

# Examining Board– Code of Practice

**Student and Academic Services**

**Updated September 2020**

# Contents

## Contents

Contents .....	2
Introduction.....	3
Examining board membership.....	3
Avoiding potential conflicts of interest.....	5
External Examiners .....	5
Secretary to the Examining Board .....	5
Confidentiality.....	5
Field Board Terms of Reference.....	6
Award Board Terms of Reference .....	6
Single-tier* Award Board Terms of Reference .....	7
Disagreements at examining boards .....	8
Award Board actions where students have not passed modules and have personal circumstances accepted.....	8
Excusing 30 credits from the required credit total.....	8
Adverse circumstances affecting a whole student cohort or sub-cohort. ....	9
Examining board quorum .....	10
Review of assessment decisions.....	10
Annulment of an examining board decision where there has been a material and significant administrative error or other material irregularity .....	11
Annulment of an examining board decision following an academic appeal .....	11
Annulment of an examining board decision for an award of the University offered at an affiliated institution .....	11
Appointment of an examining board following the annulment of a decision .....	12
Process for withholding awards from students.....	12

## Introduction

Every module and award is the responsibility of an examining board.

For modular programmes, the University will operate a two tier examining board structure: a Field Board responsible for considering and approving module marks and awarding credit and an Award Board responsible for determining eligibility for awards. For those programmes where the use of a single tier board has been approved, Award Boards perform the function of both Field and Award Boards.

Each examining board is accountable to Academic Board which may prescribe the examining board terms of reference and composition. Boards must also:

- have the constitution approved by or on behalf of Academic Board;
- include the external examiner(s) approved by Academic Board;
- provide examining board meeting minutes which are an accurate and comprehensive record of the meeting and the approved results and decisions. Student and Academic Services will produce and retain the minutes.

## Examining board membership

Field Board membership:

- the Executive Dean, or authorised nominee (an appropriately senior member of academic staff) of the faculty having academic responsibility for the field (Chair)
- the field leader;
- the module leader, or nominee, for all modules within the jurisdiction of the board under consideration at the meeting\*;
- the field external examiner(s) responsible for modules within the jurisdiction of the board under consideration at the meeting;
- the Director(s) of UG/PG studies or equivalent(s) from the faculty having academic responsibility for the field;
- representation, as appropriate, from academic partners.

\*When a field board is considering results for the **resit** of a module, if the module leader has already confirmed the marks in writing and there are no other issues for discussion then at the discretion of the Chair, they are not required to attend the board.

#### Award Board membership:

- the Executive Dean, or authorised nominee (an appropriately senior member of academic staff), of the faculty holding academic responsibility for the modular scheme (Chair);
- the Director of UG/PG studies or equivalent;
- the Heads of Department and/or designated members with responsibility for the award(s)
- chief external examiner;
- for awards carrying professional recognition or accreditation, such other external examiners as are approved to represent the relevant professional body(ies) for awards under consideration by the board;
- representation, as appropriate, from academic partners.

#### Single tier Award Board membership:

- the Executive Dean, or authorised nominee (an appropriately senior member of academic staff), of the faculty holding academic responsibility for the single-tier award (Chair);
- the programme leader;
- the module leader, or nominee, for all modules within the jurisdiction of the board under consideration at the meeting;
- the Director of UG/PG studies or equivalent;
- the Heads of Department and/or designated members with responsibility for the award(s)
- the single-tier chief external examiner/s and all other external examiners appointed to the award;
- for awards carrying professional recognition or accreditation, such other external examiners as are approved to represent the relevant professional body(ies) for awards under consideration by the board;
- representation, as appropriate, from academic partners.

All members of the examining board should attend meetings of the board (see note above about exceptions to this for resit Field Boards). By prior agreement from the Chair, a nominee may act as a representative. Members may nominate a colleague to attend in their place provided that person is able to fully participate in the business of the board with regard to the module/s or award/s they are representing.

The Executive Dean may invite other persons internal or external to the University to be 'in attendance' in order to assist a board in the exercise of its responsibilities.

## **Avoiding potential conflicts of interest**

No student shall be a member of an examining board or attend an examiner's meeting - other than as a candidate for assessment. No member of staff who is enrolled on a module or registered for an award under consideration by the board shall be a member of the board whilst the module or award is under discussion.

## **External Examiners**

The Academic Board shall establish procedures relating to the selection, approval, appointment, roles and responsibilities of field and chief external examiners. The full details of external examiner appointments and responsibilities are set out in the [External Examiner Operational Guide](#) available on the Quality Management web pages.

