

## Exceptional Arrangements Regulations – Force Majeure

Yellow highlighted text identifies the most recent revisions to the regulations. If you require these revisions to be identified in an alternative format, please contact the Secretary to Academic Board.

### 1. Introduction

- 1.1 The University takes all reasonable steps to ensure that teaching and assessment activity is not significantly disrupted and that the reliable confirmed grades for student assessment are available to Boards of Examiners. However, in cases where the academic business of the University is disrupted by force majeure such as natural disaster, disease, acts of terrorism, fire, flood or industrial action, it is necessary to have Exceptional Arrangement regulations which can be invoked by the Chair of Academic Board when circumstances require.
- 1.2 There may be circumstances in which teaching and learning and assessment activity cannot take place as scheduled. This could be due to impact on the availability of physical and/or teaching resource. The University will endeavour to organise alternative arrangements for students to minimise the impact to their scheduled learning, teaching and assessment.
- 1.3 The University wishes to ensure that decisions about student progression or final awards are timely whilst protecting the interests of students along with the integrity and standard of awards.
- 1.4 Where courses are governed by Professional, Regulatory and Statutory Body (PSRB) requirements, these PSRB requirements may need to take precedence over the Exceptional Regulations.

### 2. Principles

- 2.1 Maintaining academic standards and professional requirements will remain paramount.
- 2.2 Students will be treated in a fair and equitable manner.

### 3. Use of Exceptional Academic Regulations

- 3.1 The Academic Registrar may be notified by the Head of School that there are circumstances that are likely to significantly impact the University's academic business.

- 3.2 The Academic Registrar will consider the impact and may decide to request that all or parts of these Exceptional Regulations are invoked by the Chair of Academic Board either by Chair's Action or an emergency meeting of Academic Board.
- 3.3 These regulations may take precedence over other academic regulations relating to student assessment, classification and progression including the Taught Courses Regulatory Framework, Research Degree Regulatory Framework, Assessment Policy, [Procedures for dealing with claims of mitigating circumstances](#), and the Code of Practice on Invigilation.
- 3.4 The University's [Procedures for investigation of cases of alleged Academic Misconduct](#), Student Academic Appeals Procedures, Student Complaints Procedure, Student Disciplinary Procedure and the Fitness to Practise Procedures will normally remain in force during periods of disruption caused by force majeure although the meeting of some deadlines may be impacted, including but not limited to the number of working days by which students can expect to receive outcomes to submitted academic appeals or complaints and the number of weeks by which oral examinations should take place following research submissions.
- 3.5 The process for submitting, considering and approving extension and mitigation requests will normally continue as described within the relevant procedures. However, the University may agree to relax the evidence requirements in certain circumstances and there may be some amendments to published timescales. These changes will be published for students.
- 3.6 Once the period of disruption has ended, the Academic Registrar will request that the Exceptional Arrangements Regulations are revoked by the Chair of Academic Board. This will be recorded at the next available meeting of Academic Board for information.

#### **4. Force Majeure leading to missing grades or moderation**

- 4.1 Due to the emergency circumstances, grades may be missing, for example if appropriate academic staff are not available to teach or mark work or if a significant number of students are not able to engage with assessments.
- 4.2 As a guiding principle, if a module cohort has been able to submit work but it has not been possible to mark and moderate it in time for Subject Assessment Boards, Boards will normally determine provisional outcomes with the expectation that they will reconvene to consider final outcomes once it is possible to mark and moderate work in line with the University's standard procedures. However, for modules where it has not been possible to set assessments or in instances where module cohorts have not been able to engage with

assessments due to emergency conditions, Boards will normally consider whether there is enough information available to determine final outcomes as described below.

- 4.3 Heads of School must make all reasonable efforts to ensure that assessed work can be set, marked and moderated in line with the University's Assessment Policy and by the internally agreed deadlines. However, Heads of School may seek agreement from the Director of Quality and Educational Development to adjust approved assessment requirements, standard marking and moderation procedures in line with these Exceptional Arrangements if necessary. Any such adjustments must be reported to the relevant Subject Assessment Board(s).

