

BPP University – University Policies and Procedures

Academic Practice



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Purpose	Outlines the University's approach to managing poor academic practice and academic misconduct, both for current students, and any graduate where suspicion arises post-award.

Regulatory Mapping

BPP University General Academic Regulations
Section E: Examinations, Assessment & Academic Practice

BPP University
University Policies and Procedures
Academic Practice

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1. Introduction

- 1.1. The University is committed to the protection of its academic standards and the integrity of its awards. It is therefore of key importance that the University ensures students are aware of their responsibilities to uphold the principles of good academic practice in the completion of their studies. The conferral of an award from the University should represent a student’s true abilities and should not have been obtained unfairly.
- 1.2. The following document outlines the approach the University takes to managing cases of suspected academic misconduct, and its expectations of students with regards to maintaining good academic practice in their studies. This document should be read in consultation with the General Academic Regulations, Part E, Examinations, Assessment & Academic Practice, Section 1: Examination and Assessment Principles, point 1.5. Academic Misconduct.

2. Guiding Principles

- 2.1. The University will ensure that all students are aware of, and educated on, the principles of good academic practice and will take steps to prevent both poor academic practice and academic misconduct.
- 2.2. This approach is informed by the principle that no student should have an unfair advantage over other students in obtaining the academic award they are aiming for. It is important the University protects the credibility and integrity of its awards to provide assurance to students, the wider academic community, and external organisations, professional, statutory, and regulatory bodies, and employers, that awards accurately represent graduate abilities and attributes.
- 2.3. When investigating cases of academic misconduct, students will be considered as innocent unless on the balance of probabilities the evidence presented, and decision made, is found otherwise at the conclusion of the case. All cases will be treated with the strictest confidentiality, and staff and students involved in cases will be on a need-to-know basis. Information communicated on the outcomes of such cases will also be treated with strictest confidentiality and will be on a need-to-know basis.
- 2.4. Where academic misconduct is found, lack of intent to commit misconduct, lack of awareness of the principles of good academic practice, or any extenuating circumstances the student is/was experiencing, will not be considered a defence. Where poor academic practice is found, there may be a reason for defensible ignorance, but the University expects students from the outset of their studies to be familiar with the principles of good academic practice and avoid all forms of poor academic practice and/or academic misconduct.
- 2.5. Where a sanction for academic misconduct is applied, this will be reflective of the severity of the offence committed. Whilst extenuating circumstances are not considered a defence for committing academic misconduct, they may be considered in determining the sanction to be applied for the offence.
- 2.6. Financial, personal, or other consequences resulting from a finding of academic misconduct, and any sanction applied, are the responsibility of the student. Students found to have committed academic misconduct will have a right to appeal in accordance with the University's academic appeals policy and procedure.

3. Defining Good Academic Practice

- 3.1. In alignment with guiding principle 2.1, the University has a duty to ensure students understand and adhere to principles of good academic practice. The focus of this

document and related training provided to students by both the broader University and its Schools, is first and foremost educative and preventative. It is therefore an expectation that students will embody the principles of good academic practice in their actions and as part of their education to avoid engaging in poor academic practice or academic misconduct.

- 3.2. Students should reflect on the following definition of good academic practice:

Engaging in good academic practice is ensuring the academic work you present to the University is a true and honest representation of your own knowledge and understanding. You must not engage in any form of poor academic practice or academic misconduct, but instead develop good academic practices that will support you in achieving your intended award with integrity.

You will of course be working with the ideas, knowledge, and work produced in scholarly and external sources, but you must give due recognition of those ideas in your own work through appropriate citation methods and must not represent them as your own, maintaining integrity and transparency on what are your own ideas versus those of others.

You must also treat others in the University community with respect and must not take their work or represent their ideas, knowledge, and understandings as your own. Treating others in the University community with respect as part of good academic practice also extends to how you treat staff and students you work with, seeking to not take advantage of them, and you must not pressurise other members of the University community into engaging in poor academic practice or academic misconduct.

4. Poor Academic Practice

- 4.1. Poor academic practice is defined as:

An inept or inadvertent breach of the conventions or regulations of good academic practice, committed through a defensible ignorance of those conventions and regulations, where no distinguishable advantage may be or has been accrued to the student, and where there is no discernible intention to deceive.

- 4.2. Defensible ignorance may be assumed in the early stages of a student's career (e.g., during the first stage of an undergraduate degree, or for postgraduate overseas students studying for the first time under UK higher education assessment conventions).

- 4.3. A student may receive a formal caution for poor academic practice. Any potential advantage gained by a student should be removed either through voiding the assessment attempt or through the marking and moderation process and in relation to the marking criteria. For example, where a student has copied the work of another without reference, any marks awarded to the copied material on the basis of it being the student's work should be removed.
- 4.4. Poor academic practice rather than academic misconduct may be assumed where a student has identified copied work but has not applied the correct referencing convention fully or at all.
- 4.5. Poor academic practice shall be addressed and corrected under the authority of the appropriate person in each School nominated by the Dean as a matter of academic development. Instances of poor academic practice must be reported to the Dean of School or nominee to ensure consistency of approach.
- 4.6. Where a student has a repeated incidence of poor academic practice, this will be treated as academic misconduct.

