

Updated plagiarism policy

for Open session

Subject:

Outcome of the public consultation on an updated plagiarism policy.

Board meeting:

28 February 2024

Agenda item:

8

Action:

- For noting
- For discussion
- For decision

Purpose

The Board is being asked to approve the implementation of the updated policy following public consultation.

Recommendations

The Board is asked to approve the updated plagiarism policy, with small amendments following the consultation, along with the accompanying changes to the Prescribed Examination Procedures and UK Adaptation Assessment Procedures.

Annexes

- Annex 1 – Consultation analysis
 - Annex 2 – Updated new policy
 - Annex 3 – Proposed changes to procedures
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1. Open Session

2. Background and Key points

- 2.1. At its meeting in October, the Board approved us consulting on an updated plagiarism policy. The policy exists because most forms of assessment carry a risk of cheating and/or plagiarism; ARB's Prescribed Examination and UK Adaptation Assessment are no different. It is essential that ARB identifies and acts on plagiarism in order to maintain the integrity of the Register, so that the public can be confident that those joining the Register have demonstrated the necessary competencies.
- 2.2. At present, ARB operates a zero-tolerance policy towards "plagiarism and cheating" but retains a high level of Registrar discretion on whether offending applicants can reapply. The proposed new plagiarism policy continues to treat plagiarism as severe but improves our approach in four key areas:
 - A clearer new definition of what we consider to be plagiarism.
 - A clearer declaration for applicants.
 - A clearer process for examiners and ARB staff involving a new standardised approach to identifying plagiarism.
 - A new range of discretionary penalties that escalate based on the severity of the offence.

The proposed changes are detailed online here: <https://arb.org.uk/wp-content/uploads/Proposed-updated-plagiarism-policy.pdf>.

The consultation survey can be seen online here: <https://arb.citizenspace.com/policy-and-communications/plagiarism-policy-consultation/>.

- 2.3. The consultation ran from 27 October to 17 December 2023. Due to the narrow and technical nature of the proposals, we promoted it directly to examiners and other relevant stakeholders, and included it in ARB Insight so that all architects were aware and had the opportunity to respond.
- 2.4. We received nine responses to the consultation. The majority of respondents (five) were academics. Three were registered architects and one was an architecture student.
- 2.5. Respondents agreed overall with each of our statements and there were no significant concerns that would mean needing to change the substantial elements of the policy. Our analysis of the consultation is set out in Annex 1.

2.6. We have amended the policy to adopt some suggestions. These provide further clarity on the original intent of the policy. These are highlighted in Annex 2 and are:

- That plagiarism means someone has not demonstrated their competence or knowledge in a particular area because their evidence for doing so was plagiarised, rather than them having an overall lack of competence or knowledge.
- Removal of the word “grade” to better match the Prescribed Exam, UK Adaptation Assessment or any future assessments.

3. Resource Implications

3.1. We have considered a number of options for making the policy fully operational. The aim is to balance consistency of application, with the time, effort and resource to perform the quality assurance checks.

3.2. There are three options we have considered:

- A plagiarism check performed by ARB staff prior to examination or assessment arrangements being confirmed, using plagiarism software. In this option, ARB team members would use ‘off the shelf’ software to see if issues were flagged, and to produce a report for the examination or assessment panel. Whilst this would provide consistency and be most easily controlled in terms of timings, we do not feel the ARB staff members would have sufficient technical knowledge to interpret the results. This may then require liaison with examiners and assessors, incurring costs, and taking time.
- A small sub-set of examiners and assessors perform a pre-booking plagiarism check, using the software, and providing a standard template report to the ARB team on any issues that are possible plagiarism. Each of these reviewers would be paid on a half day rate, with a half day activity of reviewing up to two submissions, and providing a formal report to ARB. This would be separate from the examination or assessment panel, and would not require the reviewer to be part of the panel (though there is no reason why they may not perform the function on an application where they have provided the plagiarism quality assurance check). Service level agreements for response time would be made at time of booking, so as not to delay the scheduling of the exam or assessment. These reviewers may make recommendations to ARB to investigate, based on the level of possible plagiarism, or to the examination or assessment panel, to help shape any questioning of the origin of the material. This is the preferred option.
- The final option considered is that all examiners and assessors do their own checks prior to the completion of the scheduling. This is considered to be too

costly and inconsistent in application, and would require significant investment in software licences, and also in additional time to review and raise any concerns about the materials.

