

Plagiarism policy

for Open session

Subject:

To approve the proposed updated Plagiarism Policy for consultation.

Board meeting:

18 October 2023

Agenda item:

8

Action:

- For noting
- For discussion
- For decision

Purpose

The Board is being asked to consider and approve a proposed new plagiarism policy before it is issued for public consultation.

Recommendations

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

Annexes

- Annex 1 – Current policy
- Annex 2 – Examples of regulator and academic approaches
- Annex 3 – Proposed new policy
- Annex 4 – Proposed changes to procedures

Author/Key Contact

Rebecca Roberts-Hughes, Director of Policy and Communications (rebeccar@arb.org.uk)

Henry Asson, Policy Officer (henrya@arb.org.uk)

1. Open Session

2. Background and Key points

- 2.1. The Architects Act 1997 places on ARB the responsibility for prescribing (accrediting) the qualifications and practical training experience required for entry to the UK Register of Architects. The Board also has a duty to ensure that those who apply for registration without accredited qualifications have an equivalent standard of competence.
- 2.2. Most forms of assessment carry a risk of cheating and/or plagiarism; the Prescribed Examination and the 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.
- 2.3. Currently, ARB operates a zero-tolerance policy towards “plagiarism and cheating” but retains a high level of Registrar discretion on whether offending applicants can reapply.
- 2.4. Section 2.1.3 of the Examination Procedures states: “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.” As part of their application, applicants are required to sign a declaration which includes the following: “I have also read and understood the guidance on plagiarism and cheating and I am aware of ARB’s zero tolerance policy.” ARB’s current policy is set out in full in Annex 1.
- 2.5. The UK Adaptation Assessment procedures also state: “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.” And, under the same procedures, “no applicant will be entitled to be re-assessed if the Registrar determines that they have submitted an application any part of which is misleading or untrue.”
- 2.6. We believe that this policy should be revisited as we have concerns about how this policy can be applied fairly and consistently. The review included comparative research of the plagiarism policies used by both academic institutions and other regulatory bodies, and internal discussions with ARB teams who use the policy (Professional Standards, Registration and Accreditation).
- 2.7. Our research identified several recurring themes of good practice:
 - A clear definition of plagiarism.
 - A link between plagiarism and an individual’s character and fitness to practise.
 - A clear set of possible outcomes that escalate by severity.
 - An element of discretion retained for regulatory sanctions.

A list of academic institutions and other regulatory bodies we researched can be found in Annex 2.

- 2.8. In our internal discussions, a more proportionate approach to penalising plagiarism was identified as an aim of any new policy. There was agreement that the current policy is punitive in its initial impact on the applicant, with no flexibility to take into account severity of the offence or individual circumstances. Using Registrar decision-making in relation to applications to reapply, without a clear set of criteria to support decision making, is a risk to good and consistent decision making.
- 2.9. We have developed a new draft plagiarism policy (Annex 3) that 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.
- 2.10. The new definition expands on the previously used scope of what constitutes plagiarism but accounts for developments in the use of technology and peer-to-peer collusion. It also incorporates principles from the [Architects Code: Standards of Conduct and Practice](#) on honesty and integrity as part of guidance on sanctioning plagiarism offences.
- 2.11. We recommend that ARB introduce a more detailed declaration which all individuals sitting a prescribed exam must sign. In signing, the individual acknowledges that the work they have submitted is their own, with all correct references given to the work of others, and that they understand what we consider to be plagiarism. They also acknowledge that any plagiarised content found in their submission as defined in our definition could be considered a breach of ARB's expected standards of honesty and integrity as set out in the Code. ARB will reserve the right to sanction any form of plagiarism accordingly.
- 2.12. The clearer and more standardised process is centred on examiners escalating submissions within which they identify plagiarism. Examiners will flag to ARB staff any submission that 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
- 2.13. ARB will then deliberate the extent of the offence and any penalties to impose upon the applicant at ARB's discretion as set out in the proposed guidance. The proposed policy sets out who is then responsible for the final decision – that being ARB staff and not the examiner.
- 2.14. We propose a range of penalties available to ARB decision makers, outlined as part of the policy, to be used at their discretion based on assessing the severity of the offence. The principles behind these are separated into the outcome or grade on their current application, and the impact on their ability to reapply. This means an ARB decision maker could apply a proportionate sanction based on the offence.