5. Academic Misconduct

- 5.1. Academic misconduct is:

any act, or attempted act, leading to circumstances whereby a student might gain an unpermitted or unfair advantage in an assessment or in the determination of results, whether by advantaging themselves or by advantaging or disadvantaging another or others, or which might otherwise undermine the integrity or reputation of the University's awards or its examination and assessment processes, and where there are no mitigating factors which would lead to the actions of the student to be deemed to be poor academic practice.

- 5.2. While some types of academic malpractice may be either poor academic practice or academic misconduct, others, by virtue of their nature, may only be considered as academic misconduct.
- 5.3. Examples of academic misconduct whereby students may gain or attempt to gain an unfair advantage include (but are not limited to):

(a) Plagiarism: is the act of presenting the work of another (this also includes presenting work produced using Artificial Intelligence tools – see point (k)) as one's own. It includes:

- (i) copying the work of another without proper acknowledgement;
- (ii) copying from text books without proper acknowledgement;
- (iii) downloading and incorporating material from the internet within one's work without proper acknowledgement;
- (iv) paraphrasing or imitating the work of another without proper acknowledgement.
- (v) presenting the output of Artificial Intelligence tools without proper acknowledgement (see point (k)).

Proper acknowledgement requires the identification of material being used, and explicit attribution to the author and the source using referencing acceptable to the subject discipline.

(b) Collusion and Aiding and Abetting

Collusion is the act of working together with one or more others in the preparation of an assessment for submission where the assessment brief or invigilation instructions do not expressly permit collaboration. Collaboration within, for example, a moot or a group project that is explicitly permitted by the examination or assessment regulations¹ does not constitute collusion. Unpermitted collusion includes:

- (i) A student working with another person on an assessment and submitting or otherwise presenting the resulting assessment as an individual student's own work;
- (ii) Unpermitted collaboration in the preparation for submission of a seen assessment or communication with another student within an unseen examination.

Aiding and abetting is the act of assisting another student in the act of committing academic misconduct. This can consist of the student supplying the student their

¹ Examination or assessment regulations here is interpreted to mean any formal document issued by the University, such as the rubrics on an examination question paper, that relates to the conditions or requirements under which an assessment or examination must be taken.

work (even unintentionally) that is then used in the completion of another student's assignment or supporting another student to commit academic misconduct and deceive the University that the completion and submission of an assessment is a student's own work. It is also important to note that if you provide your assignment to third-parties such as an essay bank website, and that assignment is then used by another student in the completion of their own assignment, this can also be considered as aiding and abetting.

(c) Fabrication: is the presentation of data or such other results in reports intended to be based on empirical work which has either not been undertaken or fully completed and where the data or results have, in whole or in part, been deliberately invented or falsified.

(d) Impersonation: is the act of one person assuming the identity of another with the intent to gain an unfair advantage for the person being impersonated, for example, by undertaking an examination on the other's behalf. Both parties, the impersonator and the person being impersonated, shall be considered culpable of academic misconduct.

(e) Contract cheating: is the act of engaging a third party like an 'essay mill', sharing websites (including essay banks), or an individual lecturer, colleague, friend or relative to complete or contribute to the student's research, assignments or examinations. Assessments must be the student's own work and such input from third parties is not permitted, unless expressly allowed under the rubrics of assessment. Contract cheating extends to a student of the University providing such services to others.

(f) False Attribution: is where a student copies or paraphrases work from one source, but knowingly cites or attributes a different source to the work.

(g) Misrepresentation can include:

(i) presenting a claim for extenuating circumstances, or supporting evidence, which is misleading, untrue or false;

(ii) exceeding the word limit specified for an assessment and declaring a lower word count than the assessment contains.

(h) Unauthorised Possession or Reference includes:

(i) being in possession of any prohibited material or item within an examination or assessment room unless expressly permitted by the examination and assessment regulations;

(ii) using unauthorised material or item in an examination or unseen assessment;

(iii) consulting or trying to consult any books, notes or similar material or item while temporarily outside the examination room during the period of the examination;

(iv) gaining access to a copy of an examination paper or assessment material(s) in advance of its authorised release;

(i) Bribery/Intimidation is the act of attempting to influence by bribery or other unfair means an official of the University with the aim of affecting a student's results;

(j) Breach of the Rubrics of the Assessment:

(i) commencing a time-constrained examination or assessment before being instructed by an invigilator to do so or continuing with an examination or assessment after being instructed by an invigilator to stop;

(ii) improper annotation of open book material.

(k) Misuse of Artificial Intelligence (AI): The University acknowledges the benefits of the use of AI technologies to support learning, and where such tools are used, these should be acknowledged in a student's work openly and transparently. Work produced with AI should not be presented as if it is the student's own independent work, and to do so is academic misconduct and is regarded as a form of plagiarism, as the student is presenting work of another (in this case an AI tool) as their own. Students must refer to the Acceptable and Unacceptable Uses of AI guidance that accompanies this policy.

6. Raising and Investigating Alleged Concerns Relating to Academic Practice

6.1. Raising and Determining Concerns

6.1.1. Alleged concerns relating to academic practice must be reported to School Academic Misconduct Officers (AMOs) who are nominated by the Pro-Proctors to determine whether an alleged concern amounts to poor academic practice, suspected

academic misconduct, or if no further action should be taken. Each Pro-Proctor may nominate as many AMOs as are required to properly administer this function.

