

21st May 2009

University of Birmingham

Revised Code of Practice on Plagiarism

Purpose of Paper

1. APRC is requested to **approve** the revised Code of Practice on Plagiarism (Appendix 1)

Proposal

2. That the revised Code of Practice on Plagiarism (Appendix 1) replace the current Code of Practice on Plagiarism from the beginning of the 2009/10 session.
3. That Schools be required to keep a record of plagiarism cases, to be reported annually to an appropriate body of the College and University.

Consultation

4. The revised Code of Practice on Plagiarism has been produced taking into account comments received from plagiarism contacts within Schools and from the Student Conduct and Appeals section of Academic and Student Administration.
5. A draft version of the Code of Practice was produced in collaboration with the Student Conduct and Appeals section of Academic and Student Administration and has been circulated for comment to plagiarism contacts within Schools, Legal Services and the Deputy Pro-Vice Chancellor (Academic Quality & Students). All comments have been considered and incorporated where necessary, and in light of the comment several sections of the circulated draft have been further revised.

Background

6. Plagiarism is a high-profile issue within the Higher Education sector, and one that requires careful handling, as cases of plagiarism can vary between ignorance of conventions to deliberate attempts to pass off someone else's work as one's own. It is important for the University to have the ability to respond effectively to plagiarism, but for the response and any penalty to be appropriate to the level of plagiarism committed.
7. With greater awareness of the issue, and the increasing use of specific tools for the detection of plagiarism, such as Turnitin, anecdotal evidence from plagiarism contacts across the University suggests that the number of cases of plagiarism is increasing. This requires an efficient, if thorough, system of dealing with plagiarism which does not require excessive use of staff time.

8. The current Code of Practice on Plagiarism was adopted as part of the review of legislation in 2007-08.¹ At the time there was only time for minimal changes to the previous version of the Code of Practice, adopted in 2004-05,² to be drafted and approved, so in effect the procedures mapped in the current Code of Practice on Plagiarism are those originally adopted. At the time it was envisaged further revisions may be necessary to the Code of Practice on Plagiarism.
9. It has become increasingly clear that the current procedures mapped in the current Code of Practice on Plagiarism are in need of some revision, an opinion confirmed by the comments on the current Code of Practice on Plagiarism made by School plagiarism contacts.
10. Currently no complete records are kept of numbers of plagiarism cases. This means any survey of this issue is reliant on anecdotal evidence, which may not fully represent the picture. For example, although it is clear that a majority of cases of plagiarism appear to be low-level, it is not certain what proportion of cases fall into this category vis-à-vis mid-level or serious cases of plagiarism.

Arguments to Support Proposal

11. The following principles underlie the revised Code of Practice on Plagiarism:
 - a. that there are different levels of plagiarism, which should have correspondingly different levels of penalty;
 - b. that discerning what is plagiarism and what is not is a matter of academic judgement, and should therefore only be undertaken by Academic Staff, and that there is no appeal against the judgement (although appeal against particular penalties should be permissible); and
 - c. that there is differing practice across Schools as to who conducts interviews with students suspected of plagiarism, and that as these systems seem to work, it is preferable for the Code of Practice on Plagiarism not to have to specify which member of Academic Staff in the School has responsibility for undertaken any particular task and to leave this decision in the hands of the School.
12. The revised Code of Practice on Plagiarism has been organised as far as possible to describe each stage of the process in the order it occurs, to make consultation and comprehension of the process more complete.
13. The principal changes to the current Code of Practice on Plagiarism are as follows:
 - a. the introduction of an initial meeting between a member of Academic Staff and the student suspected of having committed plagiarism prior to the formal Plagiarism Interview (Section 4). This would allow speedier resolution of low-level cases, where no penalty will be imposed, and give students who accept they have committed moderate plagiarism (this term replaces mid-level plagiarism) the option of accepting a penalty deemed appropriate by the member of Academic Staff rather than having to undergo a full Plagiarism Interview. This will allow students to discuss their suspected

