For APRC
16th May 2013

APRC.13.05.**02**

Amendments to the Code of Practice on Plagiarism

Topic and purpose of Paper

1. The Committee is invited ***to consider*** and, if thought appropriate***, to approve*** amendments to the Code of Practice on Plagiarism, with effect from 1 August 2013. A full amended copy of the Code of Practice is included in Appendix 1. The original, unchanged version of the Code can be found in Appendix 2. For the purpose of this document the revised numbering of the amended Code will be used.

2. **Overview of the proposals**

   All the additions, deletions and insertions to the Code of Practice on Plagiarism are included in Appendix 1. Where a change will have wider implications on the procedure further guidance will be given in this paper. Other smaller text based changes will only be listed in Appendix 1.

3. **Background and Argument to support proposals**

   Comments and feedback on the current Code have been gathered throughout the academic year by the Student Conduct Team. In February the Plagiarism Officers were informed at the Plagiarism Forum that a consultation would take place on the proposals. Subsequently a proposal paper was circulated electronically to Plagiarism Officers across the University. The Guild of Students and Legal Services were also invited to comment. There was a high rate of response with over 20 replies. Individual feedback was collated and reviewed in order to generate the final proposals. The amended wording and changes to the structure of the Code were agreed with Legal Services prior to this paper being submitted to APRC.

Proposals

4. **Adding a Preamble**

   It is proposed that a preamble is added to the Code of Practice on Plagiarism defining the term '*Student*' and listing the possible types of student that the term encompasses. The phrase '*Registered Student and Student on a Leave of Absence'* that is currently used will be removed from the entire document and replaced with '*Student*'. The current wording is regarded as too lengthy. Plagiarism Officers unanimously supported this proposal.

5. **Paragraph 4.1 (Detection of Plagiarism)**

Paragraph 4.1 will be updated to widen the remit of plagiarism detection to *'any work required to make decisions on academic progress'*. This amendment has been requested by the Graduate School and the wording agreed by GSMB. This change will allow for suspected plagiarism in formative assignments that do not form part of a module such as interim reports, progress review reports and upgrade submissions to be dealt with using the Code. Such assignments may be assessed for progression but are not given a mark. It is not intended that draft submissions are included in this process as they are not used to make decisions on academic progress. The choice of wording applies to all taught and research programmes, however it is within the research area that the implication will be a change from current practice.

6. **Paragraph 5.7 (assigning a category)**

Paragraph 5.7 has been amended as it was not felt accurate to refer to a 'plagiarism category' as the member of staff could choose to assign a category of 'poor academic practice'. Therefore the last section of the paragraph will read:

> *'If plagiarism is found to have occurred the member(s) of staff will proceed to assign a category ~~of plagiarism~~ as set out below and, if appropriate, to apply a penalty'*

7. **Paragraph 5.11 (note taking and the Plagiarism Meeting Outcome Letter)**

Many Plagiarism Officers raised concern at the administrative burden attached to holding a Plagiarism Meeting. Paragraph 5.11 has been amended with the aim of balancing the need for a record of the case against keeping the process as efficient and straightforward for the Plagiarism Officer. Following almost unanimous dissatisfaction from Plagiarism Officers at a proposal to keep formal notes on file it has been decided that the Outcome Letter will form the record of the case. There will therefore be no additional requirement to keep notes alongside the Outcome Letter. The letter will cover the key points raised at the meeting, the reasoning behind the decision and a confirmation of the outcome. Template letters will be provided.

8. **Paragraph 7.3 (Serious Plagiarism)**

An insertion has been placed in paragraph 7.3 to clarify the remit of a College Misconduct Committee to hear a case of serious plagiarism afresh with the use of all available sanctions. This insertion serves as a reminder that in classifying a case as 'serious' it will become a student conduct case and the outcome will be determined by the Committee, including the penalty.

9. **Paragraph 8.2 and 8.3 – Penalties for Research Students**

A penalty is required to deal with formative assessments that do not receive a mark but are required to make decisions on progression (as a result of the proposal set out in section 5 of this paper). An insertion has been written to deal with cases of moderate plagiarism in such assignments whereby the student will be given a further opportunity to submit the work (8.2).

