality & Regulations Manager
<b>Audience:</b>	Students/Staff for Northern School of Contemporary Dance Courses of higher education
<b>Approving body:</b>	Northern School of Contemporary Dance: Senate
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<b>Related Policies, Procedures and Guidance:</b>	Academic Regulations & Credit Framework, Academic Appeals Policy
<b>UK Quality Code reference:</b>	Quality Code Expectations for Quality; Core Practices
<b>OfS Conditions reference:</b>	Conditions: B4, C2, C4
<b>Equality and Diversity Considerations:</b>	Policy should be available in accessible format for all students.
<b>Date Equality and Diversity Assessment Completed:</b>	
<b>Further information:</b>	

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## **1. Principles**

- 1.1. It is the responsibility of the Quality Office to ensure that members of staff who consider academic misconduct allegations are given appropriate guidance and to ensure that procedures are followed in accordance with this policy.
- 1.2. It is the responsibility of the Academic Staff to provide students with clear guidance and instruction on academic integrity as early as possible in the programme of study. Including the appropriate preparation for and presentation of work, writing and citation requirements. This guidance must clearly indicate that all types of academic misconduct are serious and the potential consequences.
- 1.3. It is the responsibility of the student to ensure that they comply with the available guidance, and to take reasonable precautions to guard against unauthorised access by others to their work, however stored in whatever format, both before and after assessment.
- 1.4. All information and evidence submitted as part of an academic misconduct case will be treated as sensitive personal data under GDPR legislation ('special category data') and processed as such. Materials will be kept securely, with access restricted to staff who have a legitimate reason for accessing it to process the case.
- 1.5. Allegations of academic misconduct should be dealt with in a timely manner, within 20 working days of the allegation being made.
- 1.6. Students should be kept informed of the progress of any claim of academic misconduct against them.
- 1.7. Academic Misconduct is considered under the principle of strict liability; therefore it is not of relevance if the academic misconduct was unintentional.
- 1.8. Decisions on allegations of academic misconduct will be based on the balance of probabilities (i.e. based on the evidence available, whether the allegation is more likely to be true or untrue).
- 1.9. Staff and students taught in other partnerships should follow these procedures and liaise with the correct Secretary at their institution, with guidance from the NSCD Quality Office as required.
- 1.10. Allegations that arise pertaining to assessments from previous academic years can be investigated retrospectively, provided that there is compelling evidence to instigate the investigation.

## **2. Academic Misconduct Definitions**

- 2.1. Academic Misconduct is deemed to cover all attempts to gain an unfair advantage in an assessment. This includes all forms of written work, presentations, practical work, demonstrations, viva voices, recognition of prior learning portfolios and all forms of examination.
- 2.2. The following are examples of academic misconduct. This list is not exhaustive; any other attempt to gain an unfair advantage in assessed work will be considered and academic

judgement will be required when determining if academic misconduct has occurred.

### **2.3. Cheating**

- 2.3.1. Allowing an individual or individuals to impersonate the student in an examination or other assessment event/activity.
- 2.3.2. Obtaining or offering improper assistance to another candidate.
- 2.3.3. Gaining access to unauthorised material in any way during or before an assessment.
- 2.3.4. The unauthorised use of mobile phones or any other communication device during an assessment for the purpose of influencing an outcome e.g. to provide an answer to questions in a presentation.
- 2.3.5. The submission of false claims of previously gained qualifications, research, or experience to gain credit for prior learning.
- 2.3.6. The falsification of research data, evidence, quotation or other information, or the presentation of another's information as one's own, and any other forms of misrepresentation to gain advantage.
- 2.3.7. The submission of material purchased or commissioned from a third party, such as an essay-writing service, as one's own.

### **2.4. Plagiarism/Self-Plagiarism**

- 2.4.1. Reproducing in any work submitted for assessment any material derived from work authored by another without clearly acknowledging the source, or covered by any other academic convention, such as common knowledge. For example:
  - 2.4.1.1. The verbatim copying of another's work (written or practical) without clear identification and acknowledgement, including the downloading of materials from the internet without proper referencing of materials.
  - 2.4.1.2. The paraphrasing of another's work (written or practical) by simply changing words /movement material or altering the order of its original structure/sequence or presentation, without clear identification and acknowledgement.
  - 2.4.1.3. The unidentified and unacknowledged quotation of phrases from another's work.
  - 2.4.1.4. The deliberate and detailed presentation of another's concept as one's own.
  - 2.4.1.5. Presenting work copied directly from another student without their knowledge.
- 2.4.2. Reproducing without acknowledgement in any submitted work any material used by that student in other work for assessment, either at NSCD or elsewhere (self-plagiarism).

