



UNIVERSITY OF ZULULAND

POLICY AND PROCEDURES

ON

MANAGING AND PREVENTING ACTS OF PLAGIARISM

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OVERSEEING COMMITTEE(S)	University Research Ethics Committee → Senate → Council		
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POLICY STATEMENT

The University is responsible for developing and promoting academic integrity and improving trust in scholarly work, and for preventing plagiarism in educational and research material. This Policy articulates the University's resolve to take a firm position against all acts of plagiarism and sets out the processes and procedures that will create awareness of plagiarism issues, monitor all acts of plagiarism and will enable transgressions to be acted upon in a uniform manner across the Institution.

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RELATED POLICIES	
POLICY NUMBER	NAME OF POLICY
RI P1	Postgraduate Assessment Guide
RI P2	Research Proposal Guide
RI P3	Research Policy
RI P4	Ethics Policy
VC P1	Student Disciplinary Code
HR P20	Staff Disciplinary Code

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SECTION A: POLICY

1 PURPOSE AND RATIONALE

Plagiarism constitutes a breach of academic integrity and compromises and undermines the values and processes by which knowledge is created, shared and evaluated. Such breach not only cast suspicion upon the integrity of the individuals involved, but also damage the reputation of the academic community. The University of Zululand (“the University”, “UNIZULU”, “the Institution”) therefore has a responsibility to uphold academic integrity and to promote trust in scholarly work undertaken at the Institution and to prevent plagiarism within the Institution.

This Policy and Procedures on Managing and Preventing Acts of Plagiarism (“the Policy”) articulates the University’s resolve to promote academic integrity and to take a firm position against all acts of plagiarism. Its purpose is to establish consistent guidelines and procedures on how plagiarism at UNIZULU can be monitored and prevented at undergraduate, postgraduate and research levels in order to enhance academic integrity and ethical behaviour from the onset of a student’s and a researcher’s academic career.

The Policy’s premise is that acts of plagiarism do not necessarily stem from dishonesty and therefore adopts a nuanced approach that allows for formative, corrective and punitive approaches depending upon the particular circumstances. Accordingly, it sets out processes and procedures for creating awareness of plagiarism issues, for educating and monitoring, and for acting upon transgressions in a uniform manner across the Institution. Effective policy implementation will also enhance UNIZULU’s image as a quality academic institution.

The Policy is necessary for the following reasons:

- To get a shared and clear understanding of the nature of plagiarism
- To emphasize the need to educate the University community about plagiarism and its impact on them and the Institution
- To provide for monitoring, detection and prevention mechanisms and processes
- To establish uniform procedures for dealing with instances of plagiarism that comply with the principles of natural justice
- To contribute to academic integrity within the Institution
- To improve the quality of research at UNIZULU
- To augment the attributes of the University’s graduates
- To enhance the University’s academic reputation

The Policy should be read together with institutional codes of conduct, the Research Ethics Policy, the Disciplinary Codes for staff and students, and the Postgraduate Handbook. Referencing conventions within a particular academic discipline should also be considered.

2 SCOPE

This Policy applies to all students registered for a qualification at the University, or an affiliate institution where such work can reasonably be seen to be associated with the University and where the act of plagiarism has impacted or has the potential to impact upon the University's academic and administrative reputation and/or standing. Without limiting its scope, the Policy has particular relevance to the conduct of all undergraduate and postgraduate students.

3 DEFINITIONS

Category A Transgressions

First-time, minor infringements, often associated more with incorrect citation and referencing. Such instances usually stem from ignorance or lack of academic maturity and are seldom intentional. Such cases are usually restricted to undergraduate students in their first or second years of study.

Category B Transgressions

(a) Repeated Category A offences, or to relatively minor offences at a more senior academic level than second year; (b) first-time, more serious offences, irrespective of a student's year of study, where the offence would not attract a penalty of more than the loss of a Duly Performed (DP) certificate; (c) first-time minor offences perpetrated by postgraduate students; or (d) first-time minor offences perpetrated by members of staff. Category B offences are not necessarily committed intentionally.

Category C Transgressions

Major, serious infringements by students or infringements by staff; in circumstances where they acted intentionally or negligently; or failure on the part of staff members to take reasonable steps to ensure that they comply with their obligations to prevent plagiarism as stipulated in this policy.

Ethics

A set of principles of correct conduct, in this instance, in the academic environment of teaching and learning and research. It involves morality and specific moral choices to be made by a student, lecturer or researcher. Ethics are reflected in rules and standards directing the actions and conduct of a person or the members of the

University.

Plagiarism

Plagiarism is the act of submitting or presenting work, study material, assignments, research work or inventions of someone else, irrespective of its source, as one's own creation; in some instances, even where credit or acknowledgement is given to the original source.¹ Plagiarism where a researcher makes use of his or her own previously-published work, without proper reference to the original work, is called self-plagiarism. (Note that fault is not part of the definition. A person's intention, negligence or innocence is not relevant to determining whether conduct constitutes plagiarism.²)

Plagiarism Detection

Processes and procedures used to identify acts of plagiarism with the assistance of relevant detection tools such as anti-plagiarism software.

Plagiarism Prevention

Steps that reduce acts of plagiarism through education, creation of awareness, prevention and monitoring.

Postgraduate student

A student registered to do a postgraduate diploma, or an Honours, Master's or doctoral degree, irrespective of whether it is a coursework or research qualification.

Researcher

A person who researches at the University and/or who produces research output in the name of or under the auspices of the University, irrespective of whether he or she is a staff member or student and could include Research Fellows, research associates, collaborators, co-authors and external supervisors of postgraduate students.

Undergraduate student

A student registered for an undergraduate degree, diploma or certificate programme.

¹ Examples of conduct that may fall within the definition include:

- Using the direct words of another without using quotation marks (even where the passage is referenced)
- Unacknowledged copying of a sentence or two of text; or copying more extensive blocks of text
- Syndication of a single piece of work by more than one student (except where the assignment task is a legitimate group assignment)
- Borrowing and using another person's assignment (with or without his or her knowledge and permission)
- Submitting an entire essay from another person or from the Internet; or infringing copyright

² However, these factors become material when determining the nature of any remedial or punitive action.

