

**ASSESSMENTS AND EXAMINATIONS - REGULATIONS FOR CANDIDATES (INCLUDING
 REQUESTS FOR THE REVIEW OF EXAMINATION DECISIONS (APPEALS PROCEDURE))
 (PARTNER ORGANISATION-DELIVERED PROVISION)**

SUMMARY OF PRINCIPAL CHANGES

General changes

None

Section

3.1, iv, b	see text
5.3.2, 5.4.4	see text
5.4.11	see text

(Amendments to version 10.0 Appendix I, UPR AS13 are shown in italics.)

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1 PREPARATIONS FOR EXAMINATIONS AND ASSESSMENTS

1.1 Candidates are personally responsible for familiarising themselves and complying with all of the following:

- i the regulations and procedures set out in this document (Appendix I, UPR AS13);
- ii UPR AS11¹ and the assessment regulations which relate to the programmes on which they are enrolled;
- iii the University's regulations relating to cheating, plagiarism, collusion and other Academic Misconduct/Assessment Offences (section 2, refers);
- iv the regulations and procedures that apply in cases of Serious Adverse Circumstances (UPR AS14², refers);
- v Appendix II, UPR AS13³.

1.2 Candidates are required:

- i to ensure that they are registered correctly on the modules for which they are to be assessed (section 1.5, refers);
- 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 the Organisation's official student identity card;
- iv by the deadline published by the Examinations Officer, to inform him or her (the Examinations Officer), in writing, of religious observance/belief dates during examination periods which proscribe the taking of examinations;
- v through the Examinations Officer, to notify the Chairman of the Module Board(s) prior to the meeting, in writing, of any circumstances which, in their opinion, prevented them from attending and/or submitting the assessment and which they wish the Module Board(s) of Examiners to take into account (section C3.8, UPR AS14², refers);

¹ UPR AS11 'Schedule of Awards'

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

³ UPR AS13, Appendix II 'Assessments and Examinations – Candidates with Additional Needs (Partner Organisation-Delivered Provision)'

- 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 Assistant Registrar (Student Administration – Collaborative Partnerships), via the Examinations Officer, of any changes of name, for example, as a result of a change in marital status (UPR AS13⁴, refers);
- 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 **Candidates who are debtors of the Organisation**

Candidates who are debtors of the Organisation 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 candidate should fail an examination or assessment in cases where the candidate 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 Candidates are advised to keep a record of coursework assignments and the date on which they are submitted and retain copies of the assignments making a contribution to overall assessments of the module.

1.5 **List of Assessed Modules**

- i Each candidate will be provided with a list of modules for assessment, generated either by the University or by the Partner Organisation, listing his or her current programme registration details in full.

(Lists produced by the University will incorporate Exam Numbers. However, Organisations which are responsible for generating their own lists may have different arrangements for providing candidates with their Exam Numbers.)

- ii Candidates must:

- a check this list and
- b sign it to signify that the list of modules is correct and complete and
- c return it by the deadline published by the Assistant Registrar (Student Administration – Collaborative Partnerships).

(These deadlines will be strictly enforced and failure to submit a signed form may result in a candidate being barred from sitting examinations.)

Receipt of the signed form by the Examinations Officer registers a candidate for written examinations/other forms of assessment associated with those elements of his or her programme listed on the printout.

- iii Where the list of modules is incorrect, it is the candidate's responsibility to notify the Examinations Officer by the published deadline so that appropriate amendments can be made. The Examinations Officer will notify the Assistant Registrar (Student Administration – Collaborative Partnerships) of these amendments.

1.6 **Exam Numbers**

⁴ UPR AS13 'Assessments and Examinations (Undergraduate and Taught Postgraduate) and Conferments (Partner Organisation-Delivered Provision)'

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

- 1.6.1 In each academic year, every candidate will be issued with a personal Exam Number by the Organisation.
- 1.6.2 Candidates are responsible for bringing their Exam Number with them to the examination room and for ensuring that it is entered correctly on all examination scripts/examination stationery.

2 CHEATING, PLAGIARISM, COLLUSION, OTHER ACADEMIC MISCONDUCT/ ASSESSMENT OFFENCES

2.1 Definitions

For the purposes of these and all other University regulations, the following definitions will apply:

2.1.1 'cheating':

to attempt to gain an unfair, improper or dishonest advantage in the assessment process;

to gain an unfair, improper or dishonest advantage in the assessment process;

where on the balance of probability it could reasonably be construed that a candidate intended to gain an unfair, improper or dishonest advantage in the assessment process.

