Amended copy of the Code of Practice on Plagiarism with proposed changes (incorporating changes following APRC meeting)

UNIVERSITY OF BIRMINGHAM

CODE OF PRACTICE ON PLAGIARISM

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Code of Practice on Plagiarism

1. Preamble

'This Code of Practice applies to all Registered Students, students on Leave of Absence, Students with Thesis Awaited Status, External Resit Students and Graduands. Herein the term 'Student' will be used throughout the Code'

~~**Principles**~~

~~**1.**~~

2. Principles

2.1 ~~1.1~~ Plagiarism is the act of a ~~Registered~~ Student~~, a Student on a Leave of Absence, an external Resit Student, a student with Thesis Awaited Status or a Graduand ("students")~~ claiming as his or her own, intentionally or by omission, work which was not done by that ~~student~~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 on Plagiarism for Students'.

2.2 ~~1.2~~ Plagiarism may arise in a number of differing ways within an academic context, including the copying of the work of another ~~student~~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. It may include adaptation of existing texts.

2.3 ~~1.3~~ Plagiarism also includes a student deliberately claiming to have done work submitted by the ~~student~~ Student for assessment which was never undertaken by that ~~student~~Student, including the buying of essays and fabrication of data. This constitutes a deliberate attempt to deceive the marker.

2.4 ~~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.

2.5 ~~1.5~~ All ~~Registered~~ Students ~~and students on Leave of Absence~~ are deemed to have accepted the provisions of this Code of Practice

~~2~~3. Guidance

3.1 ~~2.1~~ Each School will distribute written guidance, in programme materials and through other media as appropriate, to ~~Registered~~ Students ~~or Students on a Leave of Absence~~ on starting their programme as to what constitutes adequate referencing and plagiarism, particularly within a programme ~~subject~~ specific context~~, and on how to reference work properly~~.

3.2 ~~2.2~~ The School must ensure there is provision of guidance on what constitutes plagiarism during the induction process.

3.3 Schools must seek to develop ~~Registered~~ Students ~~and Students on a Leave Absence~~ referencing skills throughout the duration of their studies.

~~2.4~~

3.4 ~~2.5~~ Where a School makes use of a formal Learning Agreement on the avoidance of plagiarism, ~~Registered Students and~~ Students ~~on a Leave of Absence~~ should be advised specifically of the requirements relating to this, prior to completion of the agreement between the ~~Registered~~ Student or ~~Student on a Leave of Absence~~ and the University.

~~2.6~~ 3.5 Schools may also use assignment cover sheets within which ~~Registered~~ Students ~~and Students on a Leave of Absence~~ certify that their submitted work has not been plagiarised.

~~2.7~~ 3.6 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 ~~and Students on a Leave of Absence~~ involved understand the boundaries between legitimate collaboration and plagiarism.

~~2.8~~ 3.7 Proof reading and correction of English (for theses written in English) either by a member of the supervisory team or by a professional is acceptable. Such correction may involve the rewriting of some of the text originating from the Student for the purposes of clarifying the Student's written English. Rewriting of text with the purpose of improving the Student's research arguments or contributing new arguments is not acceptable. Provision by any third party (including the supervisor(s)) of any sections of the thesis which have not originated from the Student is unacceptable and will be deemed to be ~~as~~ plagiarism.

~~3~~4. Detection of Plagiarism

~~3.1~~ 4.1 The University reserves the right to use all legitimate means at its disposal to detect plagiarism where it arises. ~~All submitted~~ Any work required to make decisions on academic progress will be liable to scrutiny in order to identify any plagiarised element.

4.2 ~~3.2~~ Where a School uses plagiarism detection software, it will advise the ~~Registered~~ Students ~~and Students on a Leave of Absence~~ concerned in advance as to how this process will be undertaken and of the particular submission requirements (if any) involved.

4.3 ~~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.

4.4 ~~3.4~~ If a member of Staff considers that a ~~Registered~~ Student's ~~or Student on a Leave of Absence~~ work contains plagiarism they should notify the School Plagiarism Officer immediately. If an External Examiner considers that a ~~Registered~~ Student's ~~or Student on a Leave of Absence~~ work contains plagiarism, the External Examiner should notify either the Head of School (for taught modules) or the Internal Examiner (for research projects or theses) immediately.