#### ***Marking and internal moderation***

- 4.4 Modules for which no grades are available cannot be considered by Subject Assessment Board, however the student profile should be reviewed by the Board of Examiners (which may be able to confirm or predict awards or confirm progression decisions as described below).
- 4.5 The University will allow single marked results for assessments for which double marking is required under the University's Assessment Policy to be considered by Subject Assessment Boards.
- 4.6 The University will allow results which have not undergone the internal moderation process to be considered by Subject Assessment Boards.
- 4.7 In circumstances where either the required double marking or internal moderation has not taken place, the outcomes of the Board can be considered final and confirmed if the external moderation has taken place by an External Examiner. If it is also not possible for an External Examiner to undertake external moderation, then the outcomes agreed by the Subject Assessment Board will be considered provisional until an External Examiner has undertaken external moderation.

#### ***External Examiner externally moderation of assessment items***

- 4.8 If an External Examiner is temporarily unavailable to undertake external moderation of assessment items for a module, Subject Assessment Boards, will normally determine provisional outcomes with the expectation that they will reconvene to consider final outcomes once it is possible for the External Examiner to undertake external moderation in line with the University's standard procedures.

- 4.9 If an External Examiner is not available to undertake external moderation of assessment items for a module, the Academic Quality Unit will check the most recent External Examiner reports in order to determine whether there have been any concerns about standards or quality associated with the module(s) in question.
- 4.10 If no issues are identified, the Subject Assessment Board will receive confirmation of this together with assurance that the University's double-marking/internal moderation processes have been applied so that this can be explicitly recorded in the minutes of the Subject Assessment Board. The Subject Assessment Board will accept the exceptional circumstances and the assurances given and consider the grades as they are presented. The agreed outcomes will be confirmed.
- 4.11 If issues are identified as a consequence of checking the External Examiner report, or if it has not been possible to complete double-marking/internal moderation processes, the Heads of School, in consultation with the Director of Quality and Educational Development, will seek to appoint an appropriate replacement to undertake external moderation of assessment items and prepare a written report for the Subject Assessment Board. Attendance by the replacement External Examiner will not be required at the Subject Assessment Board. The Subject Assessment Board will then consider and agree the grades as normal. If it is not possible to secure a replacement External Examiner in time for the Subject Assessment Board, the University will exceptionally allow the module results to be considered by the Subject Assessment Board. The agreed outcomes will remain provisional until such time as an External Examiner is available to undertake external moderation of the assessment items.

### ***Provisional Outcomes***

- 4.12 Provisional module outcomes can be considered by Boards of Examiners. If one or more module grades is provisional the Board of Examiners can determine provisional award outcomes. These outcomes can be communicated to students. Communications will make clear that such outcomes may be subject to alteration once the University has had the opportunity to mark, moderate, externally examine and ratify them at a future Board. Any communication should give a timeframe for when this is likely to be possible.

## **5. Decision making at Boards**

- 5.1 In general, all Boards should convene at the scheduled times, regardless of any prospective limitations in the availability of information which may impact on the ability of the Board to provide confirmed outcomes.
- 5.2 As a guiding principle, if a module cohort has been able to submit work but it has not been possible to mark and moderate it in time for the Subject Assessment Board, the Board will normally determine provisional outcomes with the expectation that the Board will

reconvene to consider confirmed outcomes once it is possible to mark and moderate work in line with the University's standard procedures. However, if it has not been possible to set or run assessments for modules, or in instances where module cohorts have not been able to engage with assessments due to emergency conditions, Boards should use the following guidance to determine if there is sufficient information available to determine confirmed outcomes.