- 2.15. A more proportionate approach reflects the policies of other regulators and academic institutions conferring qualifications on individuals. While the policies of other regulators are not methodical in how they set out penalty thresholds and available sanctions, we found that an indefinite ban was not the first response to plagiarism.
-

3. Resource Implications

- 3.1. Implementation decisions will be considered by ARB between now and when the full consultation outcome is presented to the Board. These will include interdependencies such as who is responsible for decisions and how we can ensure their competency and expertise, potential ways to improve identification including through the use of software, and any fee implications for applicants. It will also include any procedural changes for examiners and payment for additional work required as a result.
- 3.2. At this early stage, we predict that the cost of implementing the new policy will be in the region of £17,000 per year. This accounts for potential changes to the way in which examiners will need to identify and raise plagiarism, which may have a slight impact on the time they spend assessing work. This estimated cost has been included in early budget plans for 2024. In future, we would need to factor this into the fees for examinations and assessments to which the policy would apply. This excludes the cost of any software subscriptions that we may identify as necessary following consultation on the proposal.
-

4. Risk Implications

- 4.1. 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 any options for implementation are compatible with our legislation.
- 4.2. 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 are consulting 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. We will consult via our public online platform for six weeks. The consultation will ask respondents to consider the proposals and share any views they have. The consultation will be promoted to all architects through ARB Insight and shared on all our social media platforms so that those outside the Register are also able to see it.

5.2. The final policy will be published on our website and clearly communicated to any applicants to whom it would apply.

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.

7. Recommendations

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

Annex 1 – Current policy

ARB guidance on plagiarism is based on the [Plagiarism.org](https://www.plagiarism.org) definition.¹ This considers all of the following plagiarism:

- turning in someone else’s work as your own
- copying words or ideas from someone else without giving credit
- failing to put a quotation in quotation marks
- giving incorrect information about the source of a quotation
- changing words but copying the sentence structure of a source without giving credit
- copying so many words or ideas from a source that it makes up the majority of your work, whether you give credit or not (see our section on "fair use" rules)

These actions also extend to images, videos and music.

Currently, ARB operates a zero-tolerance policy towards “plagiarism and cheating” but retains a high level of Registrar discretion on whether offending applicants can reapply.

Section 2.1.3 of the [Examination Procedures](#) states:

“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.”

Similarly, under the UK Adaptation Assessment procedures:

“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.”

Furthermore, under the same procedures “no applicant will be entitled to be re-assessed if the Registrar determines that they have submitted an application any part of which is misleading or untrue.”

¹ [Plagiarism.org](https://www.plagiarism.org) is sponsored by Turnitin LLC, the providers of an internet-based similarity detection software used by many UK Universities to detect plagiarism.

Annex 2 – Examples of regulator and academic approaches

- [Royal Institute of Chartered Surveyors](#)
- [Solicitors Regulation Authority](#)
- [General Medical Council](#)
- [General Dental Council](#)
- [University of Manchester](#)
- [University College London](#)
- [University of Oxford](#)
- [The Russell Group](#)

Annex 3 – Proposed new policy

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 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 of 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.²

² 'Decision maker' would normally be the ARB registration team processing the application, with the Registrar as appropriate.

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.

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	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

<p>citations and references to the work of others.</p>	<p>means their application was unsuccessful. The applicant will be able to reapply at the next available time.</p>
<p>Applicant's submission includes a large number of incorrect citations and references to the work of others.</p>	<p>More mistakes suggest a stronger concern about the applicant's integrity, character and fitness to practise.</p> <p>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.</p>
<p>Applicant's submission contains the work of others with no attempt to reference</p> <p>Or, it contains fabricated information.</p>	<p>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> <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 4 – Proposed changes to procedures

Recommended changes are struck through and highlighted in red

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.