- 6.1.2. At the point an alleged concern with relation to academic practice is raised, if assessment of that work is ongoing at the time of suspicion, assessment of that work should cease until investigation is complete.
- 6.1.3. ***The student should not undertake any form of reassessment of a piece of work that is suspected of being connected to an alleged concern of academic practice until investigation has been completed.*** Reassessment of that work should only take place when the investigation is complete. Any work that has been graded but not released to the student that is connected to an alleged concern of academic misconduct, should be held back from being released to the student until the investigation is complete.
- 6.1.4. Alleged concerns in academic practice can also be considered after a grade has been formally reported and communicated to the student. If no case of academic misconduct or poor academic practice is found, the AMO also has the discretion to order a re-mark of the piece of work if they are concerned that the original marking was inadvertently biased by the original suspicion of misconduct. In most cases this re-mark will be completed by the second marker/moderator.
- 6.1.5. Save for programmes where other procedures may be specified by the relevant professional or regulatory body, the procedure will be as follows:

A person with alleged concerns relating to academic practice must:

- (a) report the matter to an AMO who will determine whether the issue is indeed academic misconduct or whether it is more appropriate to treat it as poor academic practice; Where the matter is treated as poor academic practice, the AMO should proceed immediately to Section 7 of this policy.
- (b) where an alleged concern is discovered after the event (e.g., when marking coursework) the member of staff must draft a note for the AMO explaining what the alleged concern is and referencing any evidence to support the allegation;
- (c) where an alleged concern occurs contemporaneously with its discovery and where it is necessary to interrupt the student involved, for example to prevent the academic misconduct continuing or to secure evidence, the member of staff involved

shall, if feasible, complete a contemporaneous report and shall invite the student to verify the report and /or to add a statement to the report;

(d) submit the completed report form to the AMO.

6.1.6. Use of *viva voce* examinations as part of raising and determining concerns

The University may, as part of raising and determining concerns, use a *viva voce* examination (hereon in referred to as a viva) in order to establish the authenticity of the student's work. A viva is an oral examination between the student and a nominated examiner, where the student is questioned on the nature of the work presented, and to determine the extent to which the student understands the concepts presented. This method is to be used where there is an alleged concern that the student may not be the author of the work concerned (e.g., suspected contract cheating) or as part of a random sampling to ensure the authenticity of a student's work where there is no suspicion. Should a viva be used, then the following approach should be taken:

- (a) Authority to establish a Viva: The authority to use a viva to examine a concern with regards to academic practice shall be provided by either the University Proctor or their nominee. The University Proctor or nominee should be provided with the rationale for the requirement of the viva, and any associated evidence (e.g., the work in question and an outline of the concerns relating to it). The University Proctor or their nominee can then determine whether a viva or other means as outlined in this policy should be used to investigate the concern.
- (b) Notification of a Viva to the Student: Three working days prior to the intended viva, the student is to be informed by email that there is a concern with relation to the authenticity of their work, and that whilst a determination of poor academic practice or academic misconduct has not yet been made, there are concerns that need to be investigated. As part of this email communication, the student will be provided with guidance on how to prepare for the viva, information on when and where the viva will take place (either in person on campus, or digitally via Microsoft Teams), how the meeting will be recorded (e.g., by written confirmed minute in an in-person meeting, or through digital recording through a Microsoft Teams meeting).
- (c) Confirmation of Viva attendance by the Student: The student must confirm their attendance within 48 hours of receiving this invitation (e.g., 24 hours prior to the scheduled viva). If no response is received, or the student does not attend the

meeting without good cause, this may be used as evidence in a poor academic practice or academic misconduct case.

- (d) **Format and constitution of the Viva:** Vivas will be conducted by internal examiner(s) who have specific subject knowledge of the work being examined. For digital meetings on Microsoft Teams, the viva will be conducted by one internal examiner and the meeting will be audio-visually recorded. For in-person meetings on campus, the viva will be conducted by two internal examiners and the meeting will be recorded by the writing of a confirmed minute following the examination. Only the student and the internal examiner(s) will be present at the viva.
- (e) **Reporting outcomes of the Viva:** A written report of the viva will be provided by the internal examiner(s), and if it is the determination of the report that the student has provided satisfactory responses, the concerns relating to academic practice will not proceed further. Where concerns relating to academic practice remain or are raised following the viva, then the report will be included as evidence as part of the pre-hearing procedures for cases of academic misconduct (proceed from Section 6.2 below).

6.2. *Investigation Procedures for Cases of Academic Misconduct*

- 6.2.1. Where an alleged concern is referred for an academic misconduct investigation, the AMO must send the evidence upon which they rely and particularise the allegation(s). Care must be taken to ensure that the allegations are written in clear, unambiguous terms and that each alleged act or omission forms a single allegation. The allegation(s) and evidence must be sent to the Proctor's Office within 20 working days of the AMO receiving an alleged concern, unless the 20 days falls within a diet of examinations and the AMO exercises their discretion to wait until the student has completed that diet. In addition to notifying the Proctor's Office, the AMO must also report the matter to the Examinations Team in strictest confidence in order to ensure a hold is placed on results whilst an investigation is ongoing.
- 6.2.2. Where a case is referred for an academic misconduct investigation and relates to a group of students (two or more), the investigation will be carried out as a group investigation, with the other student(s) who were involved in the alleged misconduct. Students who do not agree to proceed with a group investigation or who wish to

discuss anything further outside of the group investigation will do so separately to the group.