### **2.5. Collusion**

- 2.5.1. The conscious collaboration, without official approval, between two or more students in the preparation and production of work which is ultimately submitted by each in an identical or substantially similar form and/or is represented by each to be the product of their own individual efforts.
- 2.5.2. Where there is unauthorised co-operation between a student and another person in the preparation and production of work which is presented as the student's own.
- 2.5.3. Knowingly permitting work to be copied by another student.

## **2.6. Unacceptable use of Artificial Intelligence**

- 2.6.1. Presenting work for an assessment generated by artificial intelligence software, without acknowledging the source, or as if one's own work.
- 2.6.2. Any use of Artificial Intelligence tools deemed unacceptable as outlined in the NSCD Approach to AI and the Student Guide to AI use.

## **2.7. Failure to Obtain Relevant Approval**

- 2.7.1. The failure to obtain ethical approval where there is a requirement to do so.
- 2.7.2. Carrying out research without appropriate permission.
- 2.7.3. Carrying out research without appropriate risk assessment.

## **2.8. Attempting to Influence a Member of Staff**

- 2.8.1. Seeking to gain an advantage in an assessment by offering a marking tutor any incentive to treat that work more favourably than the work itself merits.
- 2.8.2. Any attempt to influence a professional service staff member into altering assessment marks to a more favourable outcome.

## **3. Academic Misconduct Procedure**

### **3.1. Stage 1 – Informal Review**

- 3.1.1. Where a marking tutor suspects that academic misconduct has occurred, they will review the assessed work in question with the module leader.
- 3.1.2. The student should be invited to a meeting with the module leader to discuss their concerns and provide any evidence.
- 3.1.3. Where the module leader concludes that academic misconduct has not occurred, they should provide feedback around poor scholarship, noting that a concern was raised regarding the integrity of their work, and referring them to the relevant guidance documents on academic practice.
- 3.1.4. Further to the student meeting, where the module leader still suspects that academic misconduct has taken place, they will report the matter in writing to the Quality Office, providing reasons and any relevant evidence.
- 3.1.5. For cases of suspected plagiarism, where there is concern about the accuracy of Turnitin reporting, the student's assessment should be compared to the original source(s) where possible.
- 3.1.6. For cases of suspected unauthorised use of AI, the reporting staff member should consider whether there are inconsistencies in writing style, language, and grammar between the sections highlighted by Turnitin and the rest of the assignment. The Turnitin report should not be used as the sole evidence of misconduct.
- 3.1.7. In cases of suspected misconduct in practical examination (such as the presentation of

a choreographic work), when a member of an assessment panel identifies an issue, they will write a report identifying the point at which the suspected misconduct was identified.

- 3.1.8. In cases of false authorship, the reporting staff member is expected to outline their reasoning for suspecting that the student is not the author of the work submitted and provide any pertinent evidence. This may include (but is not limited to): inconsistency in writing style, language, and grammar; the assignment not properly addressing the question set; inappropriate referencing and bibliography. This may also involve inconsistency in grades/standard of work, and allegations from third parties. In relation to practical work, it may be submitting reference to the known work by another created previously where it is felt that the work goes beyond being an influence to more direct plagiarism.
- 3.1.9. Where a student has reason to suspect a fellow student of academic misconduct, they may report this in writing to the Quality Office. Anonymity cannot be guaranteed as the accused student has a right of access to information pertaining to their personal data. If the reporting student does not give their consent for their identity to be revealed, no further action can be taken, unless additional and/or compelling evidence is identified by an academic member of staff. Reports which are motivated by malice will not be considered and will be addressed by the most relevant NSCD Policy such as Non-Academic Misconduct.
- 3.1.10. Where a third party has reported a student as having committed academic misconduct and the Quality Office believes there is compelling evidence to investigate further, the student will be made aware of all allegations made against them. Details of the case will not be shared with the reporting third party due General Data Protection Regulations (GDPR).
- 3.1.11. When an alleged case is reported in writing to the Quality Office, this will instigate stage 2 of the procedure.

### **3.2. Stage 2 – Academic Misconduct Panel**

- 3.2.1. On receipt of an allegation of academic misconduct, the Quality Office will confer an Academic Misconduct Panel.
- 3.2.2. A record of the case will be kept from this point in an Academic Misconduct Form.
- 3.2.3. The student must be notified of the meeting with sufficient notice (at least 5 working days) and informed of the attending members and the process that will be followed.
- 3.2.4. The student will be informed of the nature of the suspected misconduct and provided with the evidence in advance of the meeting, so they are clear regarding the allegations. However, this may not be applicable in all cases, particularly concerning cases of false authorship and collusion.
- 3.2.5. If the student wishes to contest the allegation, they are entitled to submit a written statement with supporting evidence, responding to NSCD's allegation, that will usually outline