4.5 Where plagiarism is suspected in a project or thesis submitted by a

~~3.5~~ ~~Registered~~ Student ~~or a Student on a Leave of Absence~~ on a postgraduate research Programme of Study, examination of the project or thesis must be suspended until it is established whether plagiarism has occurred or not.

~~4.~~ 5 The Plagiarism Meeting

~~4.1~~ 5.1 The ~~Registered~~ Student ~~or Student on a Leave of Absence~~ must be invited by way of a 'Notification Letter' (which may be sent by post and/or email) to a Plagiarism Meeting. A template Notification Letter is available for use via the staff Plagiarism web pages **which should normally be used.** The Notification Letter must:

5.1 ~~4.1~~ .1 state that the ~~Registered~~ Student ~~or Student on a Leave of Absence~~ is suspected of plagiarism;

5.1 ~~4.1~~ .2 set out a summary of the suspected plagiarism which must be sufficient enough to enable the ~~Registered~~ Student ~~or Student on a Leave of Absence~~ to understand the allegation of plagiarism and which may but which need not include a TurnItIn report;

~~4.1~~ 5.1 .3 set out the ~~Registered~~ Student's ~~or Student on a Leave of Absence~~ right to be accompanied by a 'friend' defined as meaning a member of the staff of the University or a registered student of the University or a Sabbatical Officer of the Guild of Students; and

~~4.1~~ 5.1 .4 set out the ~~Registered~~ Student's ~~or Student on a Leave of Absence~~ right to respond in writing to the allegation of plagiarism within 5 working days of receipt (or pro rata reasonable adjustment if abroad) which may include a written explanation and should indicate whether the ~~Registered~~ Student ~~or Student on a Leave Absence~~ agrees to attend the Plagiarism Meeting.

5.2 ~~4.2~~ A Plagiarism Meeting should normally be convened within not less than 5 working days and not more than 10 working days from the date of the Notification Letter.

5.3 ~~4.3~~ The ~~Registered~~ Student ~~or student on a Leave of Absence~~ should be encouraged to attend the Plagiarism Meeting. Where a ~~Registered~~ Student or ~~a Student on a Leave of Absence~~ does not wish or is unable to attend the School must use an appropriate means of communicating with the ~~Registered~~ Student ~~or a Student on a Leave of Absence~~ in lieu of the Plagiarism Meeting, which may include exchanges of emails, in order to obtain a detailed response to the allegation of plagiarism.

~~4.4~~ 5.4 If a ~~Registered~~ Student ~~or a Student on a Leave of Absence~~ does not respond to a Notification Letter in accordance with paragraph 5.1.4 of this Code of Practice or fails to attend a Plagiarism Meeting having indicated that he or she will do so, the member(s) of staff shall proceed with the Plagiarism Meeting in the absence of the ~~Registered~~ Student ~~or Student on a Leave of Absence~~. A written record of the decision to proceed in the absence of the ~~Registered~~ Student ~~or Student on a Leave of Absence~~ should be made, setting out the grounds on which this decision was taken.

~~4.5~~ If a ~~Registered~~ Student ~~or a Student on a Leave of Absence~~ is unable to attend a Plagiarism Meeting the Head of School or nominee or the Plagiarism

5.5 Officer may, if satisfied that the ~~Registered~~ Student ~~or Student on a Leave of Absence~~ is unable to attend for good reason, decide:

5.5 ~~4.5~~ .1 that any decision on progression or degree outcome must be suspended until the ~~Registered~~ Student ~~or Student on a Leave of Absence~~ is available to attend; or

5.5 ~~4.5~~ .2 with the consent of the ~~Registered~~ Student ~~or Student on a Leave of Absence~~, that the matter may proceed by appropriate means of communicating with the ~~Registered~~ Student ~~or Student on a Leave of Absence~~ in lieu of the Plagiarism Meeting; or

5.5 ~~4.5~~ .3 with the consent of the ~~Registered~~ Student ~~or Student on a Leave of Absence~~ and when the Head of School or nominee/School Plagiarism Officer is satisfied that the ~~Registered~~ Student ~~or Student on a Leave of Absence~~ has submitted a full and detailed written response, that the Plagiarism Meeting may proceed in the absence of the ~~Registered~~ Student ~~or Student on a Leave of Absence~~.