¹ APRC.08.04.04

² AB.05.06.13

plagiarism with Academic Staff, and to gain a fuller understanding of what they have done wrong and how to avoid this in the future. It is also intended to free up staff time by allowing them to deal relatively rapidly with the majority of cases of plagiarism;

- b. the postponement of the decision as to what level the suspected plagiarism should be assigned until the initial meeting, so that the student has an opportunity to present his or her case and to inform the member of Academic Staff's decision (Clauses 4.4);
 - c. the levels of suspected plagiarism have been redrafted, in order to emphasise the difference between ignorance of conventions (low level), ignoring the guidelines as to what consists one's own work (moderate) and attempting to deceive the marker (serious), with the corollary that a repeated offence at one level will be treated at the higher level. Fabrication of data has been incorporated into serious plagiarism (Clause 4.5);
 - d. the removal of the process whereby if a student failed to attend a Plagiarism Interview, the case would be referred to a further member of Academic Staff to decide whether it was plagiarised or not. This seemed contradictory, as the two members of Academic Staff present at the interview could judge whether a piece of work was plagiarised if the student was present, but not if the student was not present;
 - e. the removal of penalty from low-level plagiarism, which is defined as plagiarism deriving from ignorance of conventions, and would normally only be applicable to students in their first year of study. It was felt that if plagiarism was indeed due to ignorance, a warning not to repeat the error would be sufficient deterrence. As a repeat case of low-level plagiarism would be classed as moderate plagiarism, and therefore subject to penalty, a record should be kept of all students who have committed low-level plagiarism;³
 - f. ensuring students have the right to appeal a penalty imposed as a result of moderate plagiarism having taken place if new evidence is forthcoming or a procedural irregularity takes place (Clause 7.2);
 - g. a revision of the procedure for plagiarism in group-based exercises (now extended to include possible cases of collusion) to emphasise that where possible students should be seen individually to reduce the risk of coercion or of all students adopting the same story in a meeting (Section 8);
 - h. the role of the
 - i. as a result of changes being made to the registration process, the revised Code of Practice on Plagiarism assumes students will have accepted that their work may be electronically examined for plagiarism (Section 3)
14. In order to aid staff with using the process, a flow diagram of the key stages has been appended to the revised Code of Practice.

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Academic and Student Administration

³ Note that due to professional requirements imposed by some Regulatory Bodies that any record of plagiarism, however low-level, on a student's record will disbar them from professional accreditation, it may be necessary to have these records held separately.

Code of Practice on Plagiarism

1. Principles

- 1.1 Plagiarism is the act of a student claiming as his or her own, intentionally or by omission, work which was not done by that student. For the purpose of this Code of Practice this includes auto-plagiarism and fabricating evidence, results or data as well as copying work done by others. More detailed information on what constitutes plagiarism is contained in the separate document "Guidance for Students on Plagiarism".
- 1.2 Plagiarism may arise in a number of differing ways within an academic context, including the copying of the work of another student, the reproduction of course materials, notes or data, the cutting and pasting of material derived from the World Wide Web and the direct transcription of the contents of a textbook or journal. This may include adaptation of existing texts.
- 1.3 Plagiarism also includes a student deliberately claiming to have done work submitted by the student for assessment which was never undertaken by that student, including the buying of essays and fabrication of data. This constitutes a deliberate attempt to deceive the marker.
- 1.4 Each School will have in place a nominated member of Staff (the Plagiarism Contact) who will be the first point of contact for Staff within the School where plagiarism is suspected or detected.

