

PROCEDURES FOR DEALING WITH ALLEGATIONS OF PLAGIARISM AGAINST GRADUATES OF THE UNIVERSITY

The following procedures will be followed upon receipt of written allegations of plagiarism brought against a graduate of the University¹.

1. DOCUMENTATION

- 1.1 Allegations of plagiarism (as defined in the *Code of Practice on Student Discipline*) against graduates of the University should be submitted, in writing and signed, to the Academic Registrar. Anonymous allegations will not be considered.
- 1.2 Written allegations will be acknowledged and the person bringing the allegation will be informed of the procedures to be followed. At this stage they will be asked if they wished to submit any further written evidence. They will also be asked to give their written permission for the University to send the written allegation to the graduate against whom an allegation has been made. Where such permission is given, the written allegation will be amended so that the name of the person bringing the allegation will not be immediately obvious to the graduate concerned where the person bringing the allegation requests that they remain anonymous to the graduate and give acceptable reasons for such a request. If the latter permission is not received within 28 days of the date of the request for such confirmation, no further action will be taken by the University.
- 1.3 Upon receipt of the above-mentioned permission, the written allegation and a copy of these *Procedures* will be sent to the graduate, who will be asked to submit his/her written response within 28 days.

2. PRELIMINARY INVESTIGATIONS

- 2.1 If the graduate admits plagiarism, the case will be considered by a Disciplinary Committee and the procedures outlined in Sections 3-8 will be followed. If the graduate denies the allegations, the following procedures will apply.
- 2.2 The written allegation, and the written response to the allegation, will be sent to a Vice-Principal, who will convene a Review Committee consisting of themselves (as Convener), the Head of the relevant subject and another senior academic from the relevant School. Where the allegation relates to an Honours dissertation or postgraduate thesis, the Review Committee will normally consult with the graduate's supervisor(s). The Review Committee will then decide whether or not a *prima facie* case of plagiarism exists.
- 2.3 If the Review Committee judges that a *prima facie* case of plagiarism does not exist, the person bringing the allegation, and the graduate against whom the allegation has been made, will be informed of the Review Committee's decision and that no further action will then be taken. The graduate's response to the allegation that has been considered by the Review Committee will remain confidential within the University.

¹ Allegations of plagiarism against members of staff are considered under the University's Policy on Good Research Practice and Procedure on the Handling of Allegations of Research Misconduct. Allegations of plagiarism against registered students are considered under the Code of Practice on Student Discipline.

2.4 If the Review Committee judges that a *prima facie* case of plagiarism exists, the relevant Convener will seek an independent assessment of the allegation. This will be undertaken by asking a subject specialist external to the University to review the written allegation, the response from the graduate against whom the allegation has been made and any supporting documentation, e.g. copies of critical texts, including theses. All documents to be sent to the external subject specialist will be amended so that the external subject specialist is not aware of the name, gender, race or ethnic origin of either the person bringing the allegation or of the graduate concerned. The external subject specialist will be provided with the University's definition of plagiarism (as defined in the *Code of Practice on Student Discipline*). The external subject specialist will be asked to send the Academic Registrar a detailed, written, report of the investigation, which should conclude with the external subject specialist indicating, in his or her academic judgement based on the material provided, either (i) that plagiarism has taken place or (ii) that plagiarism has not taken place or (iii) that plagiarism may have taken place or that there is a reasonable suspicion that plagiarism has taken place, but that there is insufficient evidence to decide whether or not plagiarism has taken place.

2.5 If the opinion of the external subject specialist is that plagiarism has or may have taken place, his/her report, together with all written documentation in regard to the allegation, will be considered by a Disciplinary Committee [Sections 3, 4 and 5 refer].

2.6 If the opinion of the external subject specialist is that plagiarism has not taken place, the Review Committee will be asked to decide that plagiarism has not taken place. The person bringing the allegation and the graduate concerned will be informed that it is the University's decision that plagiarism has not taken place and that no further action will be taken. The name of the external subject specialist and his/her report will remain confidential within the University.

3. POWERS OF DISCIPLINARY COMMITTEES

3.1 If an allegation of plagiarism by a graduate is admitted or found proved by a Disciplinary Committee, the Committee may impose one of three penalties: (i) a written reprimand, with appropriate advice on how to avoid a recurrence of the situation in which the graduate has found himself/herself; (ii) that the award concerned be rescinded; or (iii) that the award be rescinded but that the work be re-assessed with the possibility of a lower award being made. In (ii) and (iii) above, and only when the Disciplinary Committee's decision has not been overturned as a consequence of any appeal (Sections 7 and 8 below, refer), where the plagiarism relates to an Honours dissertation or postgraduate thesis, the relevant University School, the University Library and the British Library, as appropriate, will be informed of the decision and asked to remove copies of the dissertation or thesis in question from their holdings.