5.6 ~~4.6~~ The Plagiarism Meeting should normally be conducted jointly by two members of Academic Staff appointed by the Head of School (which will normally include the Plagiarism Officer) although Plagiarism Meetings may proceed with one member of staff (normally the Plagiarism Officer) present. During the Plagiarism Meeting, the reasons for suspecting that plagiarism has taken place should be given and the ~~Registered~~ Student ~~or Student on a Leave of Absence~~ should be invited to explain his or her position and, if necessary, to refute the allegation.

5.7 ~~4.7~~ The member(s) of staff conducting the Plagiarism Meeting will consider the allegation and the ~~Registered~~ Student's ~~or Student on a Leave of Absence's~~ response and will reach a decision as to whether plagiarism has been found to have taken place. 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.

5.8 ~~4.8~~ The Plagiarism Meeting may be adjourned to another date if further evidence or clarification is required.

5.9 ~~4.9~~ If it is found that no plagiarism has occurred the ~~Registered~~ Student ~~or Student on a Leave of Absence~~ will be informed accordingly and no further action will be taken.

5.10 ~~4.10~~ The ~~Registered~~ Student ~~or Student on a Leave of Absence~~ may be advised of the decision and any penalty during the Plagiarism Meeting unless the member(s) of staff require more time for consideration in which case the decision may be issued in writing within 5 working days of the meeting.

5.11 ~~4.11~~ Whether or not the ~~Registered~~ Student ~~or Student on a Leave of Absence~~ is advised of the decision during the Plagiarism Meeting, within 5 working days of the Plagiarism Meeting the ~~Registered~~ Student ~~or Student on a Leave of Absence~~ will be sent an 'Outcome Letter' setting out the key points raised at the meeting, the reasoning behind the decision and confirming the outcome. ~~of the Plagiarism Meeting~~, ~~the reasoning behind the decision and right of~~

~~review and shall enclose a copy of the notes of the Plagiarism Meeting~~. A template Outcome Letter is available for use via the staff Plagiarism web pages, **which should normally be used.** ~~The notes~~ This letter will serve as a record of the Plagiarism Meeting and should be retained on the Student's file by the School. ~~of the Plagiarism Meeting should be retained on the Registered Student's or Student on a Leave of Absence's file by the School.~~

~~5~~6. Categorisation of Plagiarism

6.1 ~~5.1~~ When poor academic practice or plagiarism has been found to have occurred the member(s) of staff conducting the Plagiarism Meeting must assign the plagiarism to one of the three categories set out below. A number of factors will be taken into account in this categorisation, including

6.1 ~~5.1~~ .1 the academic level of the ~~Registered~~ Student ~~or Student on a Leave of Absence~~;

6.1 ~~5.1~~ .2 the proportion of the assignment affected; and

6.1 ~~5.1~~ .3 any previous recorded instance of plagiarism by that ~~Registered~~ Student ~~or Student on a Leave of Absence~~;

6.1 ~~5.1~~ .4 whether there is a reasonable expectation that the ~~Registered~~ Student ~~or Student on a Leave of Absence~~ should have learned appropriate referencing skills and received sufficient guidance with regard to the attribution of source material.

~~5.2~~ 6.2 Serious Plagiarism

Serious plagiarism is an attempt by a ~~Registered~~ Student ~~or Student on a Leave of Absence~~ to deceive the marker by passing off as the ~~Registered~~ Student's ~~or Student on a Leave of Absence's~~ own work, work which the ~~Registered~~ Student ~~or Student on a Leave of Absence~~ has not done. This may include the fabrication of data, whereby a ~~Registered~~ Student ~~or Student on a Leave of Absence~~ 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 ~~or Student on a Leave of Absence~~ suspected of moderate plagiarism (see ~~6.1.3~~5.2.2) has previously been found to have engaged in moderate plagiarism. 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.

6.3 ~~5.3~~ Moderate Plagiarism

Moderate plagiarism is plagiarism that arises from failing to follow guidelines on what is regarded as a ~~Registered~~ Student's ~~or Student on a Leave of Absence'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 poor academic practice. It is likely cases of plagiarism at Levels I and H will generally be at least moderate plagiarism.