2. Guidance

- 2.1 Each School will distribute written guidance, in programme materials and through other media as appropriate, to Registered Students on starting their programme as to what constitutes adequate referencing and plagiarism, particularly within a subject-specific context, and on how to reference work properly.
- 2.2 The School must ensure there is provision of guidance on what constitutes plagiarism during the induction process.
- 2.4 Schools must seek to develop Registered Students' referencing skills throughout the duration of their studies.
- 2.5 Where a School makes use of a formal Learning Agreement on the avoidance of plagiarism, Registered Students should be advised specifically of the requirements relating to this, prior to completion of the agreement between the Registered Student and the University.
- 2.6 Schools may also use assignment cover sheets within which Registered Students certify that their submitted work has not been plagiarised.
- 2.7 Where a Programme makes use of group-based work or study, any methodology to be used for the purposes of ultimately disaggregating the individual and the collective inputs for assessment purposes must be specified by the School in advance. Particular attention should be paid to ensuring that all Registered Students involved understand the boundaries between

legitimate collaboration and plagiarism.

3. Detection of Plagiarism

- 3.1 The University reserves the right to use all legitimate means at its disposal to detect plagiarism where it arises. All submitted work will be liable to scrutiny in order to identify any plagiarised element
- 3.2 Where a School uses plagiarism detection software, it will advise the Registered Students concerned in advance as to how this process will be undertaken and of the particular submission requirements (if any) involved.
- 3.3 Schools must ensure that the appropriate procedures are in place to review, monitor and quality-assure reports generated by any software detection system prior to any related referral for further action.

4. Initial Process

- 4.1 Where a member of Staff considers that a Registered Student's work contains plagiarised material, that member of Staff should notify the School Plagiarism Contact of their findings.
- 4.2 The Registered Student must be invited in writing (which includes email) to meet with an Academic member of Staff appointed by the Head of School, setting out the fact they are suspected of plagiarism and containing a summary of the suspected plagiarism. On occasions a second member of Staff may be present if the Head of School or his or her nominee believes it appropriate.
- 4.3 At the meeting the member of Staff present should go through the suspected plagiarism with the Registered Student, establishing why this is regarded as a possible case of plagiarism. The Registered Student should be invited to respond, explaining how he or she believes that the suspected plagiarism may have taken place.
- 4.4 Should the member of Staff be satisfied plagiarism has taken place, whether knowingly or unknowingly, he or she should then assign it a category. A number of factors will be taken into account in this categorisation, including:
 - 4.4 .1 the proportion of the assignment affected;
 - 4.4 .2 the academic level of the Registered Student;
 - 4.4 .3 any previous recorded instance of plagiarism by that Registered Student.
- 4.5 The suspected plagiarism should be placed into one of the three following categories. In selecting a category, consideration should be made of whether there is a reasonable expectation that the Registered Student should have learned the appropriate referencing skills and received sufficient guidance with regard to the attribution of source material.
 - 4.5 .1 **Low-level Plagiarism**

Low-level plagiarism is plagiarism through lack of following academic conventions by a Registered Student who may not yet be familiar with the requirements of University-level assessment.

This category would normally be restricted to Level F or C studies and would include any first offence amounting to inadequate referencing, inclusion of a small amount of paraphrasing or very small amounts of un-attributed or incorrectly attributed copying

4.5 .2 **Moderate Plagiarism**

Moderate plagiarism is plagiarism that arises from failing to follow guidelines on what is regarded as a Registered Student's own work. The determination that a suspected case of plagiarism is moderate plagiarism should therefore normally be informed by the suspected plagiarism being most likely to derive from ignoring conventions and acceptable academic practice.

This category includes limited collusion, auto plagiarism (submission of an assignment identical or closely related to one submitted at an earlier point and for which a mark has been received) or a moderate inclusion of un-attributed or incorrectly attributed copying. It also includes repeated low-level plagiarism. It is likely cases of plagiarism at Levels I and H will generally be at least moderate plagiarism.

4.5 .3 **Serious Plagiarism**

Serious plagiarism is an attempt by a Registered Student to deceive the marker by passing off as the Registered Student's own work, work which the Registered Student has not done. This may include the fabrication of data, whereby a Registered Student claims to have undertaken work to produce submitted data when they have not actually done the work at all.