The contribution of the external examiner for all boards of which they are a member must be reflected in the minutes.

## **Secretary to the Examining Board**

The Secretary to the examining board shall be the nominee of the Director of Student and Academic Services.

## **Confidentiality**

All discussion at an examining board is confidential to its members, to a panel of its members or to a review panel authorised by Academic Board for the purpose of considering an application for review of a decision of an examining board (an appeal), or to such officers as may be authorised by the Vice-Chancellor for the purpose of considering an application for review of a decision of an examining board.

## Field Board Terms of Reference

A Field Board is responsible for determining in relation to all modules within the field(s) assigned to the board:

- a. that all assessments undertaken for modules are properly scrutinised and marked;
- b. that all assessments are properly conducted;
- c. the impact, if any, of adverse circumstances affecting the delivery or assessment of a module on the performance of an identifiable cohort or an identifiable sub-group within a cohort on a component of assessment or a module as a whole;
- d. the mark or decision to pass/not pass made in respect of each student for assessment, resit or retake on each module;
- e. the award of credit to a student where assessed performance meets the minimum threshold required for a pass in each module in accordance with the Academic Regulations;
- f. any matters arising from the analysis of assessment data for modules within the board's jurisdiction including discussions on module quality and enhancement.

## Award Board Terms of Reference

An Award Board is responsible for determining all taught awards within a faculty:

- a. recommendations for named awards within the jurisdiction of the board;
- b. eligibility of a student for an interim, default or other award within the jurisdiction of the board;
- c. the effect of any personal circumstances on a student in relation to an award or to progression within an award;
- d. the progression of a student to further study on an award;
- e. to withdraw a student according to regulation C7;
- f. the classification for honours or any other differential level of an award as provided for in the Academic Regulations taking account of a student's overall assessment profile;
- g. whether a student has satisfied any additional requirements as specified for awards carrying professional recognition or accreditation for employment or practice;
- h. to note all assessment offence penalties as imposed by the Assessment Offences Adviser/Panel and, as required, to take action in relation to the recommendation for an award;
- i. whether a student may be permitted to enrol on more than 150 credits at their next enrolment;

- j. any matters arising from consideration of assessment practice and data within the board's jurisdiction which it wishes to draw to the attention of appropriate bodies.

No recommendation for granting an award may be made without the written consent of the approved external examiner(s).

An Award Board may not override a student's credit total as determined by Field Boards.

The confirmation of an interim award will take place whether or not the student is proceeding directly to a further award.

## **Single-tier\* Award Board Terms of Reference**

A single tier\* Award Board shall be responsible for determining:

- a. that all assessments undertaken for modules are properly scrutinised and marked;
- b. that all assessments are properly conducted;
- c. the impact, if any, of adverse circumstances affecting the delivery or assessment of a module on the performance of an identifiable cohort or an identifiable sub-group within a cohort on a component of assessment or a module as a whole;
- d. the effect of any personal circumstances on the performance of a student in relation to an award or to progression within an award;
- e. the mark or decision to pass/not pass made in respect of each student for assessment, referral or reassessment on each module;
- f. the progression of a student to further study on an award;
- g. to withdraw a student according to regulation C7;
- h. the eligibility of a student for an interim, default or other award within the jurisdiction of the board;
- i. the classification for honours or any other differential level of an award as provided for in the Academic Regulations taking account of a student's overall assessment profile;
- j. the award of credit to a student where assessed performance meets the minimum threshold required for a pass in each module in accordance with the Academic Regulations;
- k. whether a student has satisfied any additional requirements as specified for awards carrying professional recognition or accreditation for employment or practice;
- l. to note all assessment offence penalties as imposed by the Assessment Offences Adviser/Panel and, as required, to take action in relation to the recommendation for an award;
- m. whether a student may be permitted to enrol on more than 150 credits at their next enrolment;

- n. any matters arising from consideration of assessment practice and data within the board's jurisdiction which it wishes to draw to the attention of appropriate bodies.

\* For example used for Initial Teacher Education programmes resulting in recommendations for Qualified Teacher Status (QTS) or Qualified Teacher Learning and Skills (QTLS) status.

No recommendation for the grant of an award may be made without the written consent of the approved external examiner(s).

## **Disagreements at examining boards**

Where there is a disagreement between the external examiner(s) and the internal examiners which cannot be resolved through discussion, the collective decision of the examining board shall normally be accepted as final.

Any unresolved disagreement between external examiners and the examining board shall be referred to the Chair of the Academic Board for determination.