4. COMPOSITION OF DISCIPLINARY COMMITTEES

4.1 A Disciplinary Committee shall consist of a senior member of the Senate in the Chair, and four other staff members of the Senate selected by the Secretary to the University from the Disciplinary Committee Panel. A graduate whose case is being considered by the Disciplinary Committee may object to the inclusion in the Committee of any particular person or persons on cause shown. The Disciplinary Committee Panel will be appointed by the Senate each year to deal with breaches of student discipline or of allegations of plagiarism against graduates of the University. The Convener of a Disciplinary Committee, who will be selected by the Secretary to the University, need not be a member of the Panel. In addition, a member of the academic staff with knowledge of the subject area under investigation and who has not been

involved at an earlier stage may be co-opted to the Disciplinary Committee by the Secretary to the University.

5. CONDUCT OF HEARINGS BY A DISCIPLINARY COMMITTEE

5.1 The graduate shall be informed in writing of the allegations made against him or her and will be asked to attend a hearing of a Disciplinary Committee, normally with notice of at least 28 days. The Committee may adjourn the hearing to a later date on the application of the graduate if the interests of justice would be served thereby.

5.2 In investigating cases a Disciplinary Committee shall consider such representations as are submitted by interested parties and may make such enquiries as it thinks fit. It shall consider any written and/or oral representations including those of witnesses, who may include the person who has made the allegation and/or an independent subject specialist who has been asked to investigate an allegation, provided always that any oral evidence shall be taken in the presence of the graduate or, with his or her approval, in his or her absence in the presence of his or her representative. The graduate shall also receive copies of all written submissions which are considered by the Disciplinary Committee, including the report of the external subject specialist, whose identity shall remain anonymous unless, exceptionally, he or she is asked to attend the Disciplinary Committee. The graduate may be accompanied or represented at any meeting by any person of his or her choice. If the Committee believes that a graduate has refused to attend or participate in a formal hearing without good cause, it may nonetheless proceed to conduct the investigation and reach a decision on the case. Any formal hearing shall be conducted as follows:-

5.2.1 The Convener of the Committee will outline the procedures to be followed.

5.2.2 The Convener will then outline the nature of the allegations and invite the graduate and/or his or her representative to respond.

5.2.3 The Convener will invite witnesses (if any) to give oral evidence.

5.2.4 Members of the Committee will be given the opportunity to seek clarification on any of the points raised, either by the graduate or by any witness(es).

5.2.5 The graduate and/or his or her representative will be invited to address questions to the Convener and/or to any witness(es) on their statement(s) and on their written submissions.

5.2.6 The graduate and/or his or her representative will be invited to give a concluding statement.

5.2.7 When all statements have been made, all witnesses heard and all questioning completed, all persons present other than the Disciplinary Committee will leave the room. The Clerk may, however, remain, provided that the graduate who is the subject of the hearing does not object.

5.2.8 The Committee will then consider the evidence and reach its decision. If the Clerk remains, he or she will take no part in the decision making process. The Clerk shall communicate the Committee's decision to the graduate in writing, normally within three working days.

6. DECISIONS

6.1 A decision of a Disciplinary Committee, even if not accepted by the graduate, shall be deemed to be a decision of the Senate itself.

APPEAL TO THE UNIVERSITY COURT

7.1 A graduate who has been disciplined under the above procedures shall have the right to appeal to the University Court on procedural grounds only, provided an appeal, in writing, including a detailed statement of the grounds of appeal, is lodged with the Secretary to the University within 28 days of the date of the Disciplinary Committee's written decision.

7. INDEPENDENT REVIEW

7.1 In accordance with the Further and Higher Education (Scotland) Act, the Scottish Public Services Ombudsman (SPSO) has responsibility for investigating student appeals and complaints. The SPSO provides a route for those who have exhausted the University's appeals and complaints procedures, to refer their appeal or complaint for independent review where they are dissatisfied with the handling of the internal appeals or complaints procedure. Once the Scottish Ombudsman has made a judgement, it would be for the University Court to decide whether or not to accept the judgement and on any remedial action to be taken.

8.2 A registered student of the University who made an allegation of plagiarism against a graduate of the University that was not upheld by the University Court will be informed of the procedures for seeking independent review of the University Court's decision. The SPSO's responsibility for consideration of appeals and complaints extends to those made by former students or members of the general public (for example, to former students or members of the general public who had submitted an allegation of plagiarism against a graduate of the University, or to the graduate against whom the allegation was made).