

## Appendix 4: Viva Voce for Suspected Academic Misconduct

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1. Whilst marking a taught student's assignment, a marker may suspect that the work isn't entirely the student's own, but on further investigation cannot find any textual evidence to substantiate their suspicions. In such cases (i.e. where it is strongly suspected that academic misconduct has been committed but where no direct evidence can be produced), the University has confirmed that a viva voce may be held to determine the authorship of the work.
2. The viva voce is conducted because there is reason to believe that the student's work is not entirely their own work. NOTE: the viva voce is not an academic assessment of the student's work: the aim of the viva voce is to give the student the opportunity to demonstrate that the piece of work is entirely their own and is held to confirm that the student:
  - undertook the reading and research themselves;
  - undertook all the preparatory work themselves;
  - understands what they have written;
  - Wrote the piece of work themselves.

### Principles and process

- A. A viva voce may, exceptionally, be held where it is suspected that academic misconduct has been committed but where no textual evidence can be produced e.g. in cases where it is suspected that the student has commissioned the work from a third party. The purpose of the viva voce is to provide the student with the opportunity to demonstrate that the work is their own, prior to a Board of Inquiry panel hearing.
- B. Only the piece of work in question will be the focus of the viva voce.
- C. The Dean, as Chair of the Board of Studies, must be consulted and approve the use of the viva voce prior to this being set up and the student informed.
- D. Two members of academic staff (at least one of whom must be a subject specialist) must be present at / conduct the viva voce; this will normally be the marker of the assessment and Director of Studies (DoS). If the DoS was a marker, then the Director of Teaching or another member of staff approved by Head of Department, will be the second member of staff present.
- E. The student may be accompanied by a person of their choice (normally a fellow student, member of staff or Students' Union representative). Any individual accompanying the student should under no circumstances participate in the viva voce. They will act as a support person only.
- F. The viva voce must take place in a quiet suitable room and without interruption. Instructions for conducting the viva voce online can be found at the end of this document.
- G. The student should be made to feel at ease and the format of the viva voce must be explained to them at the beginning. The person leading the viva voce should begin by informing the student that it is suspected that they may not have authored all or part of the work and that viva voce represents an opportunity for the student to demonstrate that they did. They should also explain that, if authorship remains in

doubt at the end of the viva voce, the matter will be referred to a Board of Inquiry hearing at which the student will have a further opportunity to put their case.

- H. Intensive questioning of the student may be required, however this must be non-aggressive. The questions asked should provide the student with opportunities to demonstrate that the work is their own in line with the quality of the answer provided in the disputed piece. Questions should test students' knowledge and understanding of the topic and the work produced.
- I. An accurate record of the viva voce should be taken; this record may be used to form the evidence base for any future investigation at a Board of Inquiry hearing. A copy of the record must be provided to the student. It could be a written record or a video recording.
- J. Notification that a viva voce may be conducted, where an academic offence is strongly suspected, should be included in relevant student communications.
- K. If a viva voce is to be conducted it should not normally take place more than 30 calendar days after the assessment feedback.
- L. If a viva voce is to be conducted the student must be advised in advance in writing of the reason for the viva voce being held and given adequate notice (i.e. 7 calendar days) of the requirement to attend the viva voce. They must also be told that it will be recorded and if this will be a written or video recording. Students must be also be advised that if they do not attend the viva voce that the piece of work in question will be referred to a Board of Inquiry.
- M. Students should be given guidance on what a viva voce is, the purpose of the viva voce and how to prepare for the viva voce. It is recommended that the information in appendix A is included as an appendix to the written notification to attend the viva voce.
- N. Reasonable adjustments must be made to ensure that candidates with additional support needs are not disadvantaged for reasons relating to a long-term medical condition, sensory impairment, specific learning difficulty and /or disability.
- O. At the end of the viva voce there will be one of three outcomes:
  - 1. The staff conducting the viva voce will confirm that they accept that the student authored the work in question and no further action will be taken. If the piece of work in question has already been marked this mark will stand, and where not it will be marked on its own merit.
  - 2. The staff conducting the viva voce remain doubtful of the authorship of the work in question and the student will be required to attend a Board of Inquiry.
  - 3. The student accepts that they have committed academic misconduct and their case will be referred to a Board of Inquiry for a penalty to be applied.
- P. The viva voce itself will not result in a penalty being applied if the assessment offence is still suspected or the student admits committing the academic offence during the viva voce; penalties can only be applied by a Board of Inquiry.