6.4 ~~5.4~~ Poor Academic Practice

Poor academic practice through lack of following academic conventions by a ~~Registered student~~ Student ~~or Student on a Leave of Absence~~ 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 un-attributed or incorrectly attributed material or of text that is so similar to the original that it is effectively copied from the original source[1].

7 ~~6.~~ Consequences of a finding that Plagiarism has occurred

7.1 ~~6.1~~ ~~Finding of~~ Poor Academic Practice

Where poor academic practice has been found to have occurred, the member(s) of staff must ensure the ~~Registered~~ Student ~~or Student on a Leave of Absence~~ 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 and the piece of work may be required to be re-submitted, but no further measures shall be taken.

7.2 ~~6.2~~ ~~Finding of~~ Moderate Plagiarism

Where moderate plagiarism has been found to have occurred one of the penalties set out in paragraph 7 of this Code of Practice will be applied.

7.3 ~~6.3~~ ~~Finding of~~ Serious Plagiarism

When serious plagiarism has been found to have occurred, the case will become a student conduct case under section 8 of the Regulations. The matter must be treated as a non-summary case and the procedures in non-summary hearings set out in the Code of Practice on Misconduct and Fitness

[1] Extracted and synthesised material from cited references should be written by students in their own words with correct attribution; this practice is sometimes described as 'paraphrasing' in guidance on plagiarism.

to Practise Committee shall be followed. The College Misconduct Committee will hear the case afresh and will have the full range of sanctions available to them. The member of Academic Staff designated the School Investigating Officer may act as the Investigating Officer and/or Case Presenter for the purpose of the student conduct case.

8 ~~**7.**~~ **Penalties for Moderate Plagiarism**

8.1 ~~7.1~~ Where moderate plagiarism has been found to have occurred, one of the following penalties shall be applied:

Taught Programmes or Modules

8.1 ~~7.1~~ .1 For ~~Registered~~ Students ~~or Student on a Leave of Absence~~ on taught programmes of study, or ~~Registered~~ Students on research-based programmes of study, where moderate plagiarism has been found to have occurred on a taught module taken as part of that programme:

(a) Resubmission of the assignment in question, with the resultant mark being capped at the lowest possible grade that would signify a minimum pass within the relevant pass structure.

(b) The mark obtained in the assessment may be downwardly adjusted to an appropriate level (reflecting the actual contribution of the ~~Registered~~ Student ~~or Student on a Leave of Absence~~), including zero with no opportunity to resit.

(c) The mark obtained in the assessment may be downwardly adjusted to an appropriate level (reflecting the actual contribution of the ~~Registered~~ Student ~~or Student on a Leave of Absence~~), 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.

(d) The mark obtained in the module may be downwardly adjusted to an appropriate level (reflecting the actual contribution of the ~~Registered~~ Student or ~~Student on a Leave of Absence~~), including zero with no opportunity of re-assessment permitted

(e) If the penalty applied results in a student failing the programme of study, the case shall be referred to the College Misconduct Committee.

Research Elements

8.2 For Students on research programmes of study, where moderate plagiarism has been found to have occurred within work submitted for assessment for progression, but does not receive a mark, one further opportunity to submit the work will be permitted ~~at a date specified following the Plagiarism Meeting~~ at a date specified in the 'Outcome Letter'

8.3 ~~7.2~~ For ~~Registered~~ Students ~~or Student on a Leave of Absence~~ on research-based programmes of study, where moderate plagiarism has been found to have occurred within the research element, the ~~Registered~~ Student ~~or Student on a Leave of Absence~~ may submit his or her dissertation/thesis for the original qualification with the offending sections/data removed within one month of the Plagiarism Meeting. The Plagiarism Officer will decide whether any further work should be undertaken, and may instruct that limited

additional work can be carried out, for example to finish sentences that have been left incomplete due to the removal of plagiarised sections. Submission of the dissertation/thesis revised in accordance with this paragraph will be considered the first submission.