- 6.2.3. Within 5 working days of receipt of the allegation(s) and evidence from the AMO, the Proctor's Office, shall arrange for the particularised allegations and evidence to be sent to the student(s) along with a Case Management Form. The student is permitted to make written representations at this stage, including through the submission of evidence. The student must return the Case Management Form and any representation and/or evidence must be returned within 5 working days of receiving the allegation(s) and evidence.
- 6.2.4. In the case of minor to moderate offences, where the student admits the offence in their Case Management Form, the Proctor's Office have the discretion to proceed immediately to the allocation of an appropriate penalty in line with the offence admitted. In such cases, the student, upon receiving the outcome and allocated penalty, shall have the right to appeal the outcome if they believe they have grounds. Where a successful appeal is granted, the case shall be returned to the Proctor's Office, and shall proceed to a full desk-based assessment as outlined in Section 6.2.6. of this policy.
- 6.2.5. Concurrent with allegations and evidence being sent to a student, the Proctor's Office will make the following determinations on how the case will be investigated and heard using the below matrix. Please note that the University Proctor, or nominee, has the authority to determine the way a case can be investigated and heard as stipulated in the General Academic Regulations (GARs), and in such cases the University Proctor, or nominee, will write to the student(s) involved and articulate the reasons for this decision. Further to this, alleged offences that do not appear in the matrix below will be considered by the University Proctor or nominee as to whether they will be determined by the Proctor's Office, or go to the Academic Misconduct Panel. The University Proctor, or nominee, will in such instances write to the student(s) involved and articulate the reasons for this decision:

Minor Offences	Moderate Offences		Major Offences
Determination by the Proctor's Office	Determination by the Proctor's Office		Academic Misconduct Panel
Plagiarism/Collusion (first offence, < 30%)	Poor Academic Practice (second offence, any subsequent offence should be considered as another form of misconduct and appropriately referred)	Plagiarism/Collusion (second offence, >30%)	Plagiarism/Collusion (third and any subsequent offence)

	Plagiarism/Collusion (first offence, > 30%)	Fabrication (second offence)	Fabrication (third and subsequent offences)
	Plagiarism/Collusion (second offence, <30%)	Misuse of AI (first and second offences)	Impersonation (all instances)
	Fabrication (first offence)	Misrepresentation (second offence)	Contract Cheating (second offence or where more than two assessments are concurrently affected in a sitting)
	Misrepresentation (first offence)	Examination Misconduct (second offence)	Misuse of AI (third and subsequent offences)
	Examination Misconduct (first offence)	Contract Cheating (first offence)	Misrepresentation (third and subsequent offences)
			Examination Misconduct (third and subsequent offences)
			Bribery/Intimidation (all offences)

6.2.6. Determination by the Proctor's Office: Particular alleged concerns as outlined in the table under 6.2.5. that are considered minor and moderate offences will undergo a desk-based investigation by the University Proctor or Proctor's delegate². This desk-based investigation shall be completed within 10 working days of the deadline for receipt of the case management form from the student(s):

- a) The University Proctor or delegate will examine the evidence presented by the AMO and any representations from the student(s) concerned. The University Proctor or delegate may contact the student(s) or any witness they believe pertinent to the case to gather further information as part of their investigations should they so wish. Where the student(s) does not submit their Case Management Form or make any form of representation in relation to the allegations sent to them within the specified timelimits, the University Proctor or delegate will proceed and consider the case and arrive at their findings and recommendation on the basis of the evidence before them.
- b) Following investigation, a determination will be made as to whether academic misconduct has occurred or not, and where it has occurred, the University Proctor or delegate will move to issue a penalty and the reasons for this penalty, as per the procedure under Section 8 of this policy. Where it has been determined to not have occurred, the case will be dismissed.

² A Proctor's delegate can either be the University Proctor, the Deputy Proctor, Pro-Proctor, a Deputy Pro-Proctor, or a Chair of the Academic Misconduct Panel

- c) The University Proctor or delegate may also choose to escalate the alleged misconduct to the Academic Misconduct Panel should they believe that the alleged misconduct should be considered in this way, either by assessing the evidence in full or from further evidence gathering during the investigation. As such the Proctor's Office may proceed to 6.2.7. of this policy.
- d) In the case of 6.2.6. b) The Proctor's Office will then write to the student(s) detailing the academic misconduct committed, the penalty, and reasons for issuing this penalty.
- e) Students may appeal against the decision of the University Proctor or delegate as per Section 11 of this policy but must have the grounds to do so as per the Academic Appeals Policy.

6.2.7. Academic Misconduct Panel: Particular alleged concerns as outlined in the table under 6.2.5. that are considered moderate or serious will be considered by the Academic Misconduct Panel. On receipt of the Case Management Form from the student, the appointed Panel Chair must consider it and any evidence and/or representations made by the student. Within 5 working days the Chair must decide:

- (a) whether the evidence provided warrants for the hearing to proceed; and,
- (b) whether any further information is required; or,
- (c) if any new information means no further action should be taken in relation to the allegation;
- (d) whether any witnesses should be called.

6.2.7.1. Where doubt exists as to the admissibility of the evidence, the Chair of the Academic Misconduct Panel shall decide and the Chair's decision shall be final and shall include reasoning for their decision.

6.2.7.2. The Proctor's Office shall communicate to the student any decisions made by the Panel Chair and arrange a date for hearing the case. There shall be a minimum of ten working days' notice from the date of issue of the letter informing the student of the hearing date and the date and time of the hearing before the Panel.

