

Assessments and Examinations - Regulations for Students (including requests for the review of assessment decisions (Appeals Procedure)) (University - delivered provision)

UPR AS12, Appendix I - version 16.0

Policies superseded by this document

This document replaces version 15.0 of UPR AS12, Appendix I, with effect from 1 September 2023.

Summary of significant changes to the previous version

Amendments have been made to coursework extensions and late submission of coursework (see sections 4.2 and 4.3).

Glossary

A glossary of approved University terminology can be found in [UPR GV08](#).

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1 Preparations for Examinations and Assessments

1.1 Each student:

- i is personally responsible for familiarising themselves and complying with all of the following:
 - a the regulations and procedures set out in this document (Appendix I, UPR AS12);
 - b UPR AS11¹ and the assessment regulations which relate to the programmes on which they are enrolled;
 - c the University's regulations relating to Academic Misconduct (see section 2);
 - d the regulations and procedures that apply in cases of Exceptional Circumstances (see UPR AS14²;
 - e Appendix II, UPR AS12³.

¹ UPR AS11 'Schedule of Awards'

² UPR AS14 'Structure and Assessment Regulations – Undergraduate and Taught Postgraduate Programmes'

³ Appendix II, UPR AS12 'Assessments and Examinations - student s with Additional Needs (University-Delivered Provision)'

- ii is responsible for accessing, via their StudyNet portal, their examination timetable for Semester A, Semester B, 'out of time' and main referred/deferred examinations.

1.2 Students are required:

- i to ensure that they are registered correctly on the modules for which they are to be assessed (see section 1.5);
- ii to attend examinations and to submit work for assessments as required;
- iii when attending examinations, or when otherwise asked to do so, to present their University Identity Cards;
- iv by the deadline published by the Associate Director on AskHerts, to inform them (the Associate Director), in writing, of religious observance/belief dates during examination periods which proscribe the taking of examinations;
- v to advise the University of any Exceptional Circumstances which, in their opinion, prevented them from attending and/or submitting the assessment which they wish the Module Board(s) of Examiners to take into account (see section C3.8, UPR AS14²);
- vi prior to the date of the meeting of the relevant Programme Board of Examiners, to notify and to provide confirmatory legal evidence to the Head of Student Administration of any changes of name, for example, as a result of a change in marital status (see section 9.5.1, i, c, UPR AS12⁴).
- vii with regard to all coursework, studies, projects, investigations, questionnaires or other procedures involving the use of human participants, to comply with the University's ethics regulations (UPR RE01⁵).

1.3 Students who are debtors of the University

Students who are debtors of the University will not be prevented from sitting examinations or taking other forms of assessment.

1.4 Failure to attend an examination and/or to submit coursework

- 1.4.1 Module Boards of Examiners have the authority to deem that a student has failed an examination or assessment in cases where the student has, without having given notice and reasons to the satisfaction of the Board, either failed to attend an examination or to submit work for assessment.
- 1.4.2 Students are advised to keep a record of coursework assignments and the date on which they are submitted and to retain copies of assignments contributing to overall assessments of the module.

⁴ UPR AS12 'Assessments and Examinations (Undergraduate and Taught Postgraduate) and Conferments (University-Delivered Provision)'

⁵ UPR RE01 'Studies Involving the Use of Human Participants'

1.5 Confirmation of modules for assessment

- i Students are required to check and confirm via their student record that they have been enrolled on the correct modules by the deadline for the notification of module changes published in the Calendar for the relevant Academic Year.
- ii Where the list of modules which can be viewed via their student record is incorrect, it is the student 's responsibility to notify the Student Administration Service by the deadline for the notification of module changes published in the Calendar for the relevant Academic Year so that the necessary changes can be made. The student may notify the Student Administration Service by emailing ask@herts.ac.uk.
- iii Confirmation by the student, via their student record, that they have been enrolled on the correct modules (see section 1.5, i) registers the student for written examinations/other forms of assessment associated with those elements of their programme.
- iv The deadlines referred to in section 1.5, i, will be strictly enforced and failure to comply with the requirements of section 1.5, i, or, where they find that they are incorrectly enrolled, the action required in section 1.5, iv, may result in a student being barred from sitting examinations supervised by the Associate Director.

2 Academic misconduct

For the purposes of these and all other University regulations, the definitions set out at UPR AS14 Appendix III 'Academic Integrity and Academic Misconduct' will apply.

