

EXTERNAL EXAMINERS POLICY

- 1 The University of Law's External Examiners Policy has been informed by the Office for Students Sector-Recognized Standards and the General Ongoing Conditions of Registration and has regard to the UK Quality Code for Higher Education. These definitive reference points for all English higher education institutions set out how academic standards are established and maintained and how excellence in the quality of learning opportunities is assured. This policy sits within The University of Law's Quality and Standards Code, which provides a suite of policies designed to safeguard the academic standards of The University of Law and to assure the quality of learning opportunities offered; this policy should therefore be read in conjunction with other relevant policies within the code.

Introduction

- 2 The University recognises that central to this policy is the University's responsibility for the academic standards of all awards granted in its name and the quality of learning opportunities for students. This policy sets out the expectations and practices, key aims and principles, and procedural approach, of the External Examiners Policy of the University.

Responsibility for this policy

- 3 Ultimate responsibility for the development of clear and effective processes and procedures associated with the maintenance of standards and quality assurance of academic provision and overseeing their application lies with the Academic Board.

Expectations and Practices

- 4 The University seeks external, impartial and independent academic and/or professional expertise to effectively manage its responsibilities for the academic standards of awards and the quality of learning opportunities provided to students.
- 5 The University aims to employ robust procedures for ensuring that its standards and quality processes meet the requirements of the Code and the expectations and practices outlined in the supporting advice and guidance on External Expertise, namely that:
 - The academic standards of courses meet the requirements of the relevant national qualifications framework.

- The value of qualifications awarded to students at the point of qualification and over time is in line with sector-recognised standards.
- Courses are well-designed, provide a high-quality academic experience for all students and enable a student's achievement to be reliably assessed.

Key Aims and Principles

- 6 The University ensures that its External Examiners play an integral part in its quality assurance and standards processes for all award-bearing programmes and supports them fully through, induction, training and feedback in their role.

Procedural Approach

Role of the External Examiner

- 7 The University expects its External Examiners to provide informative comment and recommendations upon whether:
 - 7.1 the University is maintaining the threshold standards set for its awards in accordance with the Frameworks for Higher Education Qualifications of UK Degree-Awarding Bodies (Qualifications Framework) the Professional Statutory and Regulatory Standards and applicable subject benchmark statements;
 - 7.2 the assessment processes ensure integrity, rigour and fairness in line with the University's policies and regulations;
 - 7.3 the academic standards and achievements of students are comparable with those in other UK higher education institutions;
 - 7.4 there are areas of good practice and innovation relating to learning, teaching and assessment;
 - 7.5 there are opportunities to enhance the quality of the learning opportunities;
 - 7.6 the professional programmes are fit for purpose.

Nomination and Appointment of External Examiners

- 8.1 The University's Academic Registry is responsible for recommending appropriately qualified persons for appointment as an External Examiner. Recommendations by Registry must receive the endorsement of the National

Programme Director prior to approval of the appointment.

- 8.2 External Examiner appointments are made by Academic Regulation and Policy Sub-Committee on behalf of the Academic Standards & Quality Committee of the Academic Board (ASQC). Where necessary, approval from PSRBs or other regulatory bodies must be obtained prior to approval by Academic Standards and Quality Committee.

Criteria For Appointment

- 9 In order to be appointed as an External Examiner of the University, the following criteria must be met.

9.1 *Competence and Experience*

External Examiners must be able to demonstrate:

- appropriate academic/professional qualifications to at least the level of the qualification being externally examined, and/or extensive practitioner experience.
- a knowledge and understanding of UK sector agreed reference points for the maintenance of academic standards and assurance and enhancement of quality.
- appropriate standing, expertise, competence and experience in relation to the relevant subject area and assessment.

Standing, expertise, competence and breadth of experience may be indicated by:

- the present (or last, if retired) post and place of work;
 - the range and scope of experience across higher education/professions; and
 - current and recent active involvement in research/scholarly/professional activities in the field of study concerned.
- familiarity with the standard to be expected of students to achieve the award that is to be assessed.
 - fluency in English, and where programmes are delivered and assessed in languages other than English, fluency in the relevant language(s) (unless other secure arrangements are in place to

ensure that external examiners are provided with the information to make their judgements).