6.2.7.3. Any evidence relied on by the University must be sent to the student along with notice of the hearing.

6.2.7.4. Pre-hearing timeline summarised:

- Within 20 working days (save where it is within a diet of exams and the AMO uses their discretion to allow a student to finish that diet) of an AMO being notified of suspected academic misconduct they must either close the case, issue a caution, or refer it to the Proctor's Office for consideration with particularised allegations and a bundle of evidence.
- If the case is referred to the Proctor's Office, within 5 working days of receiving the allegation(s) and evidence from the AMO, notification must be sent to the student.
- Within 5 working days of receiving the allegation(s) and evidence, the student must return the Case Management Form and any evidence.
- Where the case is being considered under 6.2.6. and a determination is to be made by the Proctor's Office, this will be completed within 10 working days of the deadline for receipt of the Case Management Form from the student.
- Where the case is being considered under 6.2.7., within 5 working days of receiving the Case Management Form and any evidence from the student, the Panel Chair must decide if the hearing will proceed and make any necessary directions for it to do so.
- Within 5 working days of the Panel Chair making any decisions, the student must be notified of the date of the hearing giving them at least 5 working days' notice.

6.3. *Hearing Procedure for Cases of Academic Misconduct*

6.3.1. An Academic Misconduct Panel shall be constituted in accordance with the Terms of Reference as set out in the University's Governing Structures.

6.3.2. The Academic Misconduct Panel is responsible for:

- (a) establishing whether the alleged violation is proven;
- (b) determining what, if any, mitigating circumstances apply; and,
- (c) deciding on a penalty.

6.3.3. The student shall have the right to be accompanied at the hearing by an observer. Legal representation is not permitted. The observer is not permitted to address the panel or question witnesses. Observers can be:

- (a) an officer from the University Students' Association;
 - (b) a fellow student;
 - (c) the President of the Students' Association;
 - (d) a translator (where appropriate);
 - (e) an aid who assists the student in relation to a disability and/ or special needs.
- 6.3.4. The student will be allowed two working days before the hearing in which to consult the evidence gathered by the Panel. During the hearing the student shall have the right to question such witnesses as are directly relevant to establishing the facts of the case and whether there were any mitigating circumstances.
- 6.3.5. Where a student fails to attend the hearing without good cause, or has waived the right to attend the hearing, the Panel will proceed and consider the case and arrive at its findings and recommendation on the basis of the evidence before it.
- 6.3.6. The Panel shall find that:
- (a) no misconduct has been committed, and recommend that the case be dismissed and the student's results be processed as normal; or,
 - (b) no misconduct has been committed but that there has been poor academic practice and decide on remedy (proceed to Section 7 of this policy, unless it is a graduate under investigation, where Section 10 must be consulted); or,
 - (c) misconduct has been committed, consider any mitigating circumstances and decide on penalty (proceed to Section 8 of this policy, unless it is a graduate under investigation, where Section 10 must be consulted).
- 6.3.7. The Chair of the Panel shall, within five working days of the hearing, write to the student and the Dean of School to inform them of the Panel's decision, the penalty or penalties (if any) to be imposed, and the student's right of appeal. At the Panel Chair's discretion, they may inform the student of the Panel's decision at the conclusion of the hearing.

7. Managing Issues of Poor Academic Practice

- 7.1. In the case of poor academic practice, the primary aim shall be to endeavour to improve the student's understanding of what constitutes academic malpractice and why, for the benefit of the student's approach to academic study and the avoidance of further errors. Approaching poor academic practice in this way does not preclude

the negation of any advantage that may have been gained by the student had not the poor academic practice been identified.

- 7.2. Where poor academic practice is found, the AMO will write to the student outlining the concerns and evidence, and provide the student with an opportunity to respond to the allegation within 10 working days of receiving the letter.
- 7.3. Where the student responds to the allegation, the AMO shall evaluate the case, which may include carrying out further investigations as necessary, including correspondence with the student or other staff. A decision on the response will be made within 10 working days which will either be:
 - a) Dismissal of the allegation of poor academic practice; or,
 - b) The allegation still amounts to poor academic practice.
- 7.4. Where poor academic practice is still found, or the student accepts that poor academic practice has occurred, or where the student does not respond to the allegation of poor academic practice, the AMO will write to the student confirming the decision. The reasoning for the decision will be provided, and the penalty to be applied will be provided.
- 7.5. Penalties for poor academic practice may include:
 - a) A formal caution;
 - b) Removal of the advantage (either through voiding the assessment attempt or through the marking and moderation process and in relation to the marking criteria;
 - c) If there is a repeated instance of poor academic practice, treating this as Academic Misconduct and following Section 6 of this policy.
- 7.6. Students may appeal against the decision of poor academic practice as per Section 11 of this policy.

8. Penalties for Academic Misconduct

- 8.1. For post-award cases, please consult Section 10.
- 8.2. In the case of academic misconduct, the primary aim of any penalty shall be to protect the integrity of the University's reputation, assessment processes and awards. Approaching academic misconduct in this way does not preclude the imposition of penalties that endeavour to improve the student's understanding of

what constitutes academic misconduct and why, for the benefit of the student's future approach to academic study.