- 3.3. Software licences will be required for the dedicated reviewers, and additional time to perform the review and submit the report. Assuming 120 examinations per year, with up to four reviews in a day, this would require 30 days of examiner or assessor time (approx. £12,000 per annum based on existing schedules of payment). Software licence costs for the individuals would need to be procured, and costs would be confirmed depending on specification. We are assuming £5,000 for five licences (per annum). This has been included in the 2024 budget.
- 3.4. We are proposing that the costs of this quality assurance check would be paid for from general ARB funds, rather than the cost-recovery of the examination or assessment fee at least whilst this model is developed and evaluated.
- 3.5. There will be no changes to the ARB staff or resources required, though the timings for the scheduling and confirmation of bookings may need to be reviewed by the Registration Manager and Team Leader, and revisions made to any candidate guidance.
- 3.6. Candidates who have existing access, may also be encouraged to provide their own plagiarism review report, using recognised software, to provide a self-declaration report as part of the wider declaration process. Whilst this is not mandatory, it may help to perform the risk assessment process by ARB staff.

4. Risk Implications

- 4.1. The consultation has not identified any additional risks beyond those that we described in the Board paper in October 2023. These risks are repeated below for information, along with our proposals for managing them.
 - We see a risk in maintaining our current policy, in that it is disproportionate and may exclude people from entering the profession at a later date, when their competence and standards may have improved. It is also inconsistent in how plagiarism is identified, meaning there is a risk of inconsistency in who is able to join the Register. We will ensure that implementation is compatible with our legislation.
 - There is always a risk of legal challenge from any applicant who is denied the opportunity to register by way of the examination route as a result of a decision under the plagiarism policy. The Board can however take assurance from the fact that we have consulted on our proposed policy, that it is arguably fairer and more transparent than the existing policy, and that there is a public interest in ARB preventing dishonest individuals from accessing the Register.

We will ensure that there are robust decision-making procedures established to ensure that the policy is judicially applied.

5. Communication

- 5.1. The consultation outcome will be published on the online consultation platform and on the relevant section of ARB's website.
 - 5.2. The final policy will be published on our website and clearly communicated to any applicants to whom it would apply. We will also announce the introduction of the policy changes in ARB Insight and on social media, to help raise awareness.
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6. Equality and Diversity implications

- 6.1. The overarching policy would apply to everyone equally.
- 6.2. We are aware that different countries apply varying standards and definitions of plagiarism. A clearer policy and more explicit declaration from applicants would help avoid any unintentional examples which might be acceptable in one country but not the UK.
- 6.3. We are aware of the use of generative artificial intelligence software to aid some applicants to mitigate health issues and language barriers, such as translation. The scope of the processes and guidance we propose would apply in the same way to all individuals sitting the prescribed exam or adaptation assessment. Within the text of the policy, we will caution applicants that the use of such software may inadvertently plagiarise.
- 6.4. In the consultation we asked: "Is there anything within the proposed policy that could have an impact on ARB's commitment to equality, diversity and inclusion or have a positive or negative impact on anyone with particular protected characteristics?"

We received one substantial comment on this question: that there may be times when an impairment means there should be an allowance for the use of AI. While the policy would treat applicants on a case-by-case basis, these scenarios would be covered under the existing wording in the policy that "there may be legitimate uses of software to aid writing and translation".

7. Recommendations

- 7.1. The Board is asked to approve the updated plagiarism policy, with small amendments following the consultation, along with the accompanying changes to the Prescribed Examination Procedures and UK Adaptation Assessment Procedures.

Annex 1 – Consultation analysis

Responses we received

1. The consultation was open between 27 October and 17 December 2023 and received nine responses.
2. Five respondents were academics, three were registered architects and one was an architecture student.
3. We have not analysed the other characteristics of respondents (for example, gender, ethnicity, or location) because the number of respondents is too small for us to be able to identify any trends.
4. The content of this consultation was narrow and technical, with limited impact on the profession. This accounts for the small number of responses. Every response was read and analysed, and useful ideas and suggestions identified by respondents have been incorporated into the updated policy.