3 Examinations

3.1 Attendance

- i Students:
 - a are personally responsible for ensuring that they arrive in good time for the examination and must arrive outside the examination room at least **15** minutes before the scheduled start of the examination and ensure that a seat in the examination room has been allocated to them;
 - b must not enter the examination room until invited to do so by the Invigilator;
 - c must sign the attendance register when asked to do so by the Invigilator;
 - d must comply with seating requirements;
 - e must comply with the instructions given by the Invigilator and should note that on entering the examination room they are subject to the authority of the Invigilator;

- f must ensure that, other than completing the appropriate sections on the front page of the examination script, they do not otherwise write on their examination script or other examination stationery prior to the start of the examination.

- ii Late arrival at an examination

Students who arrive after the time scheduled for the start of the examination will not be permitted entry to the examination room, even if the examination has not commenced.

- iii Verification of identity
 - a The identity of the students present in the examination room will be checked (see section 1.2, iii).

 - b Students are required to bring their University Identity Cards with them to the examination room and are required to place these, in a prominent position, on their desks.

- iv Personal property
 - a All personal property must be left in the area specified by the Invigilator. Students may take only those items specified in the rubric to their examination desks.

 - b Students will ensure that mobile telephones, all watches and any other electronic device have been switched off and that they are left in the area specified by the Invigilator. Any mobile telephone making an audible noise during an examination will be removed immediately and taken to the Exams and Awards Office, together with any item of the student's property, such as the coat, bag or other item, in which the telephone is stored. It may be collected by the student at the end of the examination. The incident will be recorded by the Exams and Awards Office.

 - c Any notes, including blank pieces of paper, must not be kept on or near a student's person.

 - d The University does not accept liability for any loss or damage to students' personal property howsoever caused.

- v Students' attire

During the examination, students will:

 - a ensure that their attire is such that it does not cause offence to others, examples would include, but are not limited to, clothing bearing unseemly images or offensive slogans or clothing which is inappropriate or so scant that it could reasonably be expected to cause offence to others;

 - b not wear baseball caps, hoodies or other types of hat which obscure their face;

- c will not have on their person any ear plugs, headphones or similar devices.

3.2 Permitted or required aids and special equipment in examinations

i Calculators

Students will have been notified at the start of the academic session of the make and model of the calculators approved by the University.

- a Students may use their own University approved calculators for any examination which allows their use. Other than in the circumstances set out in 3.2, i, b, no other calculators will be permitted in the examination room and these and other unauthorised devices will be confiscated. Students may not lend, borrow or share a calculator once the examination has commenced.
- b Students who are taking 'open book' examinations may be allowed to use a more sophisticated calculator or computing device provided that this has been specified in the rubric of the examination paper and that students have been notified of this exception in advance of the examination.
- c Where it is proven that a student has taken unauthorised information contained in the memory or case of a pocket calculator or other device into an examination room, they will be deemed to have committed a serious examination offence.

ii Dictionaries

(The University's examinations are conducted in English.)

- a Students are not allowed to take their own dictionaries into the examination room.
- b An English dictionary will be provided in each examination room and students may refer to it on making a request to the Invigilator.
- c The use of foreign language dictionaries is not permitted.

3.3 Conduct of students during the examination

i Students must not:

- a bring food or drinks (other than small, clear, unlabelled bottles of still water) into the examination room;
- b bring into the examination room any item which may cause a disturbance to others, for example, an audible alarm watch;
- c read or otherwise apprise themselves of the work of other students whilst in the examination room;

- d communicate with any person during the examination other than the Invigilator or the Internal Examiner if the Internal Examiner is in attendance;
- e have on or near their person, any book, manuscript, notes, blank pieces of paper, personal notes, revision notes in any form; stationery, calculator or other aid which is not specifically allowed in the rubric of the examination paper;
- f cause disturbance, either intentionally or unintentionally, to other students in the examination. Where the Invigilator considers that a student is causing an unacceptable level of disturbance, the student may be required to leave the examination room. Where a student is required to leave the examination room in such circumstances, they will not be eligible for a deferral.

(Note for guidance:

Where a student is required to leave the examination room because of a disturbance arising from their sudden illness, the relevant Module Board will be notified and has discretion to offer the student a deferred examination.)