Serious plagiarism may also be judged to apply in a case where a Registered Student suspected of moderate plagiarism has been found to have engaged in moderate plagiarism before.

This category includes any occurrence of reasonably extensive quantities of un-attributed or incorrectly attributed copying. It would also include any use of essay material obtained from a website or other source that involve a commercial transaction and the production of academic work by a third party for gain, in all cases regardless of actual extent. There is also an expectation that plagiarism located within the research element of a research or a taught postgraduate programme would be placed within this category, unless the extent of the plagiarism was considered to be minimal.

4.6 Where low level plagiarism has been determined, the member of Staff should ensure the Registered Student is aware of what he or she has done wrong, and has been given appropriate instruction on how to avoid the problem in future. A record should be kept by the school, but no further measures shall be taken.

4.7 Where moderate plagiarism has been determined, the member of Staff should ask the Registered Student whether he or she accepts that plagiarism has taken place as suspected. If the Registered Student accepts the plagiarism has happened for which he or she is responsible, and is satisfied that the case may be dealt with summarily, the member of Staff may determine an appropriate summary penalty as under section 7 below. Should the Registered Student not accept the plagiarism has taken place and that he or she is responsible, or should the Registered Student be unwilling to accept a summary penalty, a Plagiarism Interview should be convened as under section

5 below.

- 4.8 If a Registered Student accepts a summary penalty under 4.7 above, they have five working days from the date of the meeting to reconsider that acceptance and to contact the member of Staff with whom he or she met and inform them they will not accept the summary penalty. A Plagiarism Interview should then be convened as under section 5 below.
- 4.9 Where serious plagiarism has been determined, a Plagiarism Interview should be convened as under section 5 below.

5. Plagiarism Interviews

- 5.1 The Registered Student should be informed in writing of the allegation of plagiarism that has arisen, indicating in detail the basis for the allegation; this should involve annotated copies of any suspected source texts etc, and of the Registered Student's work identifying where the source is believed to have been replicated. The letter should indicate the potential consequences of plagiarism (see section 7. below) and invite the Registered Student to lodge a response in writing to the allegation within five working days of receipt (or pro rata reasonable adjustment if abroad). The letter should ensure that the Registered Student is aware that their response may include a written explanation and that the response must indicate whether the Registered Student agrees to attend a Plagiarism Interview.
- 5.2 A Plagiarism Interview should normally be convened within ten working days of the date of the original notification letter.
- 5.3 Wherever possible a Plagiarism Interview should be held, and the Registered Student encouraged to attend. Where a Registered Student does not wish to, or is unable, to attend a Plagiarism Interview, the School must use an appropriate means of communicating with the Registered Student, in lieu of an interview, in order to obtain a detailed response concerning the allegation of plagiarism. For example, email and written correspondence are both suitable methods as these provide a permanent record of the points raised by both sides.
- 5.4 Any Plagiarism Interview should be conducted jointly by two members of Academic Staff appointed by the Head of School or his or her nominee. A member of Academic Staff will be designated as the School Investigating Officer and the other member of Academic Staff should take the notes of the meeting. During the interview, the reasons for suspecting that plagiarism has taken place should be given and the Registered Student invited to explain their position and, if necessary, to refute the allegation. The Registered Student may be accompanied by a "friend" if they wish (i.e. another member of the University, or a representative from the Guild of Students).
- 5.5 The notes of any interview should be retained on file by the School and a copy of these forwarded to the Registered Student with a letter notifying the Registered Student of the outcome of the investigation, and setting out briefly the reasoning behind the decision.
- 5.6 If a Registered Student refuses to respond in writing to a letter sent under 5.1 within five working days of receipt (or pro rata reasonable adjustment if abroad) or fails to attend a Plagiarism Interview arranged under 5.2 having

indicated they will do so, the two members of Staff appointed as under 5.4 shall proceed to make a judgement as to whether they believe plagiarism has taken place in the absence of the Registered Student. A written record of the decision should be made, setting out the grounds on which this decision was taken.