## **Award Board actions where students have not passed modules and have personal circumstances accepted.**

Where a student has personal circumstances approved the Award Board may, subject to the assessment regulations for the board and to professional body requirements, act as follows:

- allow a resit or retake of a failed module;
- accept failure to pass a maximum of 30 credits when recommending eligibility for a named award;
- recommend an aegrotat award (an unclassified award granted to a student who is unable for reasons of illness or similar incapacity to complete or be assessed).

## **Excusing 30 credits from the required credit total<sup>1</sup>**

An Award Board may accept failure to pass a maximum of 30 credits and consider making the offer of an award providing:

- a student has achieved all of the other credit for their award;
- the examining board has accepted personal circumstances relating to the unachieved credit;

<sup>1</sup> At the meeting of Academic Board on 24 March 2010 (AB10/3/7), the following variant to the regulation was approved: There shall be no condonement of failure or application of the regulation governing achievement of 80% of the credit total for an award of the Shell Award Framework. All modules will have to be passed to be eligible to contribute towards an award of the Shell Framework.



- there are no significant gaps in the knowledge base for the award;
- met professional statutory and regulatory body requirements where appropriate<sup>2</sup>.

The student is not awarded credit for the failed module/s.

The student may decline to accept the award and may enrol on a module or modules in order to achieve the credit required. This is possible only where the student has not already exhausted the assessment opportunities for modules valid for the award.

Where a student has accepted the offer, if they return to register on a higher level award they must make up the outstanding credit in order to meet the minimum credit requirements of that award.

## **Adverse circumstances affecting a whole student cohort or sub-cohort.**

A Field Board or single tier Examining Board has the authority to take account of any circumstances relating to the delivery or assessment of a module which may have adversely affected the performance of a whole cohort or a sub-group of students. For example, an incident affecting an examination. The Board may consider such matters when requested to do so by members of staff, students enrolled on the module or following a report received from examination invigilators.

In the case of submissions from students, normally the details should be provided in writing to the designated person responsible for the module not less than five working days before the meeting of a Field Board or single tier Examining Board (dates are available from the [academic calendar webpages](#)). In such cases students should **not** submit an individual application for a missed assessment or the exceptional removal of a mark.

The Board will have discretion to consider submissions received after this date, provided they are received prior to the Board meeting.

Instances where there is a known material irregularity affecting an individual or group of students or where an exceptional incident is acknowledged by the University (for example, the death of a student, a critical systems failure) should be dealt with at the time at which they arise through existing policies, procedures and protocols. In these cases there will be no requirement for students to make their own personal circumstances submission.

<sup>2</sup> Award Boards should also consider the implications of accepting failure in core or compulsory modules, particularly for awards that lead to professional qualifications or have professional accreditation or recognition, to ensure that the student is not disadvantaged by applying this regulation.

## Examining board quorum

An examining board meeting is quorate if at least two-thirds of the members eligible to attend\* are present.

\*the definition of attendance includes engaging in the board virtually where appropriate.

An examining board must include an external examiner; either in person or contributing via a video, web, telephone or other link, in order to have the authority to grant credit or an award to students. However, when a Field Board is considering results for the **resit** of a module, it may award credit for that module without the relevant external examiner being present; providing the Module Leader has confirmed to the Chair in advance that due process in the setting, marking and moderation of assessment has been followed and there are no other issues that require discussion.

## Review of assessment decisions

### Review of a decision

If an examining board is required to review its decision, there are two circumstances in which it may delegate its responsibility to a sub-committee with terms of reference limited to the review in question:

- when required to do so under the regulations for an academic appeal or by the Director of Student and Academic Services or by an Academic Board Review Panel;
- or where an error or other procedural irregularity which may materially affect the integrity of the board's decisions is brought to the attention of the Chair after a meeting of the full board.

The following are not reasons for reviewing a decision of an examining board:

- changes to unconfirmed marks or grades;
- how a mark relates to the final outcome or the credit awarded.

### Sub-committees of examining boards (reconvened boards)

At each full meeting, the examining board must confirm authority for a sub-committee to act on its behalf if required.

The quorum for a sub-committee of an examining board is five, and normally at least three members must have been present at the original meeting, one of whom should be the Chair or their nominee.

Where possible, an external examiner will be a member of the sub group, but, if this is not possible an external examiner should be consulted. If the decision relates to an award, the chief external examiner should either be a member of the sub group or be consulted.

The consent of an external examiner is required for any changes to the original decision of an examining board and written consent from the chief external examiner is required for any changes to the original award granted.