Cheating includes:

- a impersonation - either where a student allows any other person to take an assessment on their behalf or to present themselves as being that student or where a current University of Hertfordshire student takes an assessment on behalf of another University of Hertfordshire student;
- b obtaining or attempting to obtain unauthorised access to examination papers;
- c the copying of, or attempting to copy, the work of another candidate in the examination or other in class assessment, whether by overlooking what he or she has written or is writing or by asking him or her for information in whatever form;
- d the introduction into an examination room (or any other room in which a formal assessment is taking place) of aids including books, notes, personal notes or revision notes in any form, papers, stationery, computer disks or other devices of any kind other than those permitted in the rubric of the examination paper. This includes, for example, unauthorised information stored in the memory of a calculator, in a mobile telephone, smart watch personal organiser or any other device;
- e requesting a temporary absence from an examination room (or any other room in which a formal assessment is taking place) with the intention of gaining, or attempting to gain, access to information that may be relevant to a formal assessment;
- f false statements made in order to receive special considerations by the Board of Examiners or to obtain extensions to deadlines or exemption from work;
- g assisting or attempting to assist another University of Hertfordshire student to gain or attempt to gain an unfair, improper, or dishonest advantage in the assessment process;
- h the purchase or theft of material submitted for assessment;
- i academic misconduct offences as defined by section 2.1.4, a - f, where on a balance of probability, it could reasonably be construed that a candidate attempted or intended to gain an unfair, improper or dishonest advantage in the assessment process.

2.1.2 'plagiarism':

the misappropriation or use of others' ideas, intellectual property or work (written or otherwise), without acknowledgement or permission. This may include, but is not limited to:

- a the importing of phrases from or all or part of another person's work without using quotation marks and identifying the source;

- b without acknowledgement of the source, making extensive use of another person's work, either by summarising or paraphrasing the work merely by changing a few words or by altering the order in which the material is presented;
- c the use of the ideas of another person without acknowledgement of the source or the presentation of work which substantially comprises the ideas of another person and which represents these as being the ideas of the candidate.

(Note for guidance:

for the avoidance of doubt, plagiarism may be intentional or unintentional.)

2.1.3 'collusion':

evidence of the representation by an individual of work which he or she has undertaken jointly with another person as having been undertaken independently of that person.

2.1.4 'other Academic Misconduct/Assessment Offences':

evidence that a student failed to comply with the University's assessment and examination regulations, other than those offences falling under sections 2.1.1 to 2.1.3, above, including:

- a the falsification of data including the creation of false written materials or statistical data or its alteration, for example, by the invention of the statistics presented or the invention of quotations or references;
- b the duplication of assessed work – the submission of broadly similar work completed by the student for academic credit as part of the same programme without express acknowledgement of the previous submission;
- c the removal of an examination script or examination stationery or other materials from the examination room (or any other room in which a formal assessment is taking place);
- d failure to comply with the instructions of an invigilator;
- e the introduction into the examination room of any personal notes or revision notes in any form or stationery;
- f permitting or assisting another to present work that has been copied or paraphrased from a student's own work without attribution or as if it were the work of the other;
- g breach of professional confidentiality;
- h failure to obtain ethics approval prior to undertaking work involving human participants;
- i failure to comply with the terms and conditions of an ethics approval granted for work involving human participants.

2.1.5 'Serious Adverse Circumstances':

Section C3.8, UPR AS14², refers.

2.2 Offences

2.2.1 The following are regarded as offences:

- i cheating;
- ii plagiarism;
- iii collusion;
- iv Academic Misconduct/Assessment Offences.

2.2.2 Allegations of cheating, plagiarism, collusion and other Academic Misconduct/Assessment Offences will be investigated in accordance with the procedures set out in Appendix III, UPR AS14⁶. Should such allegations be proven, the University reserves the right, at its sole discretion, to impose any of the academic penalties set out in Appendix III, UPR AS14⁶ or

⁶ UPR AS14, Appendix III 'Academic Offences'

where the allegation is treated as a disciplinary matter, the University may, in addition, impose penalties under the provisions of Appendix I, UPR SA13⁷/Appendix I, UPR SA15⁸.

3 EXAMINATIONS

3.1 Attendance

i Candidates:

- 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

Candidates 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 candidates present in the examination room will be checked (section 1.2, iii, refers).
- b Candidates are required to bring their official student 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. Candidates may take only those items specified in the rubric to their examination desks.
- b Candidates will ensure that mobile telephones, *'smart' 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 Examinations Office, together with any item of the candidate's property, such as the coat, bag or other item, in which the telephone is stored. It may be collected by the candidate at the end of the examination. The incident will be recorded by the Examinations Officer.
- c Any notes, including blank pieces of paper, must not be kept on or near a candidate's person.
- d The University does not accept liability for any loss or damage to candidates' personal property howsoever caused.