Quantitative results

5. We asked six optional questions about the policy. Each allowed respondents to add further comments to their response. The questions and a summary of the responses to each is below.

To what extent do you agree that the proposed definition of plagiarism is clear and easy to understand?

6. Overall, 89% of respondents either agreed or strongly agreed: one strongly agreed, seven agreed and one disagreed.
7. One respondent objected to wording in the policy that suggested plagiarism meant someone has not demonstrated sufficient knowledge to join the Register. Their view was that someone can both possess this knowledge whilst also plagiarising. We will update the wording in the policy to make the intention of this wording clearer: that plagiarism means someone has not demonstrated their competence or knowledge in a particular area because their evidence for doing so was plagiarised, rather than them having an overall lack of competence or knowledge.
8. Two respondents commented on accidental plagiarism and the extent to which wording in the policy may be too harsh on this. One added that it can be easy for someone to inadvertently plagiarise without acknowledging that it is not their own.
9. Our view is that accidental plagiarism should be an offence under the policy. Existing considerations for the ARB decision maker include: “Plagiarism is limited to an isolated or small number of mistakes that appear to be incompetence rather than

intentional dishonesty". This means genuine accidental plagiarism could be taken into account while still being treated under the policy.

To what extent do you agree that the proposed declaration is clear and provides sufficient awareness of ARB's policy for all taking part in an exam or application?

10. Overall, 56% of respondents either agreed or strongly agreed. Two respondents strongly agreed and three agreed. Two respondents neither agreed nor disagreed. One disagreed and one strongly disagreed.
11. One respondent said it is important for this to be outlined as early as possible and another added that a clear statement should be set out for the applicant to sign. The declaration would be included as part of the application and would be something the applicant has to agree they have read and acknowledged.
12. Another asked if examples could be provided, at least to examiners. We have noted this for when the policy is implemented.
13. One respondent queried the impact on pass rates if ARB took a strict approach to lack of proper referencing. Our view is that it is right to treat plagiarism as severe, whether it is intentional or accidental and to do so knowing that some applicants may not be able to join the Register as a result. We will continue to review how it is used and applied in practice.

To what extent do you agree that the proposed penalties when plagiarism is identified meet our aim to be proportionate based on the severity of the offence?

14. Overall, 56% of respondents also either agreed or disagreed with this statement. Two respondents strongly agreed and three agreed. Four respondents neither agreed nor disagreed.
15. One respondent said the use of the word "grade" did not properly match the Prescribed Exam or UK Adaptation Assessment. We will update this to be consistent.
16. One respondent said there was not enough detail on ARB's aims to be able to answer this question.
17. One respondent questioned whether ARB decision makers would have the experience to decide the extent of plagiarism and the most appropriate penalty. Issues such as this on implementation of the policy will be considered once it has been agreed. We expect ARB decision makers will work closely with examiners to do this.
18. One of the aims of the policy is for sanctions to be proportionate to the offence. There are many potential ranges of plagiarism and so our is that we should not be too prescriptive within the policy. We believe the current list of considerations is

sufficient at this stage in guiding a decision maker on how to treat the offence. As with other areas of the policy, we can keep this under review.

Do you have any thoughts on how the proposed policy would interact with legitimate uses of artificial intelligence (AI) platforms?

19. Views raised in response to this question included:
 - That the reference to AI was too ambiguous and was not clear whether an entirely AI generated answer would be legitimate;
 - The use of generated images or software as part of legitimate architectural practice and that it can be used as a tool in a way that doesn't break a plagiarism policy;
 - The extent to which AI-generated work should be considered the work of someone else;
 - That candidates should be cautious and check their submissions.
20. There are questions and issues surrounding the use of AI that are beyond the scope of this policy. The policy must also be realistic as to what we can detect through submissions.
21. We believe the best action at this point in time is to adopt an overall definition of plagiarism and to apply that to any submission as best as possible, including those generated through AI.
22. One respondent suggested providing more guidance to examiners on how to mitigate any reliance on AI. They used an example of requiring candidates to refer to their own experiences or work. This is something we will be able to consider as part of implementing the policy.