8.3. Where academic misconduct is found to have occurred the Academic Misconduct Panel shall decide an appropriate penalty taking into account:

(a) the available penalties permissible under these regulations below;

(b) The degree of intention:

- i. Premeditation: the student has planned in advance to gain an unfair advantage (the most serious cases are when an action is pre-meditated);
- ii. Intention: the student had the intention to gain an unfair advantage (the greater the intended unfair advantage the greater the seriousness);
- iii. Recklessness: the student's behaviour was reckless (little or no consideration of the consequences of an action) and consequently they gained an unfair advantage (the greater the degree of recklessness the more serious the allegation);
- iv. Negligence: the student's behaviour arose out of ignorance or misunderstanding of the assessment conditions and/or context, and did not constitute a deliberate intention to gain an unfair advantage;
- v. Circumstances: the circumstances and location in which the academic misconduct allegedly took place (the greater the damage to the University's reputation the more serious the allegation).

(c) other aggravating factors that may cause an action to be considered more serious. The list below is not intended to be comprehensive or in order of seriousness.

- i. Previous proved allegation particularly where a pattern is disclosed;
- ii. Students operating in groups to gain an unfair advantage (where this is not inherent in the offence itself);
- iii. Committing the act for financial gain;
- iv. An attempt to conceal or dispose of evidence;
- v. Failure to respond to warnings or concerns expressed by others about the student's behaviour;
- vi. Committing the act while under the influence of alcohol or drugs;

- vii. Use of information to intimidate;
- viii. Abuse of a position of trust;
- ix. Membership of a statutory or professional body, or being on a programme accredited by or leading to the award of a statutory or professional body.

(d) Where however, a factor is an integral feature of the offence, the presence of the aggravating factor is already reflected in the offence and cannot be used as justification for increasing the penalty further;

(e) any factors presented by the student in mitigation including;

- i. an admission of the offence at the first reasonable opportunity, which will normally reduce the severity of the penalty; and
- ii. credit for co-operation with the University's investigation, depending on the particular circumstances of the individual case.

8.4. Penalties imposed for Academic Misconduct are outlined in the table below, which also provides guidelines for the application of those penalties. In all cases in addition to the penalty, all students will undertake academic integrity re-training, save those who are terminated. Factors as outlined in 8.3. should also guide determination of penalty allocation, and panels have the discretion to allocate any penalty they believe is proportionate to the offence committed, save termination, which is only used in severe cases. It is important to emphasise that the below are guidelines for application, and where a case is particularly serious, even as a first offence, the panel may recommend any penalty or combination of penalties proportionate to the offence committed:

Penalty	Guidelines for application
Written warning to be retained on the student's record for the rest of the period of study within the University.	<ul style="list-style-type: none"> • Minor to moderate first offence where more significant penalties are not appropriate. <p>This should normally only be used for a first offence, and further offences should lead to consideration of higher penalties. Where it is used</p>

	beyond a first offence, a clear justification must be given, and would usually only be applied in such a situation where there are significant extenuating circumstances.
Deducting marks proportionate to the misconduct committed to counteract the advantage gained in the assessment and/or examination.	<ul style="list-style-type: none"> • Moderate first offence, where a written warning is not appropriate. • Minor second offence <p>The work presented is not significantly compromised by the academic misconduct, but the offence warrants the advantage being counteracted through deduction of marks.</p>
Capping the assessment and/or examination to the pass mark.	<ul style="list-style-type: none"> • Serious first offence • Moderate second offence <p>The work presented is moderately compromised by academic misconduct, and so the offence warrants the advantage being counteracted through capping of the assessment/examination to the pass mark.</p>
Assigning a mark of zero to the assessment and/or examination and requiring the student to retake the assessment and/or examination. If this is a third and final attempt, and the student cannot retrieve their academic progression, the student will be academically withdrawn. Any mark above the pass mark in reassessment, will be capped at the pass mark, and will be considered a resit.	<ul style="list-style-type: none"> • Serious first offence • Moderate second offence <p>Capping the assessment and/or examination to the pass mark is not appropriate. Typically assigned when the assessment and/or examination is significantly compromised by academic misconduct, or the student requires to retake the assessment to demonstrate their ability to produce assessments with academic integrity.</p>
Capping the entire module to the pass mark	<ul style="list-style-type: none"> • Serious first offence • Moderate second offence

	<p>The student has committed quite significant misconduct that has far reaching implications to the module where capping individual assessments or examinations is not appropriate (e.g., the individual assessment/examination accounts for <50% of the module).</p>
<p>Assigning a mark of zero to the module and requiring the student to retake the assessments and/or examinations for that module. If this is a third and final attempt, and the student cannot retrieve their academic progression, the student will be academically withdrawn. Any mark above the pass mark in reassessment, will be capped at the pass mark, and will be considered a resit.</p>	<ul style="list-style-type: none"> • Moderate second offence • Serious second offence • Third offences, where termination of studies is not appropriate (e.g., in the fact of extenuating circumstances or the case is particularly compelling) <p>Capping the module is not appropriate. Typically assigned when the assessments and/or examinations for the module are significantly compromised by academic misconduct, or the student requires to retake the module to demonstrate their ability to produce assessments with academic integrity.</p>
<p>Referral to the Proctor's Office for Termination of Studies</p>	<ul style="list-style-type: none"> • Third offence. • Can be applied where second offences are particularly aggravated. All second offences of Contract Cheating will be referred for this consideration. For egregious first offence cases of contract cheating, Academic Misconduct Panels can refer the student to the Proctor's Office for termination of studies. <p>This should not be used in first offences (unless it is an egregious case of contract cheating), but can be applied where second offences are particularly aggravated.</p>

	<p>This should always be considered where it is a third offence. When this penalty should be considered, there may sometimes be extremely rare circumstances where this penalty is not appropriate, and a lesser penalty may be applied, with a clear statement to the student that any further infraction will result in termination.</p>
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8.5. Where a case of academic misconduct gives rise to concern about the integrity of the assessment of a student’s previous module or modules, those modules may be reviewed to investigate whether malpractice has occurred before. In all cases of contract cheating, an examination of all previous work will form as part of the investigation, and may be taken into account when determining both an outcome and penalty.