- competence and experience relating to the enhancement of the student learning experience.

9.2 An External Examiner should have enough recent external examining or comparable experience to indicate an ability to make an effective contribution to the assessment process.

If the proposed External Examiner has no previous external examiner experience at the appropriate level, the application should be supported by either:

- other similar external examining-type experience;
- internal examining experience; and/or
- other relevant and recent experience likely to support the external examiner role.

If an External Examiner is employed in private practice and has not had recent teaching experience, they should instead have extensive practitioner experience in the subjects to be examined.

If an External Examiner is appointed with no previous examining experience, the University will provide them with appropriate forms of support to enable them to fulfil their role effectively. These may include:

- opportunity to discuss their role with members of the relevant programme team or Registry;
- mentoring by an experienced External Examiner; and/or
- peer support from a fellow External Examiner on the same programme (or same subject on a related programme).

9.3 *Conflicts of Interest*

Except under 10.1 below, the University will not appoint as External Examiners anyone in the following categories or circumstances:

- a member of a governing body or committee of the University or one

of its collaborative partners;

- a current employee of the University or one of its collaborative partners;
- anyone with a close professional, contractual or personal relationship with a member of staff or student involved with the programme of study;
- anyone required to assess colleagues who are recruited as students to the programme of study;
- anyone who is, or knows they will be, in a position to influence significantly the future of students on the programme of study;
- anyone significantly involved in recent or current substantive collaborative research activities with a member of staff closely involved in the delivery, management or assessment of the programme(s) or modules in question;
- former staff or students of the institution unless a period of five years has elapsed;
- a reciprocal external examining arrangement involving cognate programmes at another institution;
- the succession of an external examiner by a colleague from the examiner's home department and institution; and/or
- the appointment of more than one External Examiner from the same department of the same institution to oversee provision of a University programme.

9.4 The University will also not appoint:

- former External Examiners, unless a period of five years has elapsed since their last appointment;
- External Examiners who hold more than two external examiner appointments at any institution at any point in time.

9.5 The University will ensure that there is an appropriate balance and

expertise in the team of External Examiners to reflect the demands of the course.

- 9.7 External Examiners shall be impartial in judgement.
- 9.6 An External Examiner should not normally hold more than two external examiner appointments for taught programmes/modules at the University at any point in time.
- 9.8 Where an External Examiner moves to a new role at a different institution, the External Examiner should advise the University to check that no conflict of interest arises. Should such a conflict of interest occur, the relevant programme director will liaise with Registry in order to take appropriate action.

Exceptions and Special Cases

- 10.1 In exceptional cases and only where there is a legitimate reason for doing so, the University will appoint as External Examiners certain individuals who do not meet the Criteria for Appointment set out in paragraph 9. A case for any exception should be included in the External Examiner Nomination Form and will be subject to further consideration and approval by both the Chair of ASQC and the Academic Registrar following the standard nomination procedure detailed in paragraphs 8.1 through 8.5. Any exceptions will be reported to Academic Board via ASQC.
- 10.2 Examples of possible exceptions would include (but not be limited to):
- External Examiners from business, industry or private practice who are unable to fulfil all the required criteria (such as qualifications, academic background or experience of assessment);
 - nominations for External Examiners in specialist disciplines (such as professional or vocational programmes regulated by a PSRB) where the pool of potential external examiners with the requisite expertise and experience is restricted; and
 - External Examiners who, as researchers, have eminent standing in their discipline, but lack experience of providing and enhancing the student learning experience.
- 10.3 Recent retirees, or individuals who plan to retire during a proposed period of appointment, may be considered for appointment provided there is sufficient

evidence of their continuing involvement in the academic area in question, sufficient to meet the criteria listed above.