The discussions of a panel of examining board members or of officers considering an application for the review of a decision of an examining board are confidential.

### **Annulment of an examining board decision where there has been a material and significant administrative error or other material irregularity**

Academic Board may annul a decision of an examining board where there has been a material and significant administrative error or other material irregularity, or where it is not possible to reconvene an examining board. If the error or irregularity is found to have affected more than one student, the Academic Board may annul all or part of an assessment.

### **Annulment of an examining board decision following an academic appeal**

Following consideration of an appeal by an examining board, if Academic Board is of the opinion that the examining board did not take proper account of the factors for review, it may annul the decision of the board.

### **Annulment of an examining board decision for an award of the University offered at an affiliated institution**

If an original decision has not been modified following review (either due to an irregularity or an academic appeal), the Principal may recommend to the Academic Board that the decision of the examining board be annulled if, in their opinion, the examining board did not

take proper account of the factors for review. The recommendation of the Principal must be made in writing to the University.

## **Appointment of an examining board following the annulment of a decision**

Where a decision has been annulled, the Academic Board shall appoint an examining board with the power to make decisions on students' progress and/or awards, including, if necessary, the appointment of new external examiners.

## **Process for withholding awards from students**

### **Introduction**

Allegations of breaches of the [student conduct policy](#) may be dealt with through an informal or a formal process. In cases where a student becomes the subject of a formal allegation of a breach of the student conduct policy, the Student Policy Manager shall notify the Director of Student and Academic Services so that the following process may be undertaken.

Before the meeting of the relevant examining board(s) an appropriate officer of Student and Academic Services shall warn students who have outstanding obligations to the University or who are the subject of allegations of breaches of student conduct of the following:

- their award may be withheld;
- they will not be permitted to re-register for the same or another award;
- they will not be permitted to enrol on other modules or other study.

### **Students who are not yet eligible for the highest level award**

A student with outstanding obligations to the University or who is the subject of an allegation of a breach of the student conduct policy shall be assessed in the normal way. The examining board will not be informed of their status until after the deliberative process is complete. The examining board's decision shall then appear on the results list but with an indication that any award for which the student is eligible shall not be conferred until outstanding obligations or allegations have been discharged.

If the outstanding obligation is not discharged or the allegation of a breach of the student conduct policy has not been concluded before the next point of re-registration or enrolment, the student will be not normally be permitted to re-register for the same or any other

programme or award, or to enrol for any module or other study. However, the University may permit re-registration or re-enrolment where the outstanding obligation is a debt at or below a sum to be determined by the Vice-Chancellor or their nominee.

### **Students eligible for the highest level award**

If the outstanding obligation or allegation of a breach of the student conduct policy has not been cleared by the time of the meeting of the examining board at which eligibility for or recommendation for conferment of an award is due to be made, the board shall not be told of the outstanding obligation until after it has concluded its decisions on all candidates.

The Director of Student and Academic Services or designated person shall ensure that the secretary to the examining board:

- records the academic decision in the normal way;
- notifies the examining board that the award will be withheld after it has made its decisions on all candidates;
- records the student's name and results on the results list in the normal way but with an annotation to indicate where appropriate that an award will not be conferred. This annotation shall be in a form prescribed by the Director of Student and Academic Services;
- prepares a supplementary results list in the prescribed format showing the academic decision of the examining board but with no date of publication, undertakes the normal checking and approval procedure, and lodges the signed list with the Director of Student and Academic Services.

After the examining board, the Director of Student and Academic Services or designated person shall ensure that the student is notified in writing of the decision to withhold the award. The notification shall be in a form prescribed by the Director of Student and Academic Services.

### **Actions once a student has discharged any outstanding obligations to the University**

When the obligation is discharged in full including clearance of cheque(s), the Head of Financial Services or other appropriate University officer shall inform the Director of Student and Academic Services immediately, who shall ensure that:

- the supplementary results list is dated, countersigned and authorised for publication by the faculty;
- arrangements are made for the grant of an award for which the student has qualified.

### **Actions following the resolution of an allegation of a breach of the student conduct policy**

When the allegation has been determined and any consequential action disposed of, the Director of Student and Academic Services shall arrange for the publication of the decision of the examining board. If the outcome of the allegation is that the student is dismissed from the University, the Vice-Chancellor may decide whether the award should be conferred or continue to be withheld for six years from the date of the examining board's decision, after which, if any obligation outstanding to the University has not been discharged, the examining board's decision shall be annulled.