- ii Leaving the examination room during the course of the examination
 - a Where an examination is of two **(2)** hours' duration or less, students are not permitted to leave the examination room and then return unless they can provide medical or other appropriate evidence to justify this. Students who leave the room without the necessary medical certification will not be permitted to return to the examination.

(Note for guidance:

'medical or other appropriate evidence' would include, but is not limited to, medical certificates or letters from doctors or psychiatric practitioners.)

- b Students are not permitted to leave any examination room during the first **40** minutes nor during the last **20** minutes of the examination unless medical or other appropriate evidence has been presented prior to the commencement of the examination.
- c Students must not leave the examination room during the examination without being accompanied by an Invigilator/informing the Invigilator.
- d Students who leave while the examination is in progress should do so as quietly as possible to minimise disturbance to others.
- e Any student who suddenly becomes unwell during an examination and elects to leave without completing the examination, must notify the Invigilator who will, in turn, ensure a member of the Exams and Awards Office speaks with the student before they are allowed to leave the examination.

(Note for guidance:

The Invigilator will note in the Invigilator's Log the student's decision to leave on grounds of sudden ill-health but the student is also required to submit a claim of Exceptional Circumstances in the normal way.

Where a student has claimed Exceptional Circumstances, the original examination mark will be null and void (see section D5.1.3, UPR AS14².)

- iii Students who have taken unauthorised items to their desks by mistake must inform the Invigilator immediately they discover them.
- iv A serious breach of the examination rules or disorderly conduct will render a student liable to expulsion from the examination room for the remainder of the examination period.
- v At the time of the examination, students should draw to the attention of the Invigilator any adverse environmental conditions that they believe to be affecting their performance.

(It will be for the Invigilator in Charge and/or the Associate Director to decide whether or not action can or should be taken.)

3.4 Conduct of students in the event of an emergency

(See sections 6.6.4 and 6.6.5, UPR AS12⁴)

Students must:

- a stop writing and await instructions from the Invigilator in Charge;
- b leave the room in silence and in an orderly manner when requested to do so by the Invigilator;
- c leave all examination materials on their desks;
- d leave bags and any other possessions in the examination room;
- e assemble at the designated assembly point;
- f remain silent at all times, even after they have left the examination room;
- g re-enter the examination room when instructed to do so by the Invigilator in Charge.

(Where extra time is to be given, the Associate Director will advise the Invigilator in Charge of the amount of additional time that students are to be permitted.)

3.5 Writing the examination

Each student must:

- a unless instructed otherwise, write answers in black or blue ink;

- b write their correct Student Record Number and any other particulars that are required, clearly and accurately on the front of each examination-script;
- c write their correct Student Record Number on each item of examination stationery used (for example, continuation sheets and graph paper);
- d not, for any purpose, bring their own blank paper/stationery into the examination room;
- e not commence writing, other than to complete the identification details on the front of the examination script, until the start of the examination is announced by the Invigilator;
- f raise any query concerning the accuracy or content of the examination paper within the first **30** minutes following the start of the examination (by raising their hand to attract the Invigilator's attention) so that the query may be referred at once to the Internal Examiner(s) (or nominee) who will be available to attend the examinations room(s) during this period. After the first **30** minutes of the examination, any query raised will be recorded by the Invigilator but may not necessarily be answered during the examination;
- g start each answer at the head of a page and write on both sides of each sheet of the examination script or other material provided upon which questions are to be answered: continuation sheets must be numbered consecutively (1, 2, 3, etc.);
- h write each question number in the left-hand margin and leave the right-hand margin blank. All work leading to the solution of each question must be recorded in the examination script. Rough notes made during the examination should be neatly ruled through before completing the examination.

3.6 Finishing the examination

(A breach of 3.6, i, a, d or e, will be regarded as academic misconduct.)

- i Students must:
 - a stop writing immediately when the Invigilator announces the end of the examination;
 - b check that they have entered the number of each question attempted in the space provided at the foot of the front page of each examination script and that they have stated the number of continuation sheets and graph or other paper used;
 - c attach all continuation and other sheets to the appropriate examination script before handing it to the Invigilator (with the exception of multiple choice questionnaire sheets which must be inserted into the answerbook);

- d remain silent and seated until all students' examination scripts have been collected and counted by the Invigilator and they have been formally dismissed by the Invigilator;
 - e not remove from the room any script, rough work, official stationery, materials or equipment supplied for the examination.
- ii Unless specified otherwise, students may take the examination paper that they have sat from the room at the end of the examination.

