

College Policy on the Operation of Boards and Sub-Boards of Examiners

Introduction

1. This policy applies to programmes developed, approved and operated by Birkbeck, University of London. Programmes developed and approved in collaboration with other institutions should give due regard to this policy when considering the operation of boards and Sub-Boards of Examiners.
2. The College has authority, under University of London Regulation 1, paragraph 7, to award University of London degrees. Academic Board has delegated authority for these awards to College Boards of Examiners. Each College Board will consider all full and part time students registered for programmes within its remit. The terms of reference for the College Boards are attached as appendix one.
3. Departments will appoint Sub-Boards in line with the policy to make decisions and recommendations for specific programmes, which will be reported to the relevant College Board. The terms of reference for Sub-Boards are attached as appendix two.

Role of Boards of Examiners

4. The role of any Board or Sub-Board of examiners is approved by Academic Board and determined by their terms of reference.
5. Where a Sub-Board considers an award for a student who has taken one or more modules that are not within that Sub-Board's remit, then that Sub-Board does not have authority to amend any decision taken by another Sub-Board in relation to the module result(s) in question. The Sub-Board may however use its discretion in relation to the confirmed module result when considering the recommendation of any award.
6. Students will normally be considered under the regulations that were operative at the time when they began their courses.

The Composition of Sub-Boards of Examiners

Chairs of Boards

7. Each Sub-Board will have a Chair and a Deputy Chair.
8. The Chair or in their absence the Deputy Chair of each Sub-Board will be responsible for all communications between the Board and the College.
9. The Chair of a Sub-Board will be a permanent member of the academic staff of the College.
10. The role of the Chair of the Sub-Board is:
 - to ensure that the proceedings are managed in an efficient manner and that all students are treated equitably and within the College regulations and policies;
 - to invite the external examiners present to comment on the proceedings and arrangements for the Board, assessments and marking practices
 - to be responsible for taking any action as appropriate on behalf of the board.

2022-23

Examiners

11. Members of Sub-Boards of Examiners will be designated as Examiners. Examiners may be:

- (a) **Internal Examiners**, who are normally members of the academic staff of the College or sessional lecturers who have taught a module or modules within the Sub-Board's remit and who are not also students at the College.
- (b) **External Examiners**, who are not members of staff of the College.

For further guidance on the role of external examiners please see the College Policy on the Role of External Examiners.

12. It is a requirement that at least one external examiner must be appointed to all Sub-Boards of Examiners which have the responsibility for making recommendations for or determining award classifications. The Chair of each Sub-Board will be responsible for determining the minimum possible number of external examiners necessary for the efficient conduct of the relevant Sub-Board.
13. Each session, the College will determine the composition of all Sub-Boards of Examiners and confirm the names of the Chair, Deputy Chair, Secretary and the examiners on each Sub-Board.

The role(s) of the Secretary and Clerk

14. Each Sub-Board will have a nominated Secretary. The Sub-Board may also have a Clerk (responsible for supporting the Sub-Board's administration). The Secretary and Clerk may be the same or separate positions and will often be fulfilled by administrative staff. The Secretary and the Clerk will not normally be members of the Sub-Board.

Operation of Sub-Boards of Examiners

15. Meetings of examiners will normally be chaired by the nominated Chair of that Sub-Board of Examiners. However, the Deputy Chair may preside at any meeting of Examiners where it is not possible for the Chair to attend.
16. No persons other than the members and designated administrative staff will be permitted to attend meetings of any Board or Sub-Board of Examiners, except that markers may be invited to attend for discussion as required.
17. The Sub-Board's recommendation for any final award will be determined at a meeting at which all Examiners should be invited, and which the Chair or Deputy Chair and at least one external examiner are required to be present¹. The quorum for any meeting of a board of examiners will be half of the membership.
18. The views of external examiners are expected to be particularly influential in cases where there is disagreement on the recommendation for the final classification to be derived from the array of marks of a particular candidate. However the decision will be arrived at by majority vote of those present and voting. Where an external examiner expresses disagreement with the Sub-Board's decision, this disagreement should be specifically noted in the report to the College Board of Examiners of the Sub-Board's meeting.
19. The Chair will have a casting vote in addition to their own vote. Administrative officers do not have a vote.

¹ This includes "virtual" presence, such as video or internet link, where it is not possible for an external examiner to attend the actual meeting.