4 GUIDING PRINCIPLES AND VALUES

The following principles govern the University's approach to the identification and management of plagiarism and will inform any decisions and processes taken to ensure compliance with this Policy:

- 4.1 The University adopts a zero tolerance for acts of plagiarism.
- 4.2 The University has a responsibility to uphold academic integrity and to promote trust in scholarly work undertaken at the Institution.
- 4.3 Academic activity within the Institution shall be conducted with scholarly integrity and excellence. Plagiarism constitutes a breach of academic integrity and compromises and undermines the values and processes by which knowledge is created, shared and evaluated.
- 4.4 Instances of plagiarism cast suspicion not only upon the integrity of the individuals involved, but also upon the reputation of the University and its academic community.
- 4.5 Responsibility for understanding and avoiding plagiarism lies with the student, and therefore ignorance is not necessarily a defence against plagiarism. The ability to recognize and avoid plagiarism is an academic skill which, like other academic skills and knowledge, students are expected to master. As for other academic skills and knowledge, students are expected to evince clearer understanding of plagiarism as they progress through the years of education, and failure to progress in this regard will affect their academic record
- 4.6 Plagiarism is not only an issue in the academic sphere. The principles apply equally for ensuring that administrative work is conducted with integrity.
- 4.7 Acts of plagiarism do not necessarily stem from dishonesty. In a society where preparation for academic endeavour is inadequate, different levels of academic maturity should be recognized and policies and rules should cater for such different situations by taking in to account, in appropriate instances, possible lack of awareness of applicable standards and inadequate academic preparation in respect of the referencing protocols.
- 4.8 The University and its students have a reciprocal responsibility on the one hand to educate and on the other to learn about plagiarism. The University has a responsibility to take steps to ensure that students understand what plagiarism is and how to avoid it, and students have a responsibility actively to apply

themselves in this regard. In a learning institution, the obligation for creating awareness and educating students about plagiarism and its impact on them and the institution is paramount. Although plagiarism prevention is a group effort, academic staff members have a particular obligation to in this regard.

- 4.9 Plagiarism cases are not all the same and circumstances may dictate that ostensibly the same conduct should be treated differently. For example, a violation of academic integrity by a staff member or a postgraduate student may amount to no more than an academic misdemeanor in the first assignment of a first-year student; work submitted in the course of supervision is not a finished product and provides opportunity for education and remedial action; repeated offences would attract more serious responses; and disciplinary conventions might dictate that what constitutes plagiarism in one discipline does not attract the same reprobation in another.
- 4.10 A nuanced developmental approach should be adopted in formulating remedial action and it must at all times be borne in mind that in a learning environment space should be made to accommodate mistakes and/or breaches of rules. Inculcating self-discipline should take precedence over imposing discipline upon another and a formative or corrective approach to remedial action should always be considered in the first instance. Punitive action should normally be reserved for serious and/or repeated violations, or where a person's academic maturity would give rise to higher standards having been set.
- 4.11 The precepts of the Constitution, the University's policies and regulations and the principles of natural justice must govern procedures for acting upon transgressions. Accordingly, rules and the consequences of their breach must be certain, clear and known to the alleged transgressor; and compliance and remedial standards and procedures shall be uniform, transparent and evenly applied.
- 4.12 Compliance oversight should be conducted in a spirit of promoting research endeavours and the dissemination of results.

5. STRUCTURES FOR OVERSEEING COMPLIANCE OF THIS POLICY

- 5.1 The University's research ethics oversight structures comprise the following:
 - 5.1.1 Senate
 - 5.1.2 The University of Zululand Research Ethics Committee (UZREC).
 - 5.1.3 Faculty Boards
 - 5.1.4 Disciplinary Committee: Students and other relevant Tribunals of the University

- 5.2 The structures mentioned in Clause 5.1 operate as a collective and any of them may, without derogating from their overall responsibilities, perform certain of their functions and obligations through other committees, or special ad hoc committees or tribunals set up for specific purposes.
- 5.3 The committees established to implement this Policy have discretion to deviate from strict application of the relevant ethical guidelines where exceptional circumstances exist to avoid a procedure injustice.
- 5.4 It is important to note that Senate and the committees that oversee plagiarism focus primarily on research conducted at the University and the degrees and/or programmes that the University offers. They have the usual powers associated with dealing with academic matters. Where findings may impact

upon contractual relations between the University and the person involved, additional processes in terms of the appropriate codes would have to be instituted. Such processes cannot, however, override or supplant the conclusions reached regarding issues of academic integrity.

- 5.5 **Senate** has overall oversight in respect of research integrity, but may delegate this function, in terms of this and other policies,³ to the Research Ethics Committee (UZREC) and other committees that are accountable to that Committee including the Faculty Boards.
- 5.6 The **University Research Ethics Committee (UZREC)** implements, oversees and monitors research integrity at the University, including plagiarism, and shall
 - 5.6.1 Provide guidance on the interpretation and implementation of this Policy
 - 5.6.2 Receive faculty reports regarding Category A and B plagiarism in their faculties
 - 5.6.3 Act upon Category C transgressions
 - 5.6.4 Refer plagiarism matters to the Disciplinary Committee: Students for consideration.
 - 5.6.5 Where necessary and/or appropriate, constitute *ad hoc* Plagiarism Tribunals to deal with specific instances
 - 5.6.6 Report annually to Senate on matters concerning plagiarism
 - 5.6.7 Periodically review the content and the implementation of this Policy
- 5.7 **Departmental Plagiarism Committees** are *ad hoc* informal committees constituted by Heads of Department to investigate, oversee and implement this Policy within a department, and to deal with Category A transgressions only. The membership will vary according to the size and needs of the Department.
- 5.8 **Faculty Board** will oversee and implement this Policy within departments, receive departmental reports regarding Category A plagiarism cases and act upon Category B transgressions. They may constitute *ad hoc* informal ~~Faculty Plagiarism~~ Tribunals to deal with specific instances. In instances of Category C transgressions, the Chairperson of the UZREC shall refer plagiarism cases to the Disciplinary Committee: Students to preside over the matter, in accordance with the policy and procedures prescribed in The Disciplinary Code: Students C22/13.
- 5.9 The Appeals Tribunal constituted in accordance with the Policy and Procedures on Disciplinary Codes: Students will adjudicate appeals in respect of Departmental and Faculty tribunal decisions
- 5.10 The Disciplinary Committee: Students shall report its findings to Senate via the

UZREC.