9. Statutory, Professional Body, and Apprenticeship-Based Awards

9.1. On a programme leading to the award of a statutory or professional body, or on a programme accredited by a statutory or professional body, the University may be required to notify the statutory and/or professional body that the student is being investigated for academic misconduct. Advice will be taken from the student’s School, and also in line with the expectations of the statutory and/or professional body and their policy, procedures, and guidance on this. Where the University has a duty to report that a student is being investigated for academic misconduct, the University will do so, but be clear to the statutory and/or professional body that the student is under investigation, and that no judgement has been made and that the student should be treated without prejudice. If a case of academic misconduct has been upheld, the University may receive guidance on the penalty by the relevant statutory and/or professional body where it is necessary to report the outcome to, and to ensure the penalty is consistent with the University’s duties to that statutory and/or professional body.

9.2. On a programme leading to the award of a statutory and/or professional body, or on a programme accredited by a statutory and/or professional body, the University undertakes to report to that body any identified breach of the Academic Misconduct Regulations in accordance with any agreement or regulation that exists between the University and the relevant professional body at the time of the misconduct being found proven. This is automatic except where a warning is issued for the first

instance of poor academic practice, where guidance will be taken from the student's School, and where appropriate, the statutory and/or professional body, on whether such a warning requires to be reported.

- 9.3. Where a student commits academic misconduct and is on a programme of study that is not regulated by a statutory and/or professional body, but then subsequently enrolls on a programme which is regulated, a report will be made to the relevant body relating to the earlier misconduct if that regulatory body requires the University to do so.
- 9.4. Where a student appeals a finding of academic misconduct, the report will not be made until the appeal has been determined.

10. Procedure where Academic Misconduct is suspected post-Award

- 10.1. Where academic misconduct is suspected after the award of the degree, the matter should be reported to the University Proctor, who will appoint an AMO to consider the evidence and report their findings on whether there is a case to answer. Due consideration must also be given to Section 9 of this policy when raising a case of post-award suspicions on programmes that have a Statutory, Professional Body or Apprenticeship-Based element.
- 10.2. If the University Proctor determines there to be a case to answer, then they will instruct the Proctor's Office to arrange for the investigation procedures for academic misconduct to be initiated, and a full hearing be convened to investigate the alleged concerns.
- 10.3. It is important to note that the graduate under investigation is to be provided with the same rights and accommodations as any current student of the University under investigation for academic misconduct. This includes the right to be accompanied to any hearing as set down in this policy. Furthermore, if the graduate fails to engage with the process without good cause, the Panel Chair may choose to proceed in the graduate's absence. If the graduate is unable to attend, or chooses not to, they can send a written statement. It is also important to note that procedures for investigation post-award may function outwith the usual timescales outlined in this policy as a result of the complexity of the investigation. For example:

- (a) The graduate under investigation is no longer resident in the locality of a BPP Centre and therefore must be provided with reasonable time to attend any scheduled academic misconduct panel;
- (b) Significant time may have elapsed since the alleged misconduct, and therefore a complex investigation may need to take place to account for this;
- (c) The evidence to be assessed may be of sufficient volume and complexity that greater time is required to consider this;
- (d) Where additional time is required, the Panel Chair must assess the amount of additional time required and seek the approval of the University Proctor for this extension to the timescales of proceedings. Where this is the case, and the University Proctor has permitted the required extension of time, the Office for Regulation and Compliance will adjust timescales accordingly, and in their initial correspondence to the graduate they will outline these adjusted timescales and the reasons for them.

10.4. In situations where the graduate under investigation cannot be contacted or the graduate does not respond to the University's contact request, then the issue will be referred to the University Proctor for further consideration. The University will undertake reasonable endeavours to make the graduate under investigation aware of the case raised against them, but in the absence of any contact with the graduate, the University Proctor can stipulate that the panel proceeds in the graduate's absence.

10.5. Where academic misconduct is found to have occurred the Academic Misconduct Panel shall decide an appropriate penalty taking into account:

- (a) the available penalties permissible under these regulations below;
- (b) The degree of intention:
 - i. Premeditation: the graduate has planned in advance to gain an unfair advantage (the most serious cases are when an action is pre-meditated);
 - ii. Intention: the graduate had the intention to gain an unfair advantage (the greater the intended unfair advantage the greater the seriousness);
 - iii. Recklessness: the graduate's behaviour was reckless (little or no consideration of the consequences of an action) and consequently they gained an unfair advantage (the greater the degree of recklessness the more serious the allegation);