2022-23

20. The department will keep a record of decisions made at the Sub-Board meeting, as well as brief details of discussions leading to those decisions. Where a vote is taken, the minutes should indicate numbers for and against proposals, together with numbers of abstentions. The Sub-Board will submit a report to Registry for consideration by the College Board, outlining all decisions including recommendations for awards and details of any use of discretion. Minutes and reports should be retained in line with the College's Records Retention Schedule.
21. Examiners should be supplied with:
- the credit value of the modules which they will be examining;
 - the regulations for progression and award of any programme(s) for which they are examiners;
 - Programme and module specifications and generic and subject specific marking criteria for the programme(s) / module (s) for which they are examiners;
 - College Policies on Marking and Moderation, Mitigating Circumstances, Late Submission of Assessment, Accredited Prior Learning and Assessment Offences;
 - Marks provisionally awarded for all modules on programme(s) within their remit;
 - Marks approved by other Sub-Boards for modules taken by students on programme(s) within their remit
22. In addition to assessed work supplied to examiners as part of the marking and moderation procedures, examiners should normally have access, wherever practical, to all examination scripts, written assessments and any records of non-written assessments for all modules that contribute to the classification of an award and have not previously been considered by the Sub-Board for programme(s) within their remit. Examiners should request access to these scripts or records to the Secretary or Clerk to the Sub-Board, outlining the specific scripts or records that they wish to see and giving sufficient notice of any requirement.
23. Students will normally be considered for any award under the regulations that were operative at the time when they registered for their programme. The College has produced guidance on where this will not apply as part of the implementation of the Common Awards Scheme; this guidance is available from the Registry.

College Boards of Examiners

24. The duties and constitution of the College Boards of Examiners is decided by the Academic Board and is defined within its terms of reference. Chairs of Sub-Boards and external examiners of Sub-Boards are not normally required to attend meetings of the College Boards.
25. A College Board may empower the Chair of the College Board to act on its behalf in carrying out any or all of the duties outlined in its terms of reference.
26. Sub-Boards make recommendations to College Boards for consideration. Following consideration of Sub-Board recommendations College Boards may accept or reject recommendations made by Sub-Boards and may request additional information and documentation on recommendations from Sub-Boards.
27. The College through its Academic Board will consider appeals by Sub-Boards against the decision of the College Board where additional information and/or documentation is available that was not previously available or disclosed, or where there is concern by the Chair of the Sub-Board that the decision of the College Board may not have been conducted in accordance with the relevant regulations, policy and guidance. Appeals against decisions of the relevant College Board must be submitted in writing by the chair of the relevant Sub-Board to the chair of the Academic Board within 14 days of the

2022-23

notification of the decision by the College Board. The chair of Academic Board (or his or her nominee), in consultation with the Academic Registrar, may;

- Decide to uphold the appeal and accept the recommendation of the Sub-Board;
- Decide to reject the appeal and uphold the decision of the College Board;
- Ask the Academic Registrar to convene an independent panel to investigate the matter, consider any additional evidence and make a recommendation on whether or not the appeal should be upheld to the chair of Academic Board. The panel will consist of the PVM Education, a member of Academic Board and the Academic Registrar (or their nominees).

The decision of the chair of the Academic Board on appeals made by Sub-Boards shall be final.

Publication of Results

28. Results are not confirmed until the relevant College Board has considered and approved them.
29. Students will be notified by the Registry of their marks following confirmation by the relevant College Board.
30. Students who are eligible to be re-assessed or to re-take modules will be informed by their Schools. Schools will also be responsible for informing students of the logistical arrangements for any re-assessment.
31. The University, the College and all Examiners are required to comply with the Data Protection Act 1998 which establishes legal rights for individuals with regard to the automatic processing of personal data, including assessment marks and results, on computing, word processing or similar equipment. In order to ensure that these obligations are met, Examiners are not permitted to retain examination data relating to identifiable individuals on their personal computers or similar equipment. Examiners must comply with the instructions issued by the College on the storage of data relating to identifiable individuals on departmental computers. A data subject may seek compensation through the Courts for any damage or associated distress by reason of the inaccuracy or loss of personal data relating to him/her, or by access being obtained to it or its disclosure except as authorised in these instructions.
32. The assessment marks of individual students, may be released on request, subject to the requirements of the Data Protection Act 1998, to public bodies such as the British Academy, the DES Scottish Office, the DES Northern Ireland Office and the Research Councils for the purposes of assessing applications for studentships for postgraduate degrees; and to institutions of higher education within the United Kingdom for the purposes of credit transfer.

Representations from Candidates

33. Chairs and examiners must not communicate with candidates on behalf of their Board or Sub-Board about their performance. Any representation which a candidate may make in connection with their assessment must be referred to the Academic Registrar or nominee of the College in accordance with the procedure outlined in the College Appeals Policy and Procedure (Taught).