⁷ Appendix I, UPR SA13 *University Schedule of Sanctions and Penalties for Academic and Non-Academic Disciplinary Offences'*

⁸ Appendix I, UPR SA15 *'University Schedule of Sanctions and Penalties for Academic and Non-Academic Disciplinary Offences'*

v Candidates' attire

During the examination, candidates 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

Candidates will have been notified, at the start of the academic session, of the make and model of the calculator approved by the Organisation.

- a Candidates may use their own Organisation approved calculators for any examination which allows their use. Other than in the circumstances set out in 3.2, i, b, no other calculator will be permitted in the examination room and these and other unauthorised devices will be confiscated. Candidates may not lend, borrow or share a calculator once the examination has commenced.
- b Candidates 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 candidates have been notified of this exception in advance of the examination.
- c Where it is proven that a candidate has taken unauthorised information contained in the memory or case of a pocket calculator or other device into an examination room, he or she will be deemed to have committed a serious examination offence.

ii Dictionaries

(The University's examinations are conducted in English unless this has been agreed otherwise in the Memorandum of Agreement.)

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

3.3 Conduct of candidates during the examination

i Candidates must not:

- a smoke in the examination room;
- b bring food or drinks (other than small, clear, unlabelled bottles of still water) into the examination room;
- c bring into the examination room any item which may cause a disturbance to others, for example, an audible alarm watch;
- d read or otherwise apprise themselves of the work of other candidates whilst in the examination room;
- e communicate with any person during the examination other than the Invigilator or the Internal Examiner if the Internal Examiner is in attendance;

- f 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;
- g cause disturbance, either intentionally or unintentionally, to other candidates in the examination. Where the Invigilator considers that a candidate is causing an unacceptable level of disturbance, the candidate may be required to leave the examination room.

(Note for guidance:

Where a candidate is required to leave the examination room because of a disturbance arising from his or her 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, candidates are not permitted to leave the examination room and then return unless they can provide medical or other appropriate evidence to justify this. Candidates who leave the room without the necessary medical or other appropriate evidence 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 Candidates 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 Candidates must not leave the examination room during the examination without being accompanied by an Invigilator/informing the Invigilator.
- d Candidates who leave while the examination is in progress should do so as quietly as possible to minimise disturbance to others.
- e Any candidate who suddenly becomes unwell during an examination and elects to leave without completing the examination, must notify the Invigilator of the Serious Adverse Circumstances which have necessitated his or her leaving the examination who will, in turn, ensure that the Examinations Officer (or nominee) speaks with the candidate before he or she is allowed to leave the examination.

(Note for guidance:

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

Where a student has claimed Serious Adverse Circumstances, the original examination mark will be null and void.)

- iii Candidates 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 candidate liable to expulsion from the examination room for the remainder of the examination period.
- v At the time of the examination, candidates 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 Examinations Officer to decide whether or not action can or should be taken.)

3.4 Conduct of candidates in the event of an emergency

(Sections 7.6.4 and 7.6.5, UPR AS13⁴, refer.)

Candidates 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 Assistant Registrar will advise the Invigilator in Charge of the amount of additional time candidates are to be permitted.)

3.5 Writing the examination

Each candidate must:

- a unless otherwise instructed, write answers in black or blue ink;
- b write his or her correct Exam Number and any other particulars that are required, clearly and accurately on the front of each examination script;
- c write his or her correct Exam Number on each item of examination stationery used (for example, continuation sheets and graph paper);
- d not, for any purpose, bring his or her 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 his or her 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 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 (section 2.1.4, refers).)

i Candidates must:

- a stop writing immediately 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 the 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 answer book 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 candidates' 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, candidates 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

Candidates are required to comply with the regulations and procedures for the conduct of examinations involving the use of computers which have been published by the Principal.