Duties of the External Examiner

- 11 The University ensures that External Examiners are fully and clearly briefed and are provided with sufficient evidence in order that they may properly fulfil their role. This is communicated to External Examiners in a letter of appointment from the University. External Examiners are informed of their duties, powers and responsibilities, including the extent of their authority in examination boards.
- 12 External Examiners are informed in their letter of appointment that they have the right to raise any matter of serious concern with the Vice-Chancellor or Academic Registrar of the University, if necessary, by means of a separate confidential written report, which will be considered and responded to in a timely fashion.
- 13 Where an External Examiner has a serious concern relating to systemic failings with the academic standards of a programme or programmes and has exhausted all published applicable internal procedures, including the submission of a confidential report to the Vice Chancellor, they may invoke QAA's Concerns Scheme or inform the relevant professional, statutory or regulatory body.

Examination Boards

- 14 External Examiners are approved by the University's Academic Board through the ASQC's Academic Regulation and Policy Sub-Committee. Once approved, External Examiners become full members of the examination board for the programme to which they have been appointed. Each examination board is a sub-committee of the University's Academic Board. No University award is made without participation in the assessment process by at least one External Examiner.

Details of External Examiners

- 15 The University makes available to students details of all External Examiners for University programmes.

External Examiner Reports

- 16 The reports produced by the University's External Examiners play a vital part both in the University's quality assurance mechanisms and in the continuous

enhancement of programmes.

17 External Examiners must produce an annual report at the end of each academic year. The report provides informative comment and recommendations on:

- whether sufficient evidence was received to enable the role to be fulfilled (where evidence was insufficient, they give details);
- whether issues raised in the previous report(s) have been, or are being, addressed to their satisfaction;
- any issues as specifically required by any relevant professional body;
- their term of office (when concluded);
- the standards and appropriateness of the assessments;
- the design of the assessments;
- the overall standards achieved by the students;
- the process of setting assessments;
- the administration of assessments;
- the marking and moderation process;
- the conduct of the Examination Board;
- procedures relating to candidates with reasonable adjustments or concessions;
- any quality assurance issues;
- any areas of good practice in relation to standards and assessment processes;
- any areas of concern relating to collaborative arrangements; and
- any other matter which the External Examiner wishes to bring to the attention of the University.

Consideration of the Reports by the University

- 18 The reports produced by the University's External Examiners are considered by the relevant programme teams and by the ASQC's Academic Monitoring Sub-Committee.
- 19 External Examiners receive a considered and timely response to comments and recommendations set out in their external examiner reports. External examiners are advised of any actions to be taken to address issues raised in reports or, where relevant, the reasons for not taking actions.

Availability of Reports to Students

- 20 The University makes available to students External Examiner reports which have been prepared by External Examiners to report to the University (other than any confidential report made directly to the programme team or to the Vice Chancellor or Academic Registrar of the University).

Contribution of External Examiners to periodic review and programme approval

- 21 The University supports and values the involvement and feedback of External Examiners in all aspects of programme review and approval in order to enhance the student learning experience.

Responsibility for the provision

- 22 Responsibility for the effective implementation of this policy lies with the Academic Registrar.

Monitoring and evaluation of the provision

- 22 Responsibility for reviewing and evaluating the effectiveness of this External Examiners Policy lies initially with the Academic Registrar. Formal responsibility for monitoring and evaluation of this provision lies with the Academic Board.

Version history

Version	Amended by	Revision summary	Date
V1.0	Assistant Academic Registrar	Initial drafting	31/05/13
V1.1	Director of Programmes	QA review	05/07/13
V1.2	External Consultant	Coherence activity amendments	06/09/13
V1.3	Academic Registrar	Review	25/09/13
V1.4	Student Officer	Review	04/11/13
V1.5	Academic Board	Approval	03/10/13
V1.6	VP – AGQS	Chair’s sign-off	13/12/13
V1.7	Head of Quality Assurance	Review	20/01/16
V1.8	Academic Board	Approval	10/02/16
V1.9	Head of Awards Integrity & Standards Assurance	Review	29/01/20
V1.10	Registry Officer	Change to the document coding convention	March 2020
V1.11	Head of Awards Integrity & Standards Assurance and Director of Assessment Organisation & Delivery	Review Amendments to nominations and appointments	May 2023
V1.11	Academic Board	Approval	27/06/23
V1.12	Head of Awards Integrity & Standards Assurance	Minor amendments	March 2024