- iv. Negligence: the graduate's behaviour arose out of ignorance or misunderstanding of the assessment conditions and/or context, and did not constitute a deliberate intention to gain an unfair advantage;
 - v. Circumstances: the circumstances and location in which the academic misconduct allegedly took place (the greater the damage to the University's reputation the more serious the allegation).
- (c) other aggravating factors that may cause an action to be considered more serious. The list below is not intended to be comprehensive or in order of seriousness.
- i. Previous proved allegation particularly where a pattern is disclosed;
 - ii. Graduates operating in groups to gain an unfair advantage (where this is not inherent in the offence itself);
 - iii. Committing the act for financial gain;
 - iv. An attempt to conceal or dispose of evidence;
 - v. Failure to respond to warnings or concerns expressed by others about the graduate's behaviour;
 - vi. Committing the act while under the influence of alcohol or drugs;
 - vii. Use of information to intimidate;
 - viii. Abuse of a position of trust;
 - ix. Membership of a statutory or professional body, or being on a programme accredited by or leading to the award of a statutory or professional body.
- (d) Where however, a factor is an integral feature of the offence, the presence of the aggravating factor is already reflected in the offence and cannot be used as justification for increasing the penalty further;
- (e) any factors presented by the graduate in mitigation including;
- i. an admission of the offence at the first reasonable opportunity, which will normally reduce the severity of the penalty; and
 - ii. credit for co-operation with the University's investigation, depending on the particular circumstances of the individual case.

10.6. As the graduate is no longer registered for the award at the University as a result of their graduation, the penalties imposed for Academic Misconduct discovered post-

award differ to those of a current registered student at the University. The penalties available may therefore be applied, in singularity or collectively:

- a) A determination of poor academic practice is considered.
- b) A specific deduction of marks that accounts for the advantage conferred by the academic misconduct; this may result in the graduate's award receiving a lower classification, the original award being downgraded to a lower award, or the award being withdrawn in its entirety for not meeting the original award requirements.
- c) Assigning a mark of zero to the item(s) of assessment and/or examination or to the entire module to which the misconduct relates; this may result in the graduate's award receiving a lower classification, the original award being downgraded to a lower award, or the award being withdrawn in its entirety for not meeting the original award requirements.
- d) Award of a lower classification for the original award.
- e) Withdrawal of the original award, and conferral of a lower award.
- f) Complete withdrawal of the original award, without any conferral of a lower award.
- g) A reasonable penalty that relates to the severity of the offence suggested by the Academic Misconduct Panel approved by the University Proctor. This would normally be used where the above penalties are deemed inappropriate, and the penalty determination and the reasons for not selecting options (a-e) must be unanimously agreed upon by the Academic Misconduct Panel, ahead of seeking approval from the University Proctor.

10.7. Penalties 10.6. (e) & (f) should normally be reserved for serious cases of misconduct.

10.8. Where a case of academic misconduct gives rise to concern about the integrity of the assessment of a graduate's previous module or modules, those modules may be reviewed to investigate whether misconduct has occurred before.

10.9. Once the panel has concluded its considerations, they will reach a decision subject to approval by the University Proctor who will ensure the appropriate actions are taken.

11. Appeals

- 11.1. A student/graduate may appeal to the Academic Appeals Board, against the decision of the Academic Misconduct Panel or poor academic practice determination.
- 11.2. The Academic Appeals Board's decision shall replace with full effect the decision of the Academic Misconduct Panel or poor academic practice determination.
- 11.3. Where the decision is to reject the student's/graduate's appeal, the student/graduate will be informed in writing that the University's internal procedures have been completed and the student will be issued with a Completion of Procedures Letter.
- 11.4. Where the student/graduate is dissatisfied with the decision of the University, they may refer their complaint to the Office of the Independent Adjudicator (OIA), within 12 months of BPP University issuing a Completion of Procedures Letter (www.oiahe.org.uk).

12. Conferment of an Award

- 12.1. A student may not graduate, until the investigation into any academic malpractice that they have been alleged to have committed has been completed.
- 12.2. On conclusion of the appeal and where the decision of the Academic Appeals Board is to amend the student's results, on the authority of the Academic Council, the student shall be eligible to receive a revised transcript and, if the amended results affect the classification of the award, to be conferred the revised class of award and receive a new certificate.
- 12.3. Where the decision of the Academic Appeals Board results in the student being admitted to an award the student may either receive the award in person at the next congregation or to be deemed to have been admitted to the award on the authority of the Academic Council.

13. Monitoring, Evaluation and Review

- 13.1. The Office of Regulation and Compliance shall provide an annual report to the Education and Standards Committee summarising the cases that have been considered and the action taken in relation to each and a commentary on the effectiveness or otherwise of the procedures and any recommendations for change.

13.2. The effectiveness of the Academic Practice Regulations and Procedures must be monitored, evaluated and reviewed annually and a report made to the Academic Council through the Education and Standards Committee.

Policy Revision History

Version Number	Description	Author	Reviewed	Date
1.0	Revised and re-presented policy following first stage review of regulatory framework	Director of Academic Governance & Proctor	Dean of Academic Quality & Policy	July 2022
2.0.	Alignment to the revised GARs, revisions to the penalties matrix, addition of pre-hearing admission procedures, and viva voce examinations to determine concerns.	Director of Academic Governance & Proctor	Dean of Academic Quality & Policy	July 2023
3.0.	Alignment with Acceptable and Unacceptable Uses of AI guidance, and inclusion of revisions to Statutory and Professional Bodies Reporting Requirements.	Director of Academic Governance & Proctor	Dean of Academic Quality & Policy	July 2024
4.0.	Addition of modifications to the management of contract cheating, viva operation, penalty frameworks, and apprenticeship details.	Associate Dean for Academic Governance & University Proctor	Dean of Academic Quality, Policy & Outcomes	March 2026