- 3.2.5.1. The allegation that has been made against them
  - 3.2.5.2. Any administrative or procedural errors they believe to have occurred
  - 3.2.5.3. A compelling argument against the allegation
  - 3.2.5.4. How the evidence provided supports their argument or proves that an error has occurred.
- 3.2.6. Claims that amount simply to an expression of dissatisfaction with the decision or penalty imposed, without evidence, will be rejected.
- 3.2.7. If the student confirms that they do not wish to submit a statement or does not respond, then the Academic Misconduct Panel will continue the investigation based on the available evidence.
- 3.2.8. An Academic Misconduct Panel will comprise of at least 3 members including the Chair (Director of Studies or nominee), Secretary (from the Quality Office), senior academic staff (usually the Head of Faculty), and the module leader, or equivalent staff members in partner institutions.
- 3.2.9. The panel must review the assessed work in question, the evidence that academic misconduct has taken place, the records of the process followed to date, and the student/s statement and evidence. This will be provided confidentially prior to the Panel meeting.
- 3.2.10. Conduct of the meeting:
- 3.2.10.1. The meeting should be conducted confidentially.
  - 3.2.10.2. Official minutes of the meeting will be recorded by the Secretary in the academic misconduct form.
  - 3.2.10.3. The Chair and/or secretary will ensure the members are aware of the definition of academic misconduct.
  - 3.2.10.4. The regulations on academic misconduct should be outlined, including the procedure and possible outcomes.
  - 3.2.10.5. The reasons for suspecting the student of academic misconduct should be explained.
  - 3.2.10.6. Confirmation should be given regarding any training/guidance the student received relating to academic misconduct and, in the case of suspected plagiarism or AI use, determine whether, upon submission of the piece of work, the student had declared that the work was their own.
  - 3.2.10.7. The student's statement and accompanying evidence should be presented, including details of any mitigating circumstances.
  - 3.2.10.8. Upon review of the above, the Academic Misconduct Panel should conclude whether academic misconduct has taken place and apply an appropriate penalty from section 4 of this policy, taking into consideration the severity of the misconduct, any mitigating circumstances, and the stage and level of the student.
- 3.2.11. Once a penalty has been agreed upon, the Quality Office must issue an outcome letter to the student (*see Appendix A.3c*) within 5 working days, which acts as a formal written warning where a penalty is applied.
- 3.2.12. The student should be given a deadline of 28 calendar days in which to appeal the

penalty (see section 3.3). There is flexibility to extend the deadline for students if there is good reason to do so.

3.2.13. All material relating to the case should be made available to the student at this point and the student should be referred to section 2 of this policy and NSCD guidelines on academic practice.

3.2.14. The Quality Office must report the decision of the Academic Misconduct Panel to the Board of Examiners. If an Academic Misconduct Panel is scheduled after a Board of Examiners, the Board of Examiners must defer consideration of the work in question until the Committee has decided on the case outcome.

3.2.15. Partner institutions should note misconduct outcomes on results sheets and provide a copy of the cases log to the NSCD Quality Office prior to the relevant Board of Examiners.

### 3.3. Stage 3 – Formal Appeal

3.3.1. Students wishing to appeal against the recommendations of the Board of Examiners in response to applications for mitigation may do so on the grounds set out in *Annex A.4 Academic Appeals Policy & Procedure*.

## 4. Academic Misconduct Penalties

### 4.1. Penalty Table

Severity of Case	Penalties
A. Minor or First Occurrence (Assessment penalties)	A1. Formal warning A2. Assessment marked omitting offending material (where there is no more than 25% of offending material) A3. Assessment capped at pass mark (resubmission may or may not be required) A4. Assessment failed with mark of 0
B. Significant or Second Occurrence (Module penalties)	B1. Resubmission of the assessment and module capped at pass mark B2. Module failed with mark of 0
C. Serious or Multiple Occurrence (Stage / programme penalties)	C1. Stage capped at the pass mark C2. Student withdrawn from programme – exit award issued for completed stages

4.2. If a first occurrence is deemed to have taken place due to a lack of understanding of good academic practice or convention, or because the student has not been provided with the appropriate information and guidance on how to develop skills about such practice, the panel may use their discretion to apply penalty A1. This penalty may only be applied to a student once unless there are sufficient mitigating circumstances.



- 4.3. Mitigating circumstances will not exempt a student from a finding of academic misconduct. However, if the members are satisfied that the mitigating circumstances have a direct impact on the case, they may take this into account when determining a proportionate penalty.
- 4.4. All penalties must include a formal warning that should be kept confidentially on the student's permanent record, in accordance with section 1.4 of this policy.