- 5.7 In cases where, for good reason, a Registered Student is unable to attend a Plagiarism Interview then any decision on progression or degree outcome must be suspended until the Registered Student is available to be interviewed and a position reached as to whether there is a case to answer.

6. Outcome of Plagiarism Interviews

- 6.1 If the outcome of the Plagiarism Interview is that the two members of Staff do not conclude that the Registered Student has committed plagiarism, no further action is taken.
- 6.2 If the categorisation of the suspected plagiarism was moderate plagiarism, and the outcome of the Plagiarism Interview is that the two members of Staff conclude that the Registered Student has committed plagiarism, a penalty shall be imposed by the two members of Staff as under section 7 of this Code of Practice.
- 6.3 If the categorisation of the suspected plagiarism was serious plagiarism, and the outcome of the Plagiarism Interview is that the two members of Staff conclude that the Registered Student has committed plagiarism, the case now becomes a student conduct case under section 8 of the Regulations. This should be treated as a non-summary case: the procedures in the Code of Practice on Procedures for Misconduct and Fitness to Practise Committees Section 3 shall be followed. The member of Academic Staff designated the School Investigating Officer in 5.4 of this Code of Practice may act as the Investigating Officer for the purposes of the Code of Practice on Procedures for Misconduct and Fitness to Practise Committees.

7. Penalties for Moderate Plagiarism

- 7.1 Where a Registered Student has admitted to an act of moderate plagiarism, or where a case of moderate plagiarism has been determined to have occurred following a Plagiarism Interview, one of the following penalties shall be applied:
- 7.1 .1 For Registered Students on taught programmes of study, or Registered Students on research-based programmes of study, where moderate plagiarism has been adjudged to have been committed by the Registered Student on a taught module taken as part of that programme:
- (a) the work to be submitted for marking as for the first time following the removal of all plagiarised sections and their replacement with legitimate text; or
 - (b) the mark obtained in the assessment is to be downwardly adjusted to an appropriate level (reflecting the actual contribution of the Registered Student), including zero. Should this lead to failure of the module, a further attempt at passing the module shall be permitted, with the mark awarded capped at the pass mark; or

- (c) the mark obtained in the assessment is to be downwardly adjusted to an appropriate level (reflecting the actual contribution of the Registered Student), including zero with no opportunity of re-assessment permitted; or
- (d) the mark obtained in the module to be downwardly adjusted to an appropriate level (reflecting the actual contribution of the Registered Student), including zero with no opportunity of reassessment permitted

7.1 .2 For Registered Students on research-based programmes of study, where moderate plagiarism has been adjudged to have been committed by the Registered Student within the research element, the Registered Student may resubmit his or her dissertation/thesis for the original qualification with the offending sections/data removed. No further work should be undertaken.

7.2 A Registered Student may appeal the penalty imposed for moderate plagiarism by a Plagiarism Interview, on grounds of the appearance of new evidence or procedural irregularity. Any such appeal must be submitted within five working days of receipt of the notification of the outcome of the Plagiarism Interview as detailed in 5.5 using the Primary Appeal procedure as per the Code of Practice on Primary Appeal Procedures.

8. Group-based Work or Study and Collusion

8.1 Where an allegation of plagiarism involves group-based work or study, or involves suspected collusion, and it is unclear where responsibility for the suspected plagiarism lies, initial meetings should be held individually with each Registered Student. It may be necessary to conduct the Plagiarism Interview with some or all members of the group of Registered Students involved with the suspected plagiarism present. Having investigated the circumstances, the School would expect then to be in a position to be able to differentiate between members of the Group's involvement in the plagiarism and to be able to avoid the imposition of a group penalty.

8.2 In cases of collusion, where a copy of a Registered Student's work is being shown to another Registered Student as part of the evidence for suspected plagiarism, care must be taken to anonymise such copies wherever possible.

In Medical Education, for the purposes of this Code of Practice only, Programme Directors will function as Heads of School.