4 ASSESSMENT OF COURSEWORK

- i Candidates 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;
 - d required to make any application for an extension by the deadline for the submission of the coursework to the appropriate member of the academic staff. Such applications must normally be made in writing, be accompanied by appropriate supporting evidence and be made in advance of the deadline for the submission of the coursework;
 - e responsible for familiarising themselves with the penalties that may be imposed as a result of their having submitted their coursework after the published deadline;
 - f responsible for stating clearly at the end of each piece of coursework being submitted for assessment, the name of any other student with whom they have worked.
- g **LATE SUBMISSION OF COURSEWORK**

Unless there are accepted Serious Adverse Circumstances:

- 1 Coursework (including deferred coursework, but with the exception of referred coursework) relating to modules at Levels **0, 4, 5** and **6**, submitted up to one **(1)** week after the published deadline will receive a maximum numeric grade of **40**.
- 2 Coursework (including deferred coursework, but with the exception of referred coursework) relating to modules at Level **7** submitted up to one **(1)** week after the published deadline will receive a maximum numeric grade of **50**.
- 3 Referred coursework submitted after the published deadline will be awarded a grade of zero **(0)**.
- 4 Coursework (including deferred coursework) submitted later than one **(1)** week after the published deadline will be awarded a grade of zero **(0)**.

- ii Candidates:
 - a must not behave in a manner likely to prejudice the academic performance of another candidate;
 - b must not offer bribes or inducements to any member of the University's or the Organisation's staff, External Examiners or other candidates 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 CANDIDATES (APPEALS PROCEDURE)**

5.1 **Scope of regulations⁹**

5.1.1 These procedures will be followed in cases where:

- i a candidate or a member of 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;
- ii a candidate who has committed an examination or coursework assessment offence (including cheating, plagiarism, collusion or other Assessment Offence) which has been dealt with in accordance with the procedures set out in Appendix III, UPR AS14⁶, wishes to exercise his or her right to request a formal review of the decision or recommendation of a Short Course/Module Board of Examiners.

5.1.2 Such queries (section 5.1.1, refers) will be dealt with under the procedures that operate within the Partner Organisation.

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

5.2 **General principles**

5.2.1 Whilst candidates may raise queries about the results of an assessment, the University will not admit queries which consist solely of a challenge to the academic judgement of Examiners in assessing the merits of a candidate's work or in reaching a decision or recommendation on progression, award, or the class or grade of award based on the marks, grades and other information relating to the candidate's performance.

5.2.2 Where queries relate to the substantive correctness of a recommendation or decision (such as a request to be given the reasons or a request that it be reconsidered) the University will respond only to those that fall within the permitted grounds for a request for the review of an examination decision (section 5.3, refers).

⁹ Regulations and procedures for raising queries about assessment, progression and award regulations associated with a particular programme lie outside the scope of this document. Candidates who wish to raise such queries should do so via the appropriate Programme Committee through candidate representatives or by seeking an interview with the Module Tutor, Programme Leader or other Programme Officer.

- 5.2.3 At all stages of these procedures the powers of the Principal and the Vice-Chancellor are limited to the referral of a case back to a Module or Programme Board of Examiners for reconsideration, where they are satisfied that this is a justifiable course of action.
- 5.2.4 A Short Course/Module or Programme Board of Examiners 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 B4, UPR AS14² (section 5.5 of this document also refers).
- 5.2.5 With limited exceptions, all written materials considered by the Principal (or nominee) or the Vice-Chancellor in their respective deliberations under this policy will be provided to the candidate.

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

- 5.3.1 The grounds on which candidates are permitted to lodge a request for the review of a recommendation or decision are:
- i that the Examiners had been advised beforehand of medical or other Serious Adverse Circumstances which prevented the candidate from sitting or submitting an assessment but failed to appreciate their significance when arriving at their decision or recommendation (section 5.3.2, refers);
 - ii where, at the time of sitting or submitting an assessment, the candidate was not capable of understanding that his or her performance was likely to be affected adversely by ill-health and/or its treatment (section D5.1 UPR AS14², refers) and
 - a this has the written support of a doctor or psychiatric practitioner and
 - b the circumstances only came to light after the relevant Assessment Panel or Short Course/Module Board had met (section 5.3.2, refers);
 - iii that there was a material administrative error or procedural irregularity at some stage of the assessment process or that the examinations or other assessments were not conducted in accordance with the approved programme regulations or that some other material irregularity or procedural irregularity relevant to the assessments occurred;
 - iv that there was unfairness or impropriety on the part of one or more of the Examiners or the Board.

5.3.2 Serious Adverse Circumstances

- i Where it is believed that there are Serious Adverse Circumstances which should be drawn to the attention of the Short Course/Module Boards of Examiners, it is the responsibility of the candidate to notify the Chairman of the appropriate Short Course/Module Boards of Examiners, in writing, through the Examinations Officer as early as possible and not later than ten (10) working days before the meeting of the Short Course/Module Board of Examiners and to provide any relevant supporting evidence (section 1.2, v, refers). However, where the relevant assessment is within 12 working days of the meeting of the Short Course/Module Board of Examiners, any Serious Adverse Circumstances to be taken into consideration by the Short Course/Module Board must be notified no later than two (2) working days after the assessment.
- ii The Examinations Officer will provide this information and the supporting evidence submitted by the candidate by e-mail, where practicable, to the Clerk to the Short Course/Module Board of Examiners not later than five (5) working days before the meeting of the Module Board (Section 1.2, v, refers).