- 5.11 A person who has been found guilty of a Category C transgression, may appeal the Committee's decision. In such instances the Appeals Committee constituted in accordance with the Disciplinary Codes: Students, comprising of a Deputy Vice-Chancellor as the Chairperson with one academic and one non-academic member shall preside over the appeal. The Appeals Committee shall report its findings to Senate via the UZREC. Subject to the overriding authority of Senate, its decision shall be final and no further appeals shall be permitted.
- 5.12 In instances of Category C transgressions involving staff, the Disciplinary Committee, alternatively the UZREC, may, in addition to taking action in respect of the academic transgression, refer the matter to the Executive Director, Human Resources for possible disciplinary action in terms of the prevailing Staff Disciplinary policy.

6 ROLES AND RESPONSIBILITIES

6.1 Academic staff

- 6.1.1 Academic staff members are responsible for creating awareness and for putting preventative measures in place
- 6.1.2 All lecturers must be able to use and apply programs used to detect plagiarism
- 6.1.3 Departmental Heads must report acts of plagiarism to the Deans of Faculties and the Deans will ensure that the Plagiarism Policy and procedures are duly implemented
- 6.1.4 Supervisors of postgraduate students and their research work are expected to follow the university policy on postgraduate supervisory practice and should, when reviewing drafts of students' work, be vigilant in identifying potential plagiarism; and insist on students attending workshops that will familiarize them with best practice and the use of plagiarism detection software and databases.

6.2 Students

- 6.2.1 During the first two years of study students must follow orientation and awareness programmes to educate them about plagiarism
- 6.2.2 All postgraduate students should follow the procedure to check scholarly work for possible plagiarism whereafter a Plagiarism Declaration Form (Annexure B) must be completed.

6.3 Academic support

The Research Office, the Library and Information Services Division, the Academic Development Unit and the Information Communication Technology Division will co-

operate to ensure availability of orientation sessions and programmes, as well as software licensing and maintenance of approved detection programmes.

6.4 Faculty and Departmental Plagiarism Monitoring and Prevention

- 6.4.1 FRECs are responsible for overseeing and coordinating awareness and preventative activities within their faculties and shall liaise with the designated persons in each department to ensure that appropriate steps are taken to implement this Policy.
- 6.4.2 Deans and Heads of Department must ensure that staff members are aware of the contents of the Policy and academic staff members are in turn obliged to educate their students in respect of their responsibilities in terms of this Policy.
- 6.4.3 At the beginning of each academic year Heads of Department should identify staff members who will oversee and implement this Policy in their departments, particularly regarding awareness training and taking preventative measures, and who will be available to assist other staff in dealing with Category A cases, and identifying Category B cases for referral to the FREC or Category C cases for referral to the UZREC.

7 DEALING WITH PLAGIARISM

7.1 Awareness and training

- 7.1.1 Staff and students must be made aware of plagiarism and its consequences and the importance that the University attaches to the detection and prevention of plagiarism. The educational role is an ongoing and shared one and it is incumbent upon University and faculty managers, Heads of Department, lecturers, supervisors and

tutors to make a concerted and sustained effort to make the University community aware of their obligations.

- 7.1.2 Departments and academic staff must appreciate the importance of their roles in assisting students to acquire the academic discourse and their responsibility for taking active steps to provide students with an explanation as to why and how sources are used and cited in building academic integrity. In addition, because the nature of referencing and plagiarism is usually context-specific, departments, in collaboration with institutional support structures such as the Research Office, the Academic Development Unit and the Library and Information Services, are responsible for ensuring that students fully understand the nature of legitimate academic practice, of what constitutes illegitimate practice, and the potential consequences of such conduct, in that particular discipline.
- 7.1.3 It is particularly important that students are alerted to the nature of plagiarism, are informed that it constitutes a serious offence, and are informed about the disciplinary procedures that are in place for dealing with suspected cases. Such information should not only be provided to them at the beginning of their studies, but there should be constant reminders afterwards.
- 7.1.4 Without limiting the nature of any educational programme that the UZREC or any other body or person might wish to follow, the following specific tasks should be undertaken:
- (a) The Research Office and Library staff shall conduct regular plagiarism workshops for staff and students
 - (b) Faculty Research Ethics Committees shall supplement the University workshops with faculty-specific programmes
 - (c) Departments shall expose students to the concept and the consequences, and train them on the citation, referencing and presentation conventions applicable to their disciplines.
 - (d) Departments are encouraged to refer students and staff to the useful information literacy- and plagiarism prevention workshops provided by the Library.
 - (e) The topic must be covered during departmental induction activities for new students. Such training could occur either in lectures or during the regular tutorial programme or in specialized sessions designed for this purpose. Students are alerted to the nature of plagiarism, are informed that it constitutes a serious offence, and are informed about the disciplinary procedures that are in place for dealing with suspected cases.
 - (f) Such training should not occur at the first-year level only, but must be reinforced at each subsequent level, including postgraduate levels.

- (g) Faculty and departmental student handbooks and study guides must contain information on plagiarism and its consequences, and how material from such sources as books, articles, the Internet and the work of other students, may and may not be used in the preparation of assignments, dissertations, publications and theses. Guidelines as to the extent of the loss of marks and other penalties for plagiarism (where such are appropriate) should be agreed by departments and should be made available to the students in handouts and study guides.
- (h) All postgraduate students must attend at least one workshop on plagiarism and the contents of this Policy during the course of their studies towards a postgraduate degree, which shall become a prerequisite (DP requirement) for obtaining a postgraduate degree.
- (i) In addition, supervisors must ensure that postgraduate students are aware of their obligations and responsibilities, and the supervision meeting minutes must record the fact that the supervisor has counselled the candidate in this regard.