## Information for Students

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### What is a viva voce?

A viva voce is a conversation that will be held between members of academic staff and you.

### What is the purpose of the viva voce?

The viva voce is being held because there is reason to believe that the piece of work you submitted, or parts of it, is not entirely your own work. The aim of the viva voce is to give you an opportunity to demonstrate that the piece of work is entirely your own and to confirm that you:

- undertook the reading and research yourself;
- undertook all the preparatory work yourself;
- understand what you have written;
- wrote the piece of work yourself.

### Who will be present at the viva voce?

Normally the marker of the assessment in question and the Director of Studies (DoS). If the DoS is the marker then the Director of Teaching or another senior member of staff appointed by the Head of Department will be present. A member of the Faculty's Professional Support Service staff may also be present to make notes of the viva voce.

### Where will the viva voce take place?

If possible the viva voce will take place on campus. However if this is not possible then it will be conducted remotely using video calling. The protocols to be followed are at the end of this document.

### Will the viva voce be recorded?

A record will be taken which may be a written or video recording. You will be advised in your notification letter if the viva will be recorded.

### Can I bring anyone with me to the viva voce?

Yes. You may be accompanied by a person of your choice (normally a fellow student, member of staff or Students' Union representative). However anyone accompanying you will not be able to participate in the viva voce.

### How should I prepare for the viva voce?

You must be thoroughly familiar with the content of your work and the research that was involved as you will be asked questions by the members of academic staff about the sources you used, your ideas, the words used, your research, references and data collection as relevant for the piece of work in question etc. These questions are asked so that the members of academic staff can be assured of the authorship of the work.

### What will I need to bring to the viva voce?

You will need to bring with you all the documentation that you used in completing the piece of work e.g. your list of source documents, evidence of primary data collection, rough notes and assessment drafts etc.

### What will happen during the viva voce?

You will be asked to explain / be asked questions on how you researched and produced the piece of work, how you found the sources quoted in your bibliography / reference list and asked to explain your ideas and theories and any elaborate vocabulary you have used. Your

answers will help the academic staff make a decision as to whether the work you submitted is your own.

#### What will happen after the viva voce?

At the end of the viva voce there will be one of three outcomes:

1. The staff conducting the viva voce will confirm that they accept you authored the work in question and no further action will be taken. If the piece of work in question has already been marked this mark will stand, and where not it will be marked on its own merit.
2. The staff conducting the viva voce remain doubtful of the authorship of the work in question and you will be required to attend a Board of Inquiry.
3. You accept that they have committed the assessment offence and the case will be referred to a Board of Inquiry for a penalty to be applied.

## Protocols for a remote viva voce

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These must be followed in order to ensure the viva voce is fair and robust.

### Before the day

If a participant does NOT have access to any of the following they must inform the person organising the viva voce:

- A reliable internet connection with sufficient speed to facilitate video calling from multiple locations.
- Reliable and suitable hardware (web-cam, PC/laptop, headphones).
- The appropriate software (the default being MS Teams).
- A private and quiet space for the duration of the examination where they will not be interrupted.

### On the day

#### *Before the viva voce starts*

- Each party must introduce themselves and their role.
- If the student has notified of any materials they want to have present then these must now be shown and remain visible throughout.
- If the student has notified of having another person present as a support then they must be introduced and remain visible throughout.
- The DoS (or equivalent) will confirm the process including the protocol for any drop in connection and any technical issues which results in the viva voce being abandoned (see below).

#### *During the viva voce*

- All parties must remain visible throughout.

#### *End of the viva voce*

- All participants will be asked to confirm that using video calling has had no substantive bearing on the process.

#### *In the event of a technical failure*

- If the connection drops for one or all participants then all reasonable attempts should be made to re-establish the connection.
- If, after a reasonable number of attempts and time, it isn't possible to establish a stable connection for all participants, the viva voce must be abandoned and rescheduled if necessary.
- A reasonable period to wait will be longer if the student and any support person remains visible to at least one member of staff at all times. If the student is no longer visible, then a reasonable time to wait would be much shorter to ensure the viva is still robust.
- In such an event the DoS (or equivalent) will be responsible for conferring with all other participants (by phone if necessary) and having the final decision on whether to abandon the attempt.
- If sufficient discussion has taken place, it may be possible to recommend an outcome.
- It is not permissible for the viva voce to be conducted by audio only or by telephone.