3.7 Examinations involving the use of computers

- i Students are responsible for:
- a saving all their work regularly and in the manner prescribed for the examination;
 - b ensuring that their correct Student Record Number is printed on each page;
 - c ensuring that their work is printed in full;
 - d ensuring that their printed work is inserted securely inside an examination script.
- ii In the event of an electrical and/or computer breakdown, students are required to follow the instructions given by the Invigilator.

4 Assessment of coursework

4.1 Students are:

- a responsible for familiarising themselves with any submission deadlines or penalties and any other requirements associated with the coursework;
- b expected to contact their module lecturers if they are unclear about anything concerning the coursework assessment requirements;
- c required to submit all work for assessment by the deadline that has been stipulated unless an extension of time has been granted, in writing, by the appropriate member of the academic staff via the process identified in their programme information (see 4.2 below);
- d responsible for familiarising themselves with the penalties that may be imposed as a result of their having submitted their coursework after the published deadline;

4.2 Coursework Extensions

- a A coursework extension is permission to hand in an assessment after the published hand-in date without either incurring a penalty or waiting to re-take an alternative assessment as a referred or deferred student;

- b Coursework extensions are not automatic, permission must be granted. Students must request a coursework extension from the person(s) or via the process identified in their programme information or within the terms of their Study Needs Agreement, where applicable. They must provide an explanation in writing for requesting an extension specifying the number of days required, which may be for a maximum of seven (7) calendar days or (10) calendar days for students with a Study Needs Agreement;
- c For some assessments, applications for extensions may not be possible, or not possible for the maximum of 7 calendar days, because of the nature of the assessment or its position in the assessment calendar. In such cases this will be made clear to students in the assessment brief / module information;
- d Whilst an extension can be requested any time up until the coursework deadline, it is reasonable to expect that it may take up to two (2) working days after receipt of the request to confirm whether or not the request has been accepted;
- e For students who have been granted an extension, coursework will be returned to them together with feedback no later than four (4) calendar weeks after the expiry of the maximum extension period available for the particular module, regardless of the period of extension granted or when the work is actually submitted.

4.3 Late submission of coursework

With exception of all online time limited assessments:

- 1 For each day or part thereof (or for hard copy submission only, working day or part thereof) for up to five days after the published deadline, coursework relating to modules at Levels **0, 4, 5, 6** submitted late (including deferred coursework, but with the exception of referred coursework), will have the numeric grade reduced by 10 grade points until or unless the numeric grade reaches or is 40. Where the numeric grade awarded for the assessment is less than 40, no lateness penalty will be applied. When an extension is given, the revised hand-in date will become the deadline for coursework submission (see section 5.3.1 UPR AS12).
- 2 For each day or part thereof (or for hard copy submission only, working day or part thereof) for up to five days after the published deadline, coursework relating to modules at Level **7** submitted late (including deferred coursework, but with the exception of referred coursework), will have the numeric grade reduced by 10 grade points until or unless the numeric grade reaches or is 50. Where the numeric grade awarded for the assessment is less than 50, no lateness penalty will be applied. When an extension is given, the revised hand in date will become the deadline for coursework submission (see section 5.3.1 UPR AS12).
- 3 Pass/fail assessments submitted after the published deadline will be awarded a grade of zero (0).
- 4 Referred coursework submitted after the published deadline will be awarded a grade of zero (0).

- 5** Coursework (including deferred coursework) submitted later than five days (five working days in the case of hard copy submission) after the published deadline will be awarded a grade of zero (**0**). When an extension is given, coursework submitted five days after the revised hand in date will be awarded a grade of zero (0).

(Note for guidance:

For assessments requiring hard copy submission, working day refers to a weekday when the University is open for business, including vacation times)

4.4 Students:

- a must not behave in a manner likely to prejudice the academic performance of another student;
- b must not offer bribes or inducements to any member of the University's staff, External Examiners or other students connected with the coursework that is being presented for assessment;
- c are responsible for ensuring that they have complied with the requirements set out in section 1.2.