7.2 Preventative measures

- 7.2.1 The University will purchase the rights to use acceptable and lawful text-matching, similarity-checking software, or to use an internet-based text-matching database to assist staff and students in cross-checking material and identifying situations where submitted material matches previously-submitted material or previously-published sources.
- 7.2.2 Members of staff are compelled, in terms of their professional commitment to best academic practice, to be on the lookout for cases of plagiarism, and to deal with any such cases in accordance with this Policy and its procedures. Staff should be open to various detection and monitoring approaches.
- 7.2.3 Monitoring and detection material should not be used only to detect possible plagiarism in final products. In line with the developmental and educational objectives of this Policy, such mechanisms should also serve to assist staff and student authors to improve their writing and referencing skills and to prevent instances of plagiarism in the final product.
- 7.2.4 In compliance with this principle of promoting academic integrity, all postgraduate material submitted for final examination must be accompanied by a statement not only that the material constitutes the author's original work, but preferably also that it had been subjected to the University's text-matching and/or similarity-checking procedures to confirm that the work is original.

7.3 Punitive measures

- 7.3.1 The principle of legality, a standard principle underpinning punitive action, must be applied in all cases. In terms of this principle, a person should not be sanctioned in respect of rules that did not exist at the time the conduct was perpetrated. It is therefore important, before punitive steps are taken, that the entire University community, staff and students, are made aware of this Policy, the plagiarism concept and the consequences of committing an act of plagiarism.
- 7.3.2 In compliance with the principles of natural justice, punitive action must be uniform, consistent, impartial and equitable in their application. In addition, given the academic nature of the offence, punitive action should have a strong developmental focus, while not ignoring the other disciplinary objectives of punishment, which are to reprimand and discipline the individual, to regulate that person's behaviour and the behaviour of the University community generally, and to deter the person and others from engaging in such conduct in future.
- 7.3.3 In line with this Policy's objectives, a gradual, incremental approach to punishing acts of plagiarism should normally be followed, determined by the nature of the offending conduct and the academic maturity of the individual involved.

8 SPECIFIC INSTANCES INVOLVING STAFF AND/OR RESEARCHERS

8.1 Introduction

- 8.1.1 Although the concepts of plagiarism, plagiarism prevention and referencing are sometimes not well understood by staff, such knowledge is an inherent requirement of an academic staff member's job. It is therefore incumbent upon all academic staff members to become acquainted with this Policy and the obligations it imposes upon them. Ignorance of the nature and content of an inherent job requirement cannot constitute an excuse. Staff members are therefore encouraged to acquaint themselves regarding plagiarism and to attend training events that the University offers from time to time. Academic staff members have an additional responsibility to ensure that their conduct serves as model academic behaviour for their students.
- 8.1.2 As far as the members of the academic staff are concerned, it is important that staff themselves have the opportunity to be trained about plagiarism.

8.2 Supervisors

- 8.2.1** Supervisors are ordinarily not principal investigators of postgraduate candidates' research and so would not be primary authors of a mini-dissertation, dissertation or thesis. It is therefore unlikely that a supervisor would be held responsible for a candidate's plagiarism in a thesis that has been submitted for assessment.
- 8.2.2** A supervisor who fails to take reasonable steps to ensure that s/he complies with the obligations stipulated in Clause 6.1.4 above, may be held responsible for having breached those obligations.
- 8.2.3** Should a candidate and a supervisor subsequently publish thesis material, at which stage the plagiarism is revealed, the supervisor may attract responsibility as a co-author in respect of that output. This matter is dealt with below (Clause 8.4).

8.3 Members of a research group or team

- 8.3.1** Members of a research group or a research team who are not cited as authors of a document will not be responsible for any plagiarized material that is contained in that document. As authors, they may attract responsibility, applying the rules set out below in Clause 8.4.

8.4 Co-authors

- 8.4.1** Instances arise where staff members are co-authors, with fellow employees, outside persons or students whom they have supervised, of work containing plagiarised material.
- 8.4.2** All co-authors are presumed to be jointly responsible for the published material; in other words, each is responsible for the entire content of the publication, even those parts which they did not write themselves. Unless they can show that they were not at fault in any way in publishing the plagiarised work, they will be held to have perpetrated the plagiarism as if they were the principal author of that part of the work.
- 8.4.3** It is therefore important to assess the co-author's role in preparing and presenting the published output. A person who wrote the offending section will normally be accountable for what he or she wrote.
- 8.4.4** In instances of an author who did not write the piece, the question arises as to whether or not he or she had been negligent; in other words, whether the person met or had acted below the standard of a reasonable co-author. A reasonable co-author would not checked every word against every document available on the Internet, for example, or use plagiarism tracking facilities to verify the words that a co-author had written; but such a person must be alert to the

possibility, depending upon the academic maturity and experience of the co-author, of plagiarism violations and should recognize obvious instances. Crucial to the enquiry would be nature of the steps that the co-author took to prevent the risk of plagiarism occurring in the document. If reasonable preventative action was taken, even if such action did not succeed in preventing the plagiarism, the co-author cannot be said to have been negligent and therefore at fault.

SECTION B: PROCEDURES

9 DEALING WITH TRANSGRESSIONS AT UNDERGRADUATE LEVEL

- 9.1** Although plagiarism constitutes unacceptable academic conduct, each instance should be considered on its merits in order to assess the appropriate remedial or punitive action. The concepts of plagiarism, plagiarism prevention and referencing are often not well understood by many students so, irrespective of the severity of a case, all instances plagiarism should be with sensitively; and developmental remedial action such as counseling and education should always be considered as a preferable first step, rather than simply imposing sanctions.
- 9.2** It is also important that students are alerted to the nature of plagiarism, are informed that it constitutes a serious offence, and are informed about the disciplinary procedures that are in place for dealing with suspected cases. Such information should not only be provided to them at the beginning of their studies, but there should be constant reminders afterwards.