5.4 Representations to the Vice-Chancellor

5.4.1 Once the procedures of the Partner Organisation have been exhausted and in the event that either:

- i the decision of a Module or Programme Board of Examiners remains unchanged after the request has been referred to it by the Principal or
- ii a candidate has had his or her request dismissed by the Principal,

then a candidate may, in limited circumstances, make representations to the Vice-Chancellor of the University, in his or her capacity as Chairman 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 Principal and should be made only if the candidate 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 Principal.

5.4.2 Guidance

Before making such a submission to the Vice-Chancellor the candidate is strongly advised to seek guidance from the member of staff nominated for this purpose by the Principal, who may further consult appropriate colleagues within the Organisation.

5.4.3 If, having obtained appropriate guidance, the candidate wishes to pursue the matter, he or she must notify the Vice-Chancellor, in writing, within ten (**10**) working days of the date of written notification from the Principal that his or her request has been dismissed, that he or she wishes the decision of the Module or Programme Board of Examiners to be reviewed.

The written request must be supported by a statement detailing the grounds upon which a review is being sought, together with any relevant documentary evidence.

(Note for guidance:

It should be noted that the date referred to in section 5.4.3 relates to the date of the written notification from the Principal and not to the date of its receipt.)

5.4.4 The correct address for lodging of the written notification and supporting statement required under the terms of section 5.4.3 is:

Vice-Chancellor, University of Hertfordshire, College Lane, Hatfield, Herts AL10 9AB.

The written notification may, in the first instance, be sent by *email*, addressed to the Vice-Chancellor in which case the candidate must also send the original of the notification and the supporting statement to the Vice-Chancellor, by post, to the above address.

5.4.5 The Vice-Chancellor will advise the Principal, the Chairman of the Module or Programme Board of Examiners, the Dean of Students and the Secretary and Registrar that he or she has received the request for a review and will provide each of them with a copy of the outline statement, as submitted to him or her, of the case for requesting a review.

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

5.4.7 The Investigating Officer (normally the Dean of Students) will inform the Assistant Registrar (Student Administration – Collaborative Partnerships) that an appeal is pending and of the outcome when the final decision is reached.

- 5.4.8 Upon receipt of the candidate'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. His or her decision will be based on the evidence available and he or she will assess whether any of the exceptional circumstances referred to in section 5.4.1 apply and not on a consideration which questions the academic judgement of the Module or Programme Board of Examiners (section 5.4.1 refers). Within **20** working days of the receipt of the appeal or as soon as possible thereafter, he or she will:
- i dismiss the request and advise the candidate accordingly by means of a **Vice-Chancellor's Letter of Decision** in the format prescribed in section 5.4.11 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 candidate accordingly by means of a **Vice-Chancellor's Letter of Decision** in the format prescribed in section 5.4.11 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 candidate accordingly in writing.

5.4.9 Examinations Appeal Panel

The Vice-Chancellor, at his or her 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 appellant, 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 (section 5.4.9, iii, refers) or,
 - c where he or she wishes to exercise the right to representation, to be accompanied by a member or nominee of the Students' Union Executive (section 5.4.9, iii, b, refers).
- iii Student's Adviser
 - a An appellant may invite another person to accompany him or her to, and to act as his or her 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 his or her 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, he or she 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.

5.4.10 It should be noted that the Vice-Chancellor does not possess the power to alter decisions. He or she may confirm the view of the Short Course/Module or Programme Board of Examiners or require the Short Course/Module or Programme Board of Examiners to review the case in view of any exceptional circumstances.

5.4.11 The Vice-Chancellor's *decision will* be communicated to the appellant 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 candidate in writing. Such letters (**Vice-Chancellor's Letter of Decision**) will:
 - a inform the candidate 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.

5.4.12 At all times it has to be appreciated that the powers of the Principal and the Vice-Chancellor are limited to the referral of a case back to a Board of Examiners for reconsideration, if they are 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 B4, UPR AS14².

5.5 The Academic Board

5.5.1 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 temporarily¹⁰.

5.5.2 Candidates 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.

5.6 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.

¹⁰ **Academic Board Minute:** 725.3, 15 March 2000, refers.

5.7 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 his or her case.

Mrs S C Grant
Secretary and Registrar
Signed: **1 August 2018**