Is there anything within the proposed policy that could have an impact on ARB's commitment to equality, diversity and inclusion or have a positive or negative impact on anyone with particular protected characteristics?

23. We received one substantial comment on this question: that there may be times when an impairment means there should be an allowance for the use of AI. While the policy would treat applicants on a case-by-case basis, we are confident that these scenarios would be covered under the existing wording in the policy that "there may be legitimate uses of software to aid writing and translation."
24. Three respondents confirmed they did not see anything on which to comment here. One respondent said they were not able to answer without seeing an impact assessment.

Do you have any other comments about the proposed policy, including the process for identifying plagiarism?

25. Three respondents suggested that examiners should be given relevant software and trained on this in order to detect plagiarism. Two mentioned the time required of examiners to identify plagiarism within their current time allocated, with two respondents also suggesting that software should be used by ARB as a check before candidates' material is sent to examiners. One of these respondents also suggested candidates should receive a plagiarism 'report' on their material prior to submission to alert them to any plagiarism and correct any unintentional errors.
26. If software was to be used, one respondent said the cost of this should not be placed on candidates because it would be a barrier to accessing the profession.
27. One respondent asked for further guidance on decision making if examiners are to be the ones making these.
28. One point raised was that it would be difficult to identify a candidate's individual contribution to group work.
29. We do not believe any of these require a change in the written policy and should instead be taken forward as considerations for how it is implemented, particularly with regard to how ARB should work with examiners.

Annex 2 – Updated plagiarism policy

Changes in red indicate amendments to the policy following consultation.

ARB's definition of plagiarism

The representation of someone else's work or ideas as your own without proper citation or acknowledgement that could provide an advantage over others. ~~Not only have you demonstrated you do not have the sufficient knowledge to join the Register, but you may also have shown.~~ Competence or sufficient knowledge to join the Register has not been demonstrated in the areas that were plagiarised and that plagiarism may have also shown dishonesty and a lack of integrity in presenting someone else's work as your own. Both accidental and intentional plagiarism are an offence under the policy. This means it is plagiarism if it is either:

- Accidental, meaning, for example, the individual did not consider that they were committing plagiarism by not including proper citations in their work.
- Intentional, meaning the individual knew they were committing plagiarism in their submitted work. This also includes colluding with other individuals to submit work that is not the applicant's own.

As examples, ARB considers all of the following to be plagiarism:

- Accidentally or intentionally submitting or using someone else's work as your own in an accredited examination.
- Accidentally or intentionally failing to properly credit someone else's work in your own submission.
- Intentionally copying someone else's work but changing the wording slightly to make it appear as your own.
- Fabrication, wherein you provide false quotations, figures or information about a source or individual.
- Collusion, wherein you conspire with one or more individuals to gain an advantage over others in examinations.

ARB considers any of the above plagiarism offences cause to call into question the character and fitness to practise of the individual found to have committed them.

Process

Examiners will check references are correct and all material that is not the individual's own is correctly cited in the submission.

Examiners will highlight to ARB staff any submission that they suspect includes the following:

- The submission provided includes improper referencing of their sources
- The submission contains no references at all, but the Examiner has identified it includes the work of others
- The submission contains fabricated material

ARB will then deliberate the extent of the offence and any penalties to impose upon the applicant at ARB's discretion. As part of their deliberation, the ARB decision maker will contact the applicant to give them the opportunity to provide an explanation.¹

Declaration

All applicants to an exam or application covered by this policy must confirm that they have read and understood the guidance on plagiarism and cheating, and are aware of ARB's policy.

Applicants should be cautious that, while there may be legitimate uses of software to aid writing and translation, users of this should be particularly vigilant that they do not inadvertently plagiarise.

Guidance for ARB

Outcome ~~or grade~~:

Potential penalties for plagiarism are at ARB's discretion and are separated into two categories:

- 1) The effect on the applicant's current application and whether it is rejected
- 2) The impact on their eligibility to reapply should their current application be rejected

Reapplication:

Impacts on the applicant's eligibility to reapply can include:

- None, whereby the applicant will automatically be able to reapply at the next opportunity, or
- The applicant will automatically be able to reapply after 1 year, or
- The applicant will not automatically be able to reapply. Instead, reapplication will be at the discretion of the Registrar and after at least 2 years. The Registrar will take into account the severity of the offence and any reflection or steps taken by the applicant.