Academic Board
March 2019

2022-23

COLLEGE BOARDS OF EXAMINERS

TERMS OF REFERENCE AND CONSTITUTION

The terms of reference of College Boards of Examiners for all programmes and modules within the Board's purview are:

1. Acting on behalf of the Academic Board, to consider recommendations from Sub-Boards of Examiners and to approve awards to candidates. All Sub-Board recommendations for awards are subject to scrutiny and confirmation by the relevant College Board;
2. To consider recommendations from Sub-Board of Examiners relating to the termination of registration for individual students from the programme and / or College in line with the regulations and procedure relating to the termination of registration due to academic failure;
3. To consider the use of discretion by Sub-Boards of Examiners in making recommendations of awards to candidates, to scrutinise and confirm individual award recommendations involving the use of discretion, and to report to Academic Board on the consistency of the use of discretion;
4. To consider the use of discretion by Sub-Boards of Examiners in the award of "Compensated Fails" to candidates, and to report to Academic Board on the consistency of this use;
5. To consider the treatment by Sub-Boards of Examiners of applications for consideration of mitigating circumstances by candidates, and to report to Academic Board on the consistency of this treatment;
6. To review reports from Sub-Boards of Examiners on numbers of candidates permitted to undertake reassessment and numbers required to re-take modules;
7. To analyse trends relating to awards made by the College across subjects and across years;
8. To consider responses from Sub-Boards of Examiners to reports from External Examiners, requesting any further consideration or referring matters to other bodies as appropriate.
9. To consider any other matters referred by Academic Board.

CONSTITUTION

The constitution of College Boards of Examiners is:

A Chair appointed by Academic Board

2 Representatives from each School that offers programmes or modules within the College Board's remit

Two external examiners appointed by Academic Board

The Academic Registrar or nominee will nominate a Secretary to the Board. The Secretary will not be a member of the Board.

Quorum: one representative from each applicable School and one External Examiner.

SUB-BOARDS OF EXAMINERS

TERMS OF REFERENCE AND CONSTITUTION

The terms of reference of Sub-Boards of Examiners for all programmes within the Sub-Board's purview are:

1. To nominate external examiners for the Sub-Board as appropriate;
2. To be responsible for the setting of assessments, including examination papers, and to ensure that regulations and policies relating to assessment have been followed correctly;
3. To be responsible for the setting of marking schemes for programmes not included in the Common Awards Scheme²;
4. To approve marks for all elements of assessment and overall module results and to determine which students have passed or failed individual modules within the Sub-Board's remit;
5. To determine for students who have not passed a module whether they should be permitted to be re-assessed in one or more elements of assessment or retake the module concerned in line with the relevant assessment regulations;
6. To determine the format and timing of all reassessments;
7. To make decisions on the progression of students to the following academic year, where appropriate.
8. To assign, at the Sub-Board's discretion, a compensated fail to students who have fulfilled the appropriate criteria;
9. To apply the College's Policy on Late Submission;
10. To form, at the Sub-Board's discretion, a mitigating circumstances panel, to assess applications for mitigating circumstances and inform the Sub-Board of their recommendations, in line with the College Policy on Mitigating Circumstances;
11. To consider the recommendations of the relevant mitigating circumstances panel in determining a decision regarding an element of assessment or overall module result;
12. To ensure that, where an investigation into an assessment offence is ongoing, any mark or overall module result related to the alleged offence is withheld until such time as the investigation is concluded;
13. To consider and make recommendations for the termination of registration (exclusion) from the programme and College in line with the regulations and procedure relating to the termination of registration due to academic failure;

² Programmes not included in the Common Awards Scheme will normally only include programmes for which professional body requirements preclude their inclusion, some programmes offered in partnership with other organisations or where existing pre-CAS programmes are being discontinued. Any new programme should gain the specific approval of Academic Board to be offered outside of the Scheme.

2022-23

14. To consider reports from external examiners, making responses and recommendations to the relevant College Board of Examiners as appropriate.
15. To oversee, in accordance with the College's Admissions Policy, admission to programmes of study within the Sub-Board's remit.
16. Where a Sub-Board is responsible for making recommendations on the conferment of awards, the Sub-Boards will also:
17. Recommend awards and classifications³ in line with the appropriate regulations and the individual programme specification;
18. Make recommendations for and/or approve aegrotat awards in accordance with the conferment regulations.
19. Ensure that any candidate who satisfies the minimum requirements is recommended the appropriate award.
20. All Sub-Board recommendations on the conferment of awards are subject to scrutiny and confirmation by the relevant College Board, acting on behalf of the Academic Board.

CONSTITUTION

The constitution of Sub-Boards of Examiners is as outlined in the College Policy on the Operation of Boards and Sub-Boards of Examiners

³ Classification: Shall relate to any classification of an award whether it be undergraduate honours classification (first, upper second etc) or distinction, merit and pass employed on other undergraduate or postgraduate awards.