5 Requests for the review of assessment decisions – undergraduate and taught postgraduate students (appeals procedure)

5.1 Scope of regulations⁶

5.1.1 These procedures will be followed in cases where a student or a member staff wishes to raise a query concerning a recommendation or decision relating to:

- a the mark or grade for an individual item of coursework;
- b the result of an individual module;
- c completion of a stage of a programme and progression to the next;
- d entitlement to an award;
- e the class or grade of an award;

5.2 Confidentiality and Data Protection

The University will deal with any review under these procedures in accordance with the legal context for data protection.

⁶ Regulations and procedures for raising queries about assessment, progression and award regulations associated with a particular programme lie outside the scope of this document. Students who wish to raise such queries should do so via the appropriate Programme Committee through student representatives or by seeking an interview with the module tutor, programme leader or other programme officer.

5.3 General principles for a request for the review of an assessment decision

- 5.3.1 Whilst students may raise queries about the results of an assessment, the University will not consider queries which consist solely of a challenge to the academic judgement of Examiners in assessing the merits of a student's work.
- 5.3.2 A Short Course/Module or Programme Board of Examiners (see sections 5.6.1 and 5.6.2) acts under authority delegated to it by the Academic Board and the decision of the Board of Examiners on a referred appeal is final, other than in exceptional circumstances where the Academic Board may decide to exercise its powers in accordance with the provisions of section B5, UPR AS14² (see section 5.8 of this document also).
- 5.3.3 With limited exceptions, all investigation materials considered by the Dean of School (or nominee) or the Vice-Chancellor under this policy will be provided to the student.

5.4 Permitted grounds for a request for the review of an assessment decision

5.4.1 Subject to the general principles set out in section 5.3 above, the grounds on which students are permitted to lodge a request for the review of an assessment decision are where evidence exists that:

- a the assessment procedures were not followed properly;
- b there has been an administrative error that would affect the outcome of the assessment decision;
- c the examinations or other assessments were not conducted in accordance with the approved programme regulations;
- d University and/or programme-specific regulations on progression and awards were not complied with;
- e relevant information, including information that has already been provided by the student, was overlooked;
- f there is new evidence that would affect the outcome of the decision that the student was unable, for good reason, to provide earlier in the process;
- g there is a reasonable perception of bias during the process.

5.4.2 Students should note that:

- i the University will respond only to those matters that fall within the permitted grounds for the request of a review set out above; and
- ii with the exception of appeals from Exceptional Circumstances claims, the powers of the Dean of School and the Vice-Chancellor are limited to the referral of a case back to a Short Course/Module or Programme Board of Examiners for reconsideration, where they are satisfied that this is a justifiable course of action.

5.4.3 Students considering an appeal are advised to consult the information and guidance available on Ask Herts.

5.5 Informal procedures

5.5.1 Within the limits of the permitted grounds set out in section 5.4, a student may initially wish to raise queries concerning the following matters (see sections 5.5.2 – 5.5.6) using the informal procedures set out in the relevant section.

5.5.2 Mark or grade of an individual item of coursework

- i The student or member of staff should raise the query with the tutor(s) concerned immediately after receiving notification of the mark or grade. The tutor will give an answer as quickly as possible, although it should be noted that some queries may take longer to address depending on their nature.
- ii Where, having received a response from the tutor(s), the student still believes there is an error which has not been rectified and wishes to pursue the matter further, they must raise the issue, in writing, with the Programme Leader within five (5) working days of the date of the response.
- iii The Programme Leader will investigate the query and notify the student of the findings of that investigation. Where an error is found, any necessary corrections will be made following instruction from the Programme Leader to the appropriate member of academic or administrative staff.

5.5.3 Overall result of an individual module

The student or member of staff should raise the query with the designated module leader within five (5) working days of publication of the result. If the student is unsure which member of staff to contact, they should seek advice from the Student Administration Service. The student will receive an answer as quickly as possible, although some queries may take longer than others to address depending on their nature.

5.5.4 Stage progression, entitlement to an award or the class or grade of an award

The student should raise the matter at the earliest possible time with their Year or Programme Leader.

5.5.5 A student's personal position

The student should raise the matter at the earliest possible time with their Personal Tutor, Academic Support Tutor, Year or Programme Leader.

5.5.6 Suspected administrative error or procedural irregularity

The student or member of staff should raise the matter at the earliest opportunity with the Chair of the Short Course/Module or Programme Board of Examiners (see sections 5.6.1 and 5.6.2).