10 DEALING WITH CATEGORY A TRANSGRESSIONS AT UNDERGRADUATE LEVEL

- 10.1** Category A transgressions constitute first time, minor infringements, and are usually handled by the staff member/lecturer who detects the offence, usually in conjunction with the lecturer in charge of the course, or the course coordinator.
- 10.2** In cases where the student is new to the University, and/or where it is apparent that the student has committed such plagiarism because of a lack of understanding of what is required, the student should usually:
- 10.2.1** Be counseled by the staff member concerned: the problem should be explained, the correct practice should be encouraged, and the student should be warned of the serious consequences of committing plagiarism again.

- 10.2.2** The student may be required to get more training on plagiarism prevention and referencing techniques. This practice would reflect the importance of our educative role as far as plagiarism is concerned.
- 10.2.3** In some cases it might be appropriate to ask the student to re-do the work to demonstrate that he or she has learnt from the experience.
- 10.2.4** Additionally, if it is appropriate, a mark penalty could be imposed.

11 DEALING WITH CATEGORY B TRANSGRESSIONS AT UNDERGRADUATE LEVEL

- 11.1** Category B transgressions relate to repeated offences of a minor nature, or to relatively minor offences at a more senior academic level than first year, or to first time, more serious offences, where the offence would not attract a penalty of more than the loss of a Year Mark or Duly Performed (DP) certificate.
- 11.2** Where a member of staff is uncertain as to whether an alleged case of plagiarism constitutes a Category A or B offence:
 - 11.2.1** This matter should be discussed with the Head of Department and/or members of the departmental plagiarism structures, and a decision should be taken that is consistent with previous practice in the department.
 - 11.2.2** In large departments, Heads of Department may delegate this role to a senior member of staff.
 - 11.2.3** If a category B offence is detected, the matter must be referred to the Head of Department or nominee, who must refer the matter to the Faculty Board for a hearing.
- 11.3** Should the Faculty Board determine that the offence in question is a Category C offence, the matter must be referred to UZREC to decide on whether a formal disciplinary action be instituted.

12 DEALING WITH CATEGORY C TRANSGRESSIONS

- 12.1** Where the relevant Faculty Board identifies a case that it considers serious enough to constitute a Category C case, it must refer the matter to the Chairperson of the UZREC. The Head of Department must include with the correspondence copies of the offending material and the sources from whence the plagiarism is alleged to have occurred (both suitably marked).
- 12.2** The Chairperson of the UZREC shall refer the matter to the Disciplinary Committee: Students for a formal inquiry. A person charged with a Category C offence must be given full written particulars of the allegation against him or her:

12.2.1 Should the person be dissatisfied with the Disciplinary Committee's decision and or recommendation, he or she may appeal the decision, in accordance with the appeal procedures as set out in the Policy and Procedures Disciplinary Codes: Students in which the grounds of appeal and reasons therefor are set out. The Appeals Tribunal as envisaged in Section 17 of the Policy and Procedures Disciplinary Committee: Students.

12.2.2 The Appeals Committee as envisaged in 12.2.1 *supra*, without derogating any of the rights conferred on it by the Disciplinary Code: Students, may dismiss or uphold the appeal, vary or rescind the award or amend the recommendation as it deems fit.

13 DEALING WITH PLAGIARISM TRANSGRESSIONS AT POSTGRADUATE LEVEL PRIOR TO GRADUATION

13.1 Procedures applicable before submission for assessment

13.1.1 In line with a developmental approach, preventative and remedial action should be taken in respect of any draft work (either course work or research work) that a student presents before the stage of submission of the work for examination. Such remedial action may take the form of counseling or attending a workshop on plagiarism, or preferably, both. This provision applies even in respect of final drafts.

13.1.2 The nature of the counseling should be such that the candidate understands why the conduct in question amounts to plagiarism and what other forms of conduct might constitute plagiarism, and the candidate should be warned of the consequences of plagiarism and that should any further plagiarism be revealed in drafts or final products submitted subsequently, disciplinary action could be taken against the candidate. In such an event, the normal procedures applicable to Categories B and C will apply.

13.2 Procedures applicable on or after submission for assessment

13.2.1 All postgraduate work submitted for assessment in the form of assignments, mini-dissertations, dissertations and theses must be accompanied by a declaration by the author(s) that the submitted work is the authors(s) original work and that it has not been plagiarized. (See Annexure B.)

13.2.2 Where an examiner or assessor of material identifies acts of plagiarism, that examiner or assessor should provide a report indicating the nature and extent of potential plagiarism.

13.2.3 The principles and procedures set out in Clause 12 above shall apply equally to postgraduate students, with the necessary changes; provided that any specific principles and procedures mentioned in this Clause shall take precedence.

Honours or Coursework Master's material

- 13.2.4** In the case of assignments or material submitted as part of an Honours or Master's course work programme, the Head of Department must determine the category in which the alleged transgression falls and implement the appropriate steps. Where the Head of Department is directly involved as a supervisor/examiner, the Dean of the Faculty, or a senior member of the Department nominated by the Dean, should perform this task. Given the academic seniority of such students, such transgressions would seldom fall within Category A and should normally be either Category B or C offences.
- 13.2.5** Allegations of plagiarism in a postgraduate research paper or mini-dissertation should be treated as a Category C offence.

Master's dissertations and Doctoral theses

- 13.2.6** For allegations of plagiarism in Master's dissertations and Doctoral theses, the following procedure should be adopted:
- (a) On discovery of a possible plagiarism transgression, the matter must be referred to the Head of Department, whose task it is to collate the relevant evidence (which may include a report from one or more examiners) and to refer the allegation of plagiarism to the Chairperson of the UZREC and also notify the Chairperson of the relevant FREC. Where the Head of Department or the Dean is directly involved as a supervisor/examiner, the Deputy Dean, or a senior member of the Faculty nominated by the Dean, should perform this task.
 - (b) The process described in Clause 12 shall apply equally to these matters, with the necessary changes.
 - (c) If the Tribunal finds that there is no case of plagiarism, the matter must then be referred back to the Head of Department (or appropriate nominee) for that person to process the matter in the normal way.

