

1.5 POLICY ON PLAGIARISM

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PROCEDURES	<i>1.5.1 Procedure for plagiarism incidents</i>
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RELATED DOCUMENTS

THE OPEN WINDOW	OTHER
<ul style="list-style-type: none">• Student Code of Conduct• Open Window Staff Manual• OW Referencing Guide	<ul style="list-style-type: none">• Employment Equity Act of 1998;• Health and Safety at Work Act 1974• Copyright Amendment Act No. 9 of 2002.• SA Main IP Legislation: Copyright and Related Rights. (WIPO Lex).• Intellectual Property Act No. 38 of 1997.• Intellectual Property Amendment Act 28 of 2013.

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01 PREAMBLE

The *Policy on Plagiarism* provides guidelines on what plagiarism is, outlines supporting structures, and offers a framework for the students accredited to OW programmes. The policy thus commits OW and the Academic and Academic Support Staff to guiding and supporting students in all matters relating to plagiarism within their studies. Through the Policy on Plagiarism, OW commits to excellence, quality assured learning, and supported academic and knowledge being created within the OW.

02 PURPOSE AND SCOPE

The **purpose** of this policy is to ensure the academic integrity of OW. Plagiarism is an issue of general concern and the consequential response that is sensitive to the different disciplines offered at OW. To this end, the policy aims to:

- articulate and define the scope of plagiarism at OW in relation to the various disciplines;
- ensure that the outstanding academic standards and excellence The Open Window strives for is maintained, all students must adhere to the school's plagiarism prevention policy;
- require staff to provide students with the good practice and guidance on how to prevent plagiarism, and the consequences of committing plagiarism.

The **scope** of the plagiarism prevention policy is applicable on employees and students at The Open Window and pertains to the process of encompassing teaching and the evaluation of students' learning.

03 DEFINITION OF TERMS

For the purpose of this policy and associated procedure(s), the following definitions of terms shall apply:

TERM	DEFINITION
Academic Board	The principal advisory body for all matters relating to OW's teaching, learning, research programmes and overall academic quality. The Academic Board is the custodian of academic strategy development. The Academic Board ratifies decisions by the Academic Committee, and also fulfills the role of mediation or conflict resolution for matters that the Academic Committee cannot resolve.
Copyright	Copyright is the right to copy. It is a legal device that provides the creator of a work of art or literature, or a work that conveys information or ideas, the right to control how the work is used. It is a property right given to authors or creators of 'works', eg literary works, artistic works, musical works, sound recordings, films and broadcasts or computer programs, to control the copying or exploitation of their work.
Plagiarism	Plagiarism is passing off the work of others as your own and a person found guilty of such a transgression can be legally prosecuted. In addition, it also constitutes academic

	<p>theft and is a serious matter which will have serious consequences in assignment assessment.</p> <p>The following extract is from the Anglia Ruskin University Academic regulations (2006:86): "Plagiarism is the submission of an item of assessment containing elements of work produced by another person(s) in such a way that it could be assumed to be the student's own work."</p>
Plagiarism Committee	A plagiarism committee usually consists of the relevant Head of School, Subject Manager, Lecturer and Student Liason, with outcomes communicated to the Registrar.
Written Text	Is defined as, but not limited to articles, books, research reports, theses, newspapers, magazines, notes, course material, co-students' projects, e-mail messages, data, computer code, etc.

04 PRINCIPLES UNDERPINNING THE POLICY

The Policy for Plagiarism aims to promote the following principles that form the foundation of teaching and learning at OW:

- **Academic Quality Assurance:** The highest premium is placed on the quality assurance and promotion of programme content and delivery, and student support. Academic Quality Assurance falls within the portfolio of the Regulatory Officer at OW. The constitution of the Teaching and Learning Committee, the Programme Committee, the Assessment Committee, the Research Committee, the Student Experience Committee as well as the Administration Committee and their functions also contribute to assuring the quality of our offering and related processes.
- **Vision and Mission:** All initiatives associated with the promotion of teaching and learning are aligned with the institutions Vision and Mission.
- **Resources:** The OW aims to provide all resources and infrastructure that will allow the student the best opportunity to actively participate and benefit from the teaching being provided.
- **Programme design and curriculum development:** The OW aims to align all activities relating to the development of programmes and supporting materials in such a way that students may fully engage with the subject content of their programmes and achieve the maximum learning possible.

5.1 Understanding Plagiarism

The following extract is from the Anglia Ruskin University Academic regulations (2006:86):

Plagiarism is the submission of an item of assessment containing elements of work produced by another person(s) in such a way that it could be assumed to be the student's own work. It is up to the lecturer to ensure that all work received adheres to these principles.

Examples of plagiarism are:

- the verbatim copying of another person's work without acknowledgement;
- the close paraphrasing of another person's work by simply changing a few words or altering the order of presentation without acknowledging the source; and
- the unacknowledged quotation of phrases from another person's work and/or the presentation of another person's idea(s) as one's own.