9 College Misconduct Committee

9.1 Students who do not wish to accept the outcome determined at the Plagiarism Meeting may request ~~that~~for the case to be heard afresh and in full by a College Misconduct Committee. The Committee will hear the case afresh and in full in accordance with the Code of Practice on Misconduct and Fitness to Practise Committee. The full range of sanctions in the Code of Practice on Misconduct and Fitness to Practise Committee will available in determining the outcome of the case.

9.2 The Student's request for the case to be heard by the College Misconduct Committee must be submitted in writing within 5 working days of the date of the Outcome Letter to the School Plagiarism Officer.

9.3 The School Plagiarism Officer may act as the 'Investigating Officer' ~~-~~and/or Case Presenter for the purposes of the Code of Practice on Misconduct and Fitness to Practise Committee.

~~8 Review~~

~~8.1 A Registered Student or Student on a Leave of Absence may request a review of a decision made at a Plagiarism Meeting on one or more of the following grounds~~

~~(a) That there has been an administrative irregularity or procedural failure;~~

~~(b) That new evidence is available which was unknown to the Registered Student or Student on a Leave of Absence at the time of the Plagiarism Meeting; or~~

~~(c)~~(a) ~~That the categorisation assigned or penalty applied is disproportionate~~

~~8.2 The Registered Student or Student on a Leave of Absence may request a review of:~~

~~(a) The finding that plagiarism has occurred; and/or~~
~~(b) The assignment of a category to the plagiarism; and/or~~
~~(c)~~(a) ~~The penalty applied to a finding of moderate plagiarism~~.

~~8.3 The request must be made in writing and must be received by the Head of School or nominee (who shall not be the Plagiarism Officer) within 5 working days of the date of the Outcome Letter.~~

~~8.4 The request must clearly set out the matters the Registered Student or Student on a Leave of Absence wishes to be reviewed and the reasons for the request~~.

~~8.5 The Head of School or nominee will decide whether the Registered Student or Student on a Leave of Absence has established prima facie grounds for a review based on the matters presented by the Registered Student or Student on a Leave of Absence in the request. The Head of School or nominee will decide either that:~~

(a) ~~the review should be rejected on the basis that no prima facie grounds for review have been presented;~~

(b) ~~the review should proceed.~~

~~8.6~~ ~~If the Head of School or nominee decides that the review will proceed, it will take the form of a fresh Plagiarism Meeting. It shall be conducted by 2 members of academic staff who did not attend the Plagiarism Meeting and who have had no previous involvement in the case and shall proceed in accordance with paragraphs 4.6 – 4.11 of this Code of Practice save that the Registered Student or Student on a Leave of Absence will not be entitled to request a further review of the decision reached.~~

~~8.7~~ ~~A 'Review Outcome Letter' will be sent (by post or email) to the Registered Student or Student on a Leave of Absence within 5 working days of the review meeting and will set out the outcome of the review and the reasoning behind the decision.~~

~~9~~ Group-based Work or Study and Collusion

10.

~~9~~ 10.1 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, a Plagiarism Meeting should be held individually with each ~~Registered~~ Student ~~or Student on a Leave of Absence~~. It may be necessary to conduct the meeting with some or all members of the group of ~~Registered~~ Students ~~or Students on a Leave Absence~~ 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.

~~9~~ 10.2 In cases of collusion, where a copy of a ~~Registered~~ Student's ~~or Student on a Leave of Absence's~~ work is being shown to another ~~Registered~~ Student or ~~Student on a Leave of Absence~~ as part of the evidence for suspected plagiarism, care must be taken to make such copies anonymous wherever possible

Appendix A: Interpreting the Code of Practice

A.1 For the purposes of the Code of Practice on Plagiarism, any department within Corporate Services delivering a programme of the University may act as the School in respect of that programme.

A.2 Where a programme is delivered within Corporate Services, and the staff teaching upon that programme are Academic Related rather than Academic members of Staff, any Academic Related member of Staff teaching upon that programme may act as an Academic member of Staff for sections 4-8 of this Code of Practice, including being designated as Investigating Officer.

A3 The Code of Practice on Plagiarism for Staff can be found at https://intranet.birmingham.ac.uk/hr/documents/public/plagiarism-staff.pdf

~~A.3~~ ~~In Medical Education, for the purposes of this Code of Practice only,~~

~~Programme Directors will function as Heads of School.~~