The penalty previously available (8.3) has been amended to ensure parity with the penalties offered in the Code of Practice on Misconduct (see also section 12 of this paper). The amendment also offers clarification on the type of additional work that may be carried out, for example, completing incomplete sentences if plagiarised sections have been removed.

10. **Section 9 – College Misconduct Committee**

It is proposed that the previous route of 'Review' will be removed from the Code and replaced with an opportunity for a student to request for their case to be heard by a College Misconduct Committee. When the option for a 'review' was included in the Code in 2011 it was felt that referring a student to a Misconduct Committee to challenge a moderate offence could be considered unduly severe. However, recent case history has suggested that if a student exhausts the current internal procedures for moderate plagiarism and still wishes to challenge a decision the only route available to them, post review, is to submit a grievance or complain to the OIA. The grounds for a grievance are unlikely to be met by a student involved in a plagiarism case and a complaint to the OIA is a lengthy process. The College Misconduct Committee would provide the student with an unbiased and independent review, but only at their request, not as an automatic referral. It is expected that only a minority of students will request for their case to be heard in this way.

On electing to follow this route a student would be accepting that a College Misconduct Committee could decide on a more severe penalty than the original School investigation as the Committee will have the full range of sanctions from the Code of Practice on Misconduct available to them. This will be made clear in the guidance to students. If a student still remained unsatisfied by the outcome of the Misconduct Committee the Code allows an appeal to the University Misconduct Committee. The advantage of allowing a student to request a College Misconduct Committee is that it feeds into an existing process and is in line with the process for non-academic misconduct (Regulation 8.3.5). The majority of responses from the consultation were in favour of implementing this route.

Concerns were raised from the Guild of Students that a student making an appeal to the College Misconduct Committee should not be able to receive a more severe penalty should the committee feel it justified on the evidence presented. It is unlikely that this would happen, however the possibility should remain to ensure parity with other misconduct processes. When a panel hears a case they must consider all the evidence they have available to them and therefore require use of the full list of sanctions. For example, if the committee were to find an irregularity in the handling of the case at School level they would need the ability to assign an appropriate penalty from the full list of available sanctions. In exceptional circumstances this may result in a more severe penalty being imposed, but a decision would be based solely on the evidence presented.

11. **Reference to the Code of Practice on Plagiarism for Staff**

At the request of the Centre for Learning and Academic Development a reference to the Code of Practice on Plagiarism for Staff will be inserted into Appendix A3 of the Code. This is simply to note the existence of the Staff Code and provide a web address.

12. **Changes to the Code of Practice on Misconduct and Fitness to Practise Committee as a result of changes to the Code of Practice on Plagiarism**

Should the changes to the Plagiarism Code be accepted a number of amendments will be required in the Code of Practice on Misconduct and Fitness to Practise Committee. The sections that will be affected are listed below.

a) Section 3: Procedure in non-summary hearings

The following insertion is proposed as a reminder that a request for a hearing following the rejection of a penalty at the Plagiarism Meeting should be heard afresh:

> *3.2: 'If a case has been referred to a College Misconduct Committee following the rejection of a penalty by the Student following the Plagiarism Meeting, the case will be heard afresh'*

b) Section 4: Order of the College Misconduct Committee and Fitness to Practise Committee

The following insertion is proposed to inform the committee that the category of plagiarism should be confirmed in addition to a decision being made on whether the case is found proven.

> 4.12: 'All other persons shall withdraw whilst the Committee, advised by its secretary, who shall remain in attendance, considers whether or not the charge is ~~proved~~ *proven*. *In cases of plagiarism if the case is found proven the Committee will endorse or re-assign the category of plagiarism in accordance with the categories listed in the Code of Practice on Plagiarism*. The burden of proof shall be on the basis of the balance of probabilities and the decision shall be taken by a simple majority of the members present and voting. The person chairing the Committee shall have a casting vote in the event of a tie.

c) Section 6: Sanctions in non-summary hearings for academic misconduct (changes also provided in Appendix 3)

It is proposed that the following penalty is inserted in order to provide additional tutorial support for the student should it be deemed necessary. This sanction is already available for non-academic misconduct but has not previously been available for academic misconduct.