5.6 Formal procedure for the review of a decision by a Board of Examiners

5.6.1 All requests for a formal review of a decision of a Board of Examiners under the provisions of the regulations in this section (5.6) must be made, in writing, solely by means of the current version of the pro forma found in the following link:

<https://ask.herts.ac.uk/academic-appeals-requests-for-the-review-of-assessment-decisions>

5.6.2 Irrespective of whether they have raised a query informally using the procedures set out in section 5.5 and regardless of whether they have received a response, students wishing to request a formal review must do so using the procedures set out in this section (5.6). Such request must be submitted strictly in accordance with the following schedule:

- i request for the review of an assessment decision within ten (**10**) working days after the publication date for results by Short Course/Module Boards of Examiners;
- ii request for the review of a continuation or termination or award decision within ten (**10**) working days of the date of the notification of the recommendation of the Programme Board of Examiners. Requests for a formal review under the provisions of this section (5.6) not submitted using the required pro forma will not be considered.

(Note for guidance:

- With regard to the requirement to submit requests for a formal review under the provisions of this section (5.6) using the pro forma referred to in section 5.6.1, the University will make reasonable adjustments for disabled students.)

5.6.3 Any student wishing to request a formal review should seek immediate guidance from the Dean of School (or nominee if the Dean of School is the Chair or member of the Module or Programme Board of Examiners) (see sections 5.6.1 and 5.6.2) or the Students' Union.

5.6.4 Requests for a formal review must be made in the form of a written submission which must be lodged with the Dean of School (or nominee).

5.6.5 Students wishing to lodge a formal request for a review of a decision made by a Short Course/Module Board of Examiners or a Programme Board of Examiners should note that at no stage do the procedures set out in this section (5) provide for external representation, for example, by a Trade Union representative or a lawyer.

(Note for guidance:

The policies and procedures for the operation of the Examinations Appeal Panel which give effect to the principles determined by the University as they relate to representation and advice for students and the role of Students' Advisers at that, later, stage of the review process, are set out in section 5.7.7.)

5.6.6 The student 's written submission should:

- i summarise the case and grounds for requesting the review;
- ii indicate the date on which the decision/recommendation was taken by the Short Course/Module or Programme Board of Examiners;
- iii include any relevant documentary evidence.

5.6.7 Upon receipt of a written request for a review, the Dean of School (or nominee) will consult colleagues to determine whether there are sufficient grounds to justify a review. Having completed their consultations and having reviewed all the evidence, the Dean of School (or nominee) will within **15** working days of the receipt of the request or as soon as possible thereafter:

- i dismiss the request; or
- ii refer the matter to the Short Course/Module or Programme Board of Examiners; and
- iii inform the student of their decision by means of a **Letter of Decision** in the following format:

Letter of Decision

The Dean of School (or nominee) will communicate their decision to the student in writing. Such letters (**Letters of Decision**) will:

- a inform the student of the decision;
- b give the reasons why the decision was taken;
- c where the matter has been referred to the Short Course/Module or Programme Board of Examiners, advise the student that the proceedings of the Short Course/Module or Programme Board of Examiners are confidential, that its decisions are a matter of academic judgement, cannot be influenced and are final;
- d explain any further rights of appeal that the student might have.

Included with the letter will be a copy of the report or record of any Hearing which has taken place.

Where appropriate, the **Letter of Decision** will be accompanied by a **Completion of Procedures Letter** which may be used in relation to any future dealings with the Office of the Independent Adjudicator.

Letters of Decision will be sent by recorded mail and to the email address the student has provided to the University for all correspondence.

5.6.8 The Dean of School will provide a copy of the **Letter of Decision** to the Head of Student Administration, and to the Chair of the Short Course/Module or Programme Board of Examiners.

5.6.9 Where the Dean of School has referred the matter to the Short Course/Module or Programme Board of Examiners, the Chair of the Board of Examiners concerned will notify the student, in writing, of the decision of the Board.

5.6.10 Where the Short Course/Module or Programme Board of Examiners finds evidence of administrative error or procedural irregularity, the Short Course/Module or Programme Board of Examiners will take the appropriate action.