13.3 Procedures applicable after the award of a degree, diploma or certificate

- 13.3.1** This clause applies to all certificates, diplomas and degrees that the University has awarded.

13.3.2 Should it transpire, after a degree, diploma or certificate has been awarded, that plagiarism normally falling within Categories B or C might possibly have occurred in material that had been submitted for assessment in the course of obtaining that qualification, the matter must be referred to the Head of Department and Dean of Faculty, whose task it is to collate the relevant evidence and to refer the allegation of plagiarism to the Chairperson of the UZREC and also notify the Chairperson of the relevant FREC.

13.3.3 The process described in Clause 12 shall apply to these matters.

14 DEALING WITH PLAGIARISM INVOLVING STAFF AND/OR RESEARCHERS

14.1 Except in the instances as defined, plagiarism perpetrated by staff in lecturing and research material shall ordinarily constitute Category C offences.

14.2 All allegations of plagiarism involving staff and researchers, or of a failure to take reasonable steps to ensure that they comply with their obligations stipulated in Clause 6.1.4 above, must be referred to the Dean of the relevant Faculty, whose task it is to collate the relevant evidence and to refer the allegation of plagiarism to the Chairperson of the UZREC.

14.3 The UZREC Chairperson shall then constitute a Plagiarism Tribunal as envisaged in Clause 12 above.

15 RECORD-KEEPING AND REPORTING

15.1 All academic departments shall keep records of all cases of plagiarism that have occurred in their departments.

15.2 Each department shall ensure that

15.2.1 The names of students involved in Category A cases

15.2.2 The plagiarism findings of category B and C cases and copies of documents associated with the cases are reported and/or delivered to the Research Office immediately upon finalization of such cases.

15.3 Plagiarism Tribunals and Plagiarism Appeals Tribunals shall similarly report their findings to the Research Office.

15.4 The Registrar shall inform the Research Office of any decisions of Senate and Council regarding plagiarism matters.

- 15.5 The Research Office shall record all cases on a database set up for this purpose.
- 15.6 This database may be accessed by Heads of Department (or their authorized nominees) to allow departments to ascertain whether a student has committed serious plagiarism before.
- 15.7 In February of each year, the Research Office shall compile a report, to be submitted to UZREC and thereafter, Senate, on incidences of Category B and C plagiarism across the University in the previous academic year.
- 15.8 In appropriate instances, the Registrar's Division and the Executive Director, Human Resources, shall endorse student academic records and staff personal files and maintain the records on file.

16 IMPLEMENTATION AND OVERSIGHT RESPONSIBILITIES

- 16.1 The project owner of this Policy is the Deputy Vice-Chancellor, Research and Innovation, who shall ensure that the Policy is presented for revision and review at the appropriate time.
- 16.2 Oversight and implementation of this Policy vests in the UZREC and the FRECs, but Senate has overarching oversight responsibility.
- 16.3 Management and administration of this Policy rests with the Office of the Deputy Vice-Chancellor, Research and Innovation and the Research Office.

17 POLICY REVIEW

- 17.1 Council shall review the Policy on a three-yearly cycle.
- 17.2 On recommendation of the Research Ethics Committee, Senate may review and amend Section B at any time, in which event the amendments take effect on the date of the Senate approval.
- 17.3 The Policy owner may review amend annexures that contain or illustrate forms or documents for effective administration and/or management at any time.
- 17.4 All persons affected by the Policy must be notified of any amendments.
- 17.5 Nothing in this clause shall prevent Council from reviewing this Policy at any time prior to the stipulated three-year cycle, in which event a new cycle shall commence from the date of such review.

ACKNOWLEDGEMENTS AND REFERENCES

This document draws from similar policies developed at Rhodes University and the University of Fort Hare. The University of Zululand thanks both universities for granting it permission to use the material.

Inter-Academy Council Responsible Conduct in the Global Research Enterprise: A Policy Report (2012)

ANNEXURE A:
ORIGINALITY DECLARATION (ASSIGNMENTS AND PROJECTS)

Departments may adapt the template provided below to suit their academic needs.

ORIGINALITY DECLARATION

Name:

Department:

Title of Work submitted:

.....

1. The material that I am submitting together with this declaration is the product of my own work, or my group's own unique group effort.
2. I understand that my research must be accurately referenced. I have followed the rules and conventions concerning referencing, citation and the use of quotations as set out in the Departmental and/or Faculty Handbooks.
3. I know that plagiarism means taking and using the ideas, writings, works or inventions of another as if they were one's own. I know that plagiarism not only includes verbatim copying, but also the extensive use of another person's ideas without proper acknowledgement (which includes the proper use of quotation marks). I know that plagiarism covers this sort of use of material found in textual sources and from the Internet.
4. I know that the University has a Plagiarism Policy and that the University considers plagiarism to be a serious academic offence.
5. I acknowledge that plagiarism is wrong. I also acknowledge that copying someone else's work, or part of it, or taking material from the Internet, is wrong, and that submitting identical work to others constitutes a form of plagiarism. I know that persons who do so may be disciplined.
6. I understand further that if I allow someone to copy my work with the intention of passing it off as their own work, I would be party to that person's unacceptable conduct. I have not allowed, nor will I in the future allow, anyone to copy my work with the intention of passing it off as their own work.

Signed

Date

ANNEXURE B:

ORIGINALITY DECLARATION (MINI-DISSERTATIONS, DISSERTATIONS AND THESES)

ORIGINALITY DECLARATION

I acknowledge that I have read and understood the University's policies and rules applicable to postgraduate research, and I certify that I have, to the best of my knowledge and belief, complied with their requirements.

I declare that this mini-dissertation/dissertation/ thesis is, save for the supervisory guidance received, the product of my own work and effort. I have, to the best of my knowledge and belief, acknowledged all sources of information in line with normal academic conventions.