Copying or close paraphrasing with occasional acknowledgement of the source may also be deemed to be plagiarism if the absence of quotation marks implies that the phraseology is the student's own. Plagiarised work may belong to another student or be from a published source such as a book, report, journal or material available on the internet.

You commit plagiarism when you present someone else's ideas – published or unpublished – as if they were your own. People's ideas may be contained in:

- Written text – articles, books, research reports, theses, newspapers, magazines, notes, course material, co-students' projects, e-mail messages, data, computer code, everything on the Internet, etc.
- Visual text – fine art, graphic art, photographs, etc.
- Multimedia products – websites, video productions, films, DVDs, CDs, etc.
- Music – compositions, lyrics, CDs, music or sound bytes on the Internet, etc.
- Spoken text – speeches, audio recordings, lectures, interviews, etc.

What are the consequences of plagiarism?

Plagiarism is illegal. It may be regarded as a criminal offence in terms of the Copyright Act 98 of 1978.

How can plagiarism be avoided?

- Proper referencing demonstrates that you are familiar with the developments in your field of study and that you have read widely and know who the leading subject-field specialists are.
- Learn to think independently and critically and acknowledge the source at all times according to the method prescribed by the department or subject field.
- Get acquainted with the correct method of reference and apply it to assignments, reports, essays, etc.

5.2 Copyright

What is copyright?

Copyright is the right to copy. It is a legal device that provides the creator of a work of art or literature, or a work that conveys information or ideas, the right to control how the work is used. It is a property right given to authors or creators of 'works', e.g. literary works, artistic works, musical works, sound recordings, films and broadcasts or computer programs, to control the copying or exploitation of their work. As a property right it can be transferred by sale, gift or legacy and by license issued in order to duplicate. Even though laws differ between countries, the general principles are the same and require the permission of the copyright owner before a work can be copied or reproduced regardless of whether that be through electronic or conventional means.

Copyright gives the owner the legal right to do certain things to the work; for example, making a copy, publishing, broadcasting or giving a public performance and making adaptations to the work. Anyone else who does any of these things without the permission of the owner infringes copyright and may be sued by the owner for that infringement.

Who owns copyright in a work?

The author of a copyright work is generally the person who makes or creates the work, but this is not always the case. The word 'Author' is defined in the act as follows:

- In respect of a literary, musical or artistic work, to mean the person who first makes or creates the work;
- For a photograph, to mean the person who is responsible for the composition of the photograph;
- For a programme-carrying signal, to mean the first person emitting the signal to a satellite;
- For a published edition, to mean the publisher of the edition;
- For a computer program, to mean the person who exercised control over the making of the computer program.

The author or creator of the work is the owner of the copyright, unless the person is in employment, and the work is created in the course and scope of the employment, in which case the Employer holds the copyright. It is, however, possible for the creator of the work to share copyright as in joint authorship, or to contractually assign in writing, the copyright or part thereof, to a publisher or other third party, either on an outright basis or for a limited purpose or period.

Establishing copyright

For a work to qualify for copyright protection, it has to be original in the sense of not being a copy of another work, and it must exist in material form. There is no copyright in ideas because something as ethereal as an idea cannot receive legal protection, but as the idea is recorded in material form (in writing, on a canvas, as a photograph) copyright automatically arises. No formalities are required, and the work does not have to be registered.

What does copyright protect?

Copyright provides copyright owners fairly substantial control over their work. The four basic protections are:

- The right to make copies of the work;
- The right to sell or otherwise distribute copies of the work;
- The right to prepare new works based on the protected work;
- The right to perform the protected work (such as a stage play or painting) in public.

Which works are protected by copyright?

Copyright applies to all original works which have been reduced to material form and this may include any means of recording. According to Section 2(1) of the Copyright Act No. 98 of 1978, copyright protects works 'fixed in any tangible medium of expression' in these categories:

- Literary works
- Musical works
- Artistic works
- Cinematograph films
- Sound recordings
- Broadcasts
- Programme-carrying signals
- Published editions
- Computer programs

Copyright violation

Only the copyright owner may do, or authorise the doing, of the following in respect of work: reproduce it in any manner or form; publish it; perform it in public; broadcast it; transmit it in a diffusion service; or adapt it. Anyone who performs any of these actions without permission in respect of the work has infringed copyright.

06 POLICY REVIEW

The *Policy on Plagiarism* will be formally reviewed every three years in consultation with relevant stakeholders. Although the policy can be amended at any time, such amendments will be approved by the Academic Committee and ratified by the Academic Board.

6.1 Version History

v1.0	2014
v2.0	November 2016
v2.1	August 2019
v2.2	June 2020 (<i>only formatting changes</i>)

07 REFERENCES

Anglia Ruskin University. 2006. *Academic Regulations*. [[Available online](#)]

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University of Pretoria (UP). 2009. *Plagiarism penalty scale*. Pretoria: University of Pretoria