5.7 Representations to the Vice-Chancellor

5.7.1 In the event that either:

- i the decision of the Short Course/Module or Programme Board of Examiners remains unchanged after the request has been referred to it by the Dean of School (or nominee) or
- ii a student has had their request dismissed by the Dean of School (or nominee) then a student may, in limited circumstances, make representations to the Vice-Chancellor, in their capacity as Chair of the Academic Board. These representations can be made **only** on the grounds that exceptional circumstances apply but it must be emphasised that any submission to the Vice-Chancellor should not be regarded as merely another opportunity to present the same arguments as those submitted to the Dean of School (or nominee) and should be made only if the student believes that the correct procedure has not been followed and/or that all the relevant circumstances have not been considered and/or there is new evidence not previously considered by the Dean of School.

5.7.2 Guidance

Before making such a submission to the Vice-Chancellor, the student is strongly advised to seek guidance from the Dean of School (or nominee) concerned, who may further consult appropriate colleagues within the School. The student may also wish to seek advice from the Students' Union.

5.7.3 If, having obtained appropriate guidance, the student wishes to pursue the matter, they must make a request to the Vice-Chancellor, in writing, solely by means of the current version of the pro forma published from time-to-time by the Dean of Students and, in accordance with the procedures set out in this section (5.7.3), within ten (**10**) working days, as appropriate, of:

- i the date of the **Letter of Decision** from the Dean of School (or nominee) that their request has been dismissed,
- ii the date of the written notification from the Short Course/Module or Programme Board of Examiners that its decision is unchanged;

that they wish the decision of the Short Course/Module or Programme Board of Examiners to be reviewed.

(Note for guidance:

The dates referred to in section 5.7.3 relate to the date of the correspondence/notification referred to in the relevant section and not to the date of its receipt.)

5.7.4 The written request must be:

- i supported by a statement detailing the grounds upon which the review is being sought, together with any relevant documentary evidence.
- ii lodged with the Student Procedures Co-ordinator.

Representations to the Vice-Chancellor under the provisions of this section (5.7) not submitted using the required pro forma will not be considered.

(Note for guidance:

- With regard to the requirement to submit requests for a formal review under the provisions of this section (5.7) using the pro forma referred to in section 5.7.3 and section 5.7.4, the University will make reasonable adjustments for disabled students. Disabled students should seek advice from Student Wellbeing.
- The current version of the pro forma is published on-line on the Dean of Students' web site.)

5.7.5 The Vice-Chancellor may direct that an investigation is made, by an Investigating Officer into the request for review and may seek further information.

5.7.6 The Investigating Officer (normally the Dean of Students) will inform the Head of Student Administration that an appeal is pending and of the outcome when the final decision is reached.

5.7.7 Upon receipt of the student's written submission and/or the results of any further investigation, the Vice-Chancellor will consider whether there is sufficient justification to merit a review. The Vice-Chancellor will review all of the evidence. The Vice-Chancellor's decision will be based on the evidence available. The Vice-Chancellor will assess whether any of the exceptional circumstances referred to in section 5.7.1 apply and not the academic judgement of the Short Course/Module or Programme Board of Examiners. Within **20** working days of the receipt of the appeal, or as soon as possible thereafter, the Vice-Chancellor will:

- i dismiss the request and advise the student accordingly by means of a **Vice-Chancellor's Letter of Decision** in the format prescribed in section 5.7.10 or
- ii determine that there is sufficient justification to require the Module or Programme Board of Examiners, as appropriate, to reconsider the case and advise the student accordingly by means of a **Vice-Chancellor's Letter of Decision** in the format prescribed in section 5.7.10 or
- iii determine that a more detailed review should be made involving, possibly, the gathering of additional evidence and/or the seeking of further guidance and/or the establishment of an Examinations Appeal Panel and advise the student accordingly in writing.

(Note for guidance:

The student may be accompanied by a Student's Adviser at any meeting or Hearing at which the matter is discussed in accordance with the provisions of section 5.7.8, iii.)

5.7.8 Examinations Appeal Panel

The Vice-Chancellor, at their absolute discretion, may require the Secretary and Registrar, as Secretary to the Academic Board, to establish an Examinations Appeal Panel.