I further certify that this mini-dissertation/dissertation/ thesis is original, and that the material has not been submitted, either in whole or in part, for a degree at this or any other university. (*Where the work is a continuation or progression of research that was submitted for another degree, e.g. an Honours project or a Master's dissertation this must be stated clearly, the name of the work must be provided, and an explanation must be given regarding the extent of the current work's originality.*)

I have/have not subjected the document to the University's text-matching and/or similarity-checking procedures. (*One could indicate that this process applied only to some chapters or that it occurred during the course of the research and not in respect of the final product.*)

Signature:.....

Print Name:.....

Date:

ADDENDUM

PROCEDURE IN CASE OF PLAGIARISM

1. GENERAL

- 1.1 All the University's disciplinary committees are administrative tribunals with the objective of education, reformation and rehabilitation.
- 1.2 Apart from the provisions of this disciplinary code, and the principles of administrative justice, the rules determining the procedure that shall be followed before the hearing and in so far as where the rules are silent thereon, the disciplinary committee shall follow an inquisitorial process.
- 1.3 The Disciplinary Committees is a forum of record and a record of all hearings shall be kept.
- 1.4 In the case of an alleged transgression of this Code, a charge of misconduct shall be laid with the Office of the Registrar.
- 1.5 The Registrar may inform the parents, or legal guardian of a student (notwithstanding the student having reached the legal age of majority), in a manner in which the Registrar deems appropriate, of any disciplinary investigation and/or proceedings initiated or completed involving the student.
- 1.6 The Registrar may appoint a University staff member (full-time or part time), or a person from outside the University with appropriate legal qualifications and practical experience, to act as an Initiator/Prosecutor in proceedings before the Students Disciplinary Committee.
- 1.7 When the Registrar is of the opinion that a formal charge(s) of misconduct against a student is warranted, disciplinary processes against the student as set out below shall be commenced with.

2. PLEA AND AGREED DISCIPLINARY MEASURE

2.1 Where a student is formally charged by the University with misconduct and the student, before the disciplinary enquiry has commenced –

- i) admits to the charge(s) against him or her; and
- ii) enters into a plea and disciplinary measure agreement with the University,

the Registrar shall, subject to the provisions of paragraph 2.3, follow the procedure described in paragraph 2.2.

2.2 The charge(s), admission of guilt and disciplinary measure imposed shall be noted and recorded by the Registrar in the presence of the student, or the student and his or her parent or legal guardian, or the student and his or her legal representative, as the case may be.

2.3 The Registrar must refer the matter for a formal disciplinary enquiry in accordance with this Code, should it at any time become evident that the student may not be guilty of the charges against him or her, or that the student wishes to revisit his or her decision regarding the plea and disciplinary measure agreement.

3. FORMAL DISCIPLINARY HEARING

If a charge against a student has been formulated and the student denies the charge(s) against him or her, the Registrar must convene a disciplinary enquiry by the Disciplinary Committee (Students). This Committee will determine whether the student is guilty of the alleged misconduct and decide on appropriate disciplinary measures in accordance with the Disciplinary Codes: Students and this Policy.

4. SERVICE OF NOTICE

4.1 A Notice shall be compiled and delivered to the student concerned indicating the following information:

4.1.1 The date, time and place of the hearing.

4.1.2 The full charge and particulars of the alleged misconduct.

4.1.3 The student's right to legal assistance, and his right to attend the hearing.

4.1.4 A warning that should the student fail to attend the hearing, the hearing could continue in his/her absence;

4.2 Such notice shall be delivered to the student personally, registered mail or by email to the student's official University or nominated email or postal address, provided that if the student cannot conveniently be found, the notice may:

4.2.1 be posted by registered post to the student's last known address as provided by the student which shall be deemed to have been received by the student within a period of seventy-two (72) hours from date of postage;

4.2.2 Be left at the student's last known address as provided by the student which shall be deemed to have been received by the student within a period of seventy-two (72) hours from date of delivery;

4.2.3 Be served on a parent/guardian of the student either in person or by fax, email or delivery to an address, nominated by the parent.

4.2.4 The notice shall inform the student that proceedings under the Disciplinary Codes: Students are to be instituted and notify the student that a copy of the Rules is available for inspection in the Office of the Registrar.

5. REPRESENTATION AT THE HEARING

- 5.1 A student shall be entitled to be accompanied by his or her parent(s) or legal guardian and/or legal representative during the disciplinary enquiry.
- 5.2 The student may only be represented at the disciplinary enquiry by a legal representative.
- 5.3 The Chairperson of the Student Disciplinary Committee may, at his or her discretion, give permission to a third party, other than the parent(s), the legal guardian of the student, or a legal representative to assist the student.
- 5.4 A student's parent(s) or legal guardian, or any third party as referred to herein, will only be allowed to provide general support to the student and shall not be permitted to represent the student.

6. FORMAL INQUIRY PROCEDURE

- 6.1 The Inquiry shall be conducted in the presence of the accused student, provided that if the student, after notice being duly given and without leave of the Committee, fails to attend the inquiry, the inquiry may proceed in his/her absence;
- 6.2 The student may make written representations to the Registrar in reply to the Notice and the alleged offence of misconduct, setting out in detail the following:
 - 6.2.1 His/Her plea to the charge;
 - 6.2.2 A substantive statement supporting his/her Plea;
 - 6.2.3 Any relevant facts he/she wishes the Committee to consider.