> Insertion into penalty list in 6.1.1 (a):
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> *6.1.1 (a): 'Assign an undertaking from the student to engage with appropriate student support and/or remedial tuition. The Committee should specify any consequences of failure to comply with any such undertaking'*

The most significant change is the insertion of new penalties for Postgraduate Research Students. These penalties have been amended to reflect the change in the plagiarism

process to include formative assignments. The proposed new penalties will form paragraph 6.3:

(a) *For research assessments that do not carry a numerical mark the outcome will be considered a fail or non-submission.*

(b) *For research assessments that do not carry a numerical mark a further opportunity to resubmit the assessment at a date specified by the committee will be given.*

(c) *In a case of plagiarism in a research student's upgrade submission a student may be prevented from upgrading and will remain on the original programme.*

d) Amendments to penalties to ensure parity with Code of Practice on Plagiarism

It has been noted that the Code of Practice on Misconduct currently contains penalties 6.3 (d) and 6.3 (e) that allow for a resubmission of a thesis with *'the length of time given for resubmission and whether any additional work may be carried out on the thesis to be determined by the Misconduct Committee'*. The work can either be re-submitted for the original qualification (6.3d) or a lower qualification (6.3e). This is in direct contrast to the penalty for moderate plagiarism in the CoP on Plagiarism whereby a student can be instructed to remove plagiarised sections with no further work permitted. It appears that the penalty for moderate plagiarism has the potential to be more severe than the penalties offering the opportunity to carry out additional work available to the Misconduct Committee.

Therefore, it is proposed that the wording of the following penalties is amended as follows:

6.3 (d) 'The student may submit/resubmit his/her dissertation/thesis for the original qualification with the offending sections/data removed, the length of time given for resubmission (maximum allowable 12 months) and the extent to which additional work may be carried out on the thesis to be determined by the Misconduct Committee. The Committee may decide that no additional work will be carried out'

6.3 (e) 'The student may be required to remove the offending sections/data from his/her dissertation/thesis, and to submit/resubmit the resulting dissertation/ thesis for a lower award of the University. The award, the length of time given for resubmission (maximum allowable 12 months) and whether any additional work may be carried out on the thesis is, to be determined by the Misconduct Committee. The Committee may decide that no additional work will be carried out'

e) Paragraph 6.4: Closing considerations

Paragraph 6.4.1 will be amended as follows to reflect the possibility that a case may be classified as poor academic practice or moderate plagiarism by a committee having been heard afresh:

> *6.4.1 'whether any record of the decision shall be placed in the student's personal file and, if so, whether permanently or for a stated limited time (for poor academic practice or moderate plagiarism this would not normally be the case)'*

13. **Amendment for Code of Practice on Supervision and Monitoring of Progress of Postgraduate Researchers**

It is proposed that paragraph 3.1 in the Code of Practice on Plagiarism is amended (see appendix 1). If this is agreed an amendment will be required in the Code of Practice on Supervision and Monitoring of Progress of Postgraduate Researchers, paragraph 3.3, as stated below:

> *3.3 In accordance with the Code of Practice on Plagiarism each School should distribute written guidance to postgraduate researchers on starting their programme as to what constitutes ~~adequate~~ referencing and plagiarism, particularly within a ~~subject-~~programme specific context~~, and on how to reference work properly~~. Each School must establish mechanisms to ensure that at least one interim report is checked for plagiarism via Turnitin and the outcome discussed with the supervisory team and reported up in the annual progress review.*

14. **Summary of changes**

It should be noted that further proposals are being submitted to APRC on the Code of Practice on Misconduct, independent to the changes required in relation to the plagiarism process. These will be presented by Sara Anderson, Student Conduct Officer and relate directly to the discipline and non-academic misconduct element of the Code. If the proposals for both plagiarism and misconduct are accepted by APRC the changes will be collated and the numbering of the final code aligned.

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