¹ 'Decision maker' would normally be the ARB registration team processing the application, with the Registrar as appropriate.

Considerations for the ARB decision maker:

When deciding on the most appropriate penalty, the ARB decision maker should give reasons, taking into account the following examples of mitigating circumstances:

- Plagiarism is limited to an isolated or small number of mistakes that appear to be incompetence rather than intentional dishonesty.
- The applicant has voluntarily contacted ARB to correct mistakes after submitting their application.
- Any explanation provided by the applicant after being contacted by ARB.
- Any other mitigation that they consider to be relevant in determining the applicant's level of dishonesty.

The table below indicates the type of offences that might occur, and typical potential outcomes. These examples are a guide for decision makers to aid their deliberation and not a definite and prescriptive set of outcomes.

In all circumstances where plagiarism has been identified, applicants will be informed and should reflect on how they can improve in the future based on the feedback.

In any circumstance where the applicant is only able to reapply at the Registrar's discretion, when seeking reapplication, they will be expected to demonstrate substantial reflection and professional development in order to be able to do so.

Example offence	Interpretation
Applicant's submission includes an isolated or very small number of incomplete or incorrect citations and references to the work of others.	This would suggest incompetence rather than genuine intentional dishonesty. As a competency issue, penalties would normally be limited to a failure of the criteria in which the offence took place. Failing one of the criteria means their application was unsuccessful. The applicant will be able to reapply at the next available time.
Applicant's submission includes a large number of incorrect citations and references to the work of others.	More mistakes suggest a stronger concern about the applicant's integrity, character and fitness to practise. The decision maker should consider the extent of the mistakes alongside any mitigating circumstances. Penalties in more severe cases may include immediate failure of the exam or rejection of the application and, in extreme cases, a prevention from reapplying for one year.
Applicant's submission contains the work of others with no attempt to reference Or, it contains fabricated information.	The applicant has not only failed to demonstrate competence in these areas but has shown dishonesty in using the work of others to gain an advantage. This suggests a longer-term concern about their fitness to practise.

	<p>Unless the offending material is a very small section of their work, penalties in this situation would normally be immediate failure of the exam or rejection of the application and a prevention from applying for at least one year.</p> <p>In circumstances where approximately over 30% of the submission contains offending material, they would normally be unable to automatically reapply and would instead have to seek the Registrar's discretion to do so after at least two years.</p>
<p>Combinations of more than one type of plagiarism within the same application.</p>	<p>This would indicate more serious disregard and raise more serious concerns about their integrity.</p> <p>This should be treated as an aggravating circumstance alongside considering the actual offences.</p>
<p>Any second offence.</p>	<p>The applicant has not learnt from previous offences and has demonstrated continued incompetence or dishonesty.</p> <p>In the absence of significant mitigations, the applicant would normally be unable to automatically reapply and would instead have to seek the Registrar's discretion after at least two years.</p>

Annex 3 – Proposed changes to procedures

Recommended changes are struck through and highlighted in red. Unlike the annex above, these were all included in the original consultation.

Prescribed exam: Examination Procedures

02. The Procedures for Examination

2.1 Principles

~~2.1.3 A candidate whose work is found to be plagiarised at any point in the examination process will not be permitted to continue with their examination. The Board may wish to use any standard tool for the purpose of investigating plagiarism. Re-application will be at the discretion of the Registrar.~~

An applicant who is suspected to have plagiarised at any point in the examination process will be subject to investigation and potential sanction under ARB's Plagiarism Policy.

UK Adaptation Assessment Process: Assessment Procedures

2. The Procedures for the UK Adaptation Assessment

2.1 Principles

~~2.1.3 An applicant, any part of whose submission is determined by the Registrar to be misleading or untrue at any point in the assessment process will not be permitted to continue with their assessment, and their application will be refused. Re-application will be at the discretion of the Registrar.~~

An applicant who is suspected to have plagiarised at any point in the application process will be subject to investigation and potential sanction under ARB's Plagiarism Policy.