- 6.3 At the outset, considering the rules of natural justice and fair administrative process, the Chairperson must first establish the following:
- 6.3.1 Whether the student was provided with the full details of the charge(s) against him/her and whether he/she was furnished with the relevant supporting documentation;
 - 6.3.2 Whether the student and his/her legal representative was afforded reasonable time (not less than 5 working days) to prepare for the inquiry;
 - 6.3.3 Whether the student understands the charge(s) against him/her and to enter a Plea of guilty or not guilty to the charge(s) as the case may be.
- 6.4 The Committee may consider and grant or otherwise, as it may determine, any application for the amendment of the charge, so as to add further charges or substitute one charge for another.
- 6.5 The inquiry shall be held in camera, except if the student expressly consents otherwise or, if on application, it is deemed to be in the public interest, subject to prevailing legislation, e.g. The Protection of Personal Information Act 4 of 2013 and relevant legislation;
- 6.6 The evidence prepared by the Initiator or Prosecutor, as the case may be, shall be placed before the Committee;
- 6.7 The evidence prepared by the Student or his representative may be placed before the Committee;
- 6.8 The student has the right to remain silent but may make representations to the Committee;
- 6.9 The onus lies with the Initiator/Prosecutor to prove his/her case, on a balance of probabilities;
- 6.10 The Committee must first determine if a *prima facie* case has been established

and inform the student of such instance;

- 6.11 Should the Initiator/Prosecutor fail to establish a *prima facie* case against the student, the Chairperson must discharge the student;
- 6.12 If a *prima facie* case has been established and should the student thereafter elect to remain silent or refuse to make representations, the Committee may draw an adverse inference from his/her failure to make representations in reply;
- 6.13 In conducting the inquiry the Committee shall do so in an inquisitorial manner and may direct that a witness may be called and/or exhibits should be submitted;
- 6.14 The Committee may of its own accord, call such witnesses as it may determine, or obtain any documents or other evidence relevant to the inquiry and may, in its discretion, instruct that any exercise, test, demonstration or experiment that may be relevant to a determination of the issue before it, be conducted;
- 6.15 The rules of the law of evidence shall not apply.
- 6.16 The committee may, on application, permit the University and the student to call witnesses to give evidence in their favour and to submit any other relevant documentation and information;
- 6.17 The Committee may, on application, permit the University and the student to lead evidence in chief and to cross-examine each other's witnesses;
- 6.18 The party so applying for leave to lead formal evidence must satisfy the committee that the matter is of such a nature that it cannot be properly ventilated without formal evidence and that it is in the interest of justice to do so;
- 6.19 Evidence shall not be taken under oath but each witness must be admonished

by the Chairperson to give evidence that is truthful and honest;

- 6.20 An admonished witness who gives false or dishonest evidence shall be liable of an offence and subject to disciplinary proceedings.
- 6.21 At the conclusion of the hearing, the student or his/her representative and the Initiator/Prosecutor may address the Committee on the merits of the case.
- 6.22 The Committee shall decide thereafter, in light of the evidence and representations whether or not the student is guilty of the offence(s) charged.
- 6.23 A finding of guilty shall only be returned if:
 - 6.23.1 the charge has, in the opinion of the Chairperson, been proven on a balance of probabilities, or a determination of the issue(s) before it is concluded;
 - 6.23.2 The student has freely and voluntarily admitted guilt, and the Chairperson is satisfied that there is evidence from the student or another source to substantiate the admission.
- 6.24 If the Committee does not find the student guilty as herein provided, the student must be acquitted.
- 6.25 If the Committee is satisfied that the Initiator/Prosecutor has discharged the onus and has proven all the essential elements of the offence, the student having failed to present a version that is *reasonably probably true*, or any version at all, then the student must be found guilty of the charges.
- 6.26 Upon finding the student guilty of the offences, the Committee must permit the Initiator/Prosecutor to address on aggravating factors, and permit the student to address on mitigating factors for the purpose of

determining an appropriate sanction or disciplinary measure;

- 6.27 In exceptional circumstances, the Initiator/Prosecutor or Student or his/her representative may, on application be afforded the opportunity to present formal evidence in support of aggravation or mitigation of sentence.
- 6.28 After pronouncing its sanction, the Committee must inform the student of the right to Appeal against its verdict and sanction.
- 6.29 The proceedings shall be recorded in full by a competent person appointed by the Registrar for this purpose.
- 6.30 After handing down its decisions, and providing reasons for its decisions, if so requested, the Students Disciplinary Committee has fulfilled its function and is *functus officio*.

7. APPEAL PROCEDURE

A student may appeal against the finding and/or the disciplinary measures imposed by the Students Disciplinary Committee in accordance with the following procedure:

- 7.1 The student may appeal to the Appeals Committee by lodging a written Notice of Appeal with the Office of the Registrar.
- 7.2 The written notice of appeal shall be lodged with the Registrar not later than 5 (five) working days after the decision of the Students Disciplinary Committee has been communicated to the student. The University may require an undertaking from the student to carry the costs incurred by the University to prepare the record of the proceedings of the Students Disciplinary Committee.
- 7.3 The grounds of appeal must be furnished in the notice of appeal and must

indicate clearly whether the appeal is lodged against the finding, sanction and/or the disciplinary measure.

- 7.4 On receipt of the notice of appeal, a copy thereof shall be submitted to the Chairperson of the Students Disciplinary Committee, whereupon the Chairperson shall prepare a response within 15 days and submit it to the Registrar.
- 7.5 The Registrar shall arrange for the record to be transcribed and furnish a copy to the student or his/her legal representative, the Initiator/Prosecutor and Chairperson.
- 7.6 The student or his/her legal representative must file their Heads of Argument with the Registrar within 10 days of receipt of the transcripts.
- 7.7 The Initiator/Prosecutor may file Heads of Arguments within 10 days of receipt of the students Heads of Arguments.
- 7.8 The Registrar shall then arrange for the appeal to be heard as soon as possible by the Appeals Committee as composed in accordance with The Disciplinary Codes: Students.
- 7.9 The Appeals Committee may confirm, alter or set aside any finding and shall be entitled to suspend, increase or reduce any disciplinary measure imposed by the Students Disciplinary Committee. Should the Appeals Committee set aside the finding and/or disciplinary measures imposed by the Students Disciplinary Committee, or reduce the disciplinary measures imposed on the student, any amount paid by the student shall be refunded.
- 7.10 The appeal shall be decided on the basis of the documentation before the Appeals Committee and only arguments on the papers filed shall be allowed.