- i The Panel will consist of three (**3**) independent Deans of School (or the holders of comparable senior posts) and may interview the student, may obtain further information, if necessary, and may consider other appropriate representations.
 - ii At any meetings to discuss the process of the appeal, or hearing, the student will be entitled:
 - a to present any evidence or documentation that is relevant to the representations being made and
 - b either to be accompanied by a Student's Adviser (see section 5.7.8, iii) or,
 - c where they wish to exercise the right to representation, to be accompanied by a member or nominee of the Students' Union Executive (see section 5.7.8, iii, b).
 - iii Student's Adviser
 - a An appellant may invite another person to accompany them to, and to act as their Adviser at, any Hearing or meeting (formal or informal) at which the matter is to be discussed.
 - b Although the appellant might, for example, invite a lawyer or a Trade Union representative to act as their Adviser, it should be noted that the person attends the meeting or Hearing purely in an advisory capacity and does not, therefore, act as the student's representative. However, the student may elect to be represented at the Hearing or meeting by a member or nominee of the Students' Union Executive.
 - c Where an appellant wishes to be accompanied by an Adviser at a meeting or Hearing, they should advise the University five (**5**) working days beforehand.
 - iv Following a hearing and the Panel's deliberations, the Panel will advise the Vice-Chancellor either to dismiss the appeal or refer the matter back to the Short Course/Module or Programme Board of Examiners for review. The Vice-Chancellor has discretion to accept or reject the advice of the Panel.
- 5.7.9 It should be noted that the Vice-Chancellor does not possess the power to alter decisions. The Vice-Chancellor may confirm the view of the Short Course/Module or Programme Board of Examiners (see sections 5.6.1 and 5.6.2) or require the Short Course/Module or Programme Board of Examiners to review the case in view of any exceptional circumstances.

- 5.7.10 The Vice-Chancellor's decision will be communicated to the student by means of a **Vice-Chancellor's Letter of Decision** in the following format:

Vice-Chancellor's Letter of Decision

- i The Secretary and Registrar will communicate the Vice-Chancellor's decision to the appellant in writing. Such letters (**Vice-Chancellor's Letter of Decision**) will:
 - a inform the student of the decision;
 - b give the reasons why the decision was taken;
 - c where the matter has been referred to the Short Course/Module or Programme Board of Examiners, advise the student that the proceedings of the Short Course/Module or Programme Board of Examiners are confidential, that its decisions are a matter of academic judgement, cannot be influenced and are final.
 - ii Included with the letter will be a copy of the report or record of the Hearing.
 - iii Where appropriate, the **Vice-Chancellor's Letter of Decision** will be accompanied by a **Completion of Procedures Letter** which may be used in relation to any future dealings with the Office of the Independent Adjudicator. The **Vice-Chancellor's Letter of Decision** will be sent by recorded mail and to the email address the student has provided to the University for all correspondence.
- 5.7.11 At all times it has to be appreciated that the powers of the Vice-Chancellor are limited to the referral of a case back to a Board of Examiners for reconsideration, if the Vice-Chancellor is satisfied that this is a justifiable course of action. The Short Course/Module or Programme Board of Examiners acts under authority delegated to it by the Academic Board and the decision of the Short Course/Module or Programme Board of Examiners on a referred appeal is final, other than in exceptional circumstances where the Academic Board may decide to exercise its powers in accordance with the provisions of section B5, UPR AS14².

5.8 The Academic Board

- 5.8.1 In very exceptional circumstances, for example, where it believes that a Programme or Short Course/Module Board of Examiners has misused or otherwise contravened its authority or there are procedural irregularities, the Academic Board has the power to consider and, if appropriate, change the decision of the Programme or Short Course/Module Board. In such exceptional circumstances, the delegation of authority made to the Programme or Short Course/Module Board by the Academic Board would be revoked temporarily⁷.

⁷ See Academic Board minute 725.3, 15 March 2000.

5.8.2 Students should note that the procedures set out elsewhere in this section (5), which have been approved by the Academic Board, provide the mechanism whereby they may progress queries about recommendations or decisions on assessment, progression and awards.

5.9 Vice-Chancellor

The Vice-Chancellor has discretion to draw to the attention of a Board of Examiners any relevant matter and to request that the Board concerned reconsiders its decisions in light of the information provided to it by the Vice-Chancellor. However, the Vice-Chancellor does not possess the power to alter the decisions of a Board of Examiners.

5.10 Further representations

Having exhausted the University's internal procedures and, subject to the provisions of legislation, the student has the right to request the Office of the Independent Adjudicator to review their case.

Sharon Harrison-Barker
Secretary and Registrar
Signed: **1 August 2023**

Alternative format

If you need this document in an alternative format, please email us at governanceservices@herts.ac.uk or telephone us on +44 (0)1707 28 6006.