### ***Module level (Subject Assessment Boards)***

- 5.3 There may be circumstances that lead to missing grades at a module level due to assessments not being set, run or marked, or to students not being able to engage with the set assessments because of the emergency situation. The Subject Assessment Board can agree overall module outcomes on the basis of completed assessments or elements of assessment as long as the Board determines that sufficient information exists to enable a decision to be reached on a consistent basis about each student's overall performance and achievement of an appropriate range of learning outcomes and at least 50% of the weighted module assessment is available to the Board.
- 5.4 If the Board considers that it is not possible to determine a grade, the Board with the agreement of the Academic Registrar, may consider whether or not the student has achieved a pass standard so that the Board can at least decide whether or not to set reassessment. In these cases, the Board should be reconvened at such time that grades are available to allow for full outcomes to be determined. Boards will need to exercise caution about academically failing students and so, if a decision is not possible based on available information the decision is better deferred.
- 5.5 Detailed records of all decisions taken and the reasons for them must be made in the minutes of the Board.

### ***Progression (Board of Examiners)***

- 5.6 The Taught Courses Regulatory Framework already allows undergraduate students to "trail" up to 30 credits into the next level unless the Programme Specification specifically prevents this. In practice, almost all courses permit trailing. Under these Exceptional Arrangements, all undergraduate courses within the Board of Examiners will be permitted to allow students to provisionally progress into the next level if they have passed at least 60 credits. The Board must take into account the impacts of these decisions with regard to pre-requisite modules and students' ability to make up the credit shortfall. Where courses are governed by PSRB requirements, these PSRB requirements may need to take precedence.
- 5.7 In circumstances where a Board has agreed that students can trail 60 credits, module outcomes should be reviewed once grades become available and the student should be

offered additional options/support where modules have not been passed. This may include the following:

- a) Provision of additional reassessment opportunities if possible in the following semester
- b) Providing students with an option to retake the module. The Board might need to consider the retake taking place in a later year.

5.8 In some circumstances, the Chair of Academic Board may agree to review the University's progression rules and allow Boards to determine whether there is enough information available to make a judgement about students' likely attainment of programme learning outcomes at the relevant level to permit progression to the next stage to be confirmed.

5.9 Detailed records of all decisions taken and the reasons for them must be made in the minutes of the Board.

### ***Awards (Board of Examiners)***

5.10 The award of a final qualification is normally dependant on a student's accumulation of all necessary credit for that award. However, for the duration of these Exceptional Arrangements, Boards may permit impacted students at the final stage/level of a degree to be considered for a final award and classification if the student has accumulated at least half of the final level/stage credits.

5.11 Students who have accumulated at least **half** of their final level/stage credits, may be considered for a **predicted** award and classification.

5.12 Students who have accumulated at least **two-thirds** of their final level/stage credits including all mandatory credits, may be considered for a **confirmed** award and classification, unless they have submitted work that has not been marked and moderated in time for the Boards. The Board of Examiners must seek agreement of the Academic Registrar in advance of agreeing awards and a report will be made to Academic Board.

### ***Predicted awards and classifications (Board of Examiners)***

5.13 If a student requests a predicted award, Boards can consider making predicted awards and classification in cases where a student has accumulated at least half of the final level/stage credit for their qualification.

5.14 Students who have accumulated at least two-thirds of the final level/stage credit for their qualification but have submitted work that has not yet been marked and moderated in time for the Boards, should be considered for a predicted rather than confirmed award.

- 5.15 Predicted outcomes will be calculated on the basis of the modules passed with grades. These outcomes will be subject to alteration following the receipt of actual grades (moderated, externally examined and ratified by a module assessment Board). The prediction would take the form of a letter which would also make clear that if module(s) were not subsequently passed or passed at a lower than predicted grade, a lower award or classification may result. Alternatively, if a student was to perform better than their predicted grade, a higher award or classification may be confirmed.
- 5.16 The Certificate and final transcript would not be issued/finalised until the outcome of the module(s) and award had been confirmed.

## **6. Quoracy and Operation of Boards**

- 6.1 There may be circumstances that impact on members ability to physically or remotely attend scheduled Boards. Efforts will be made to provide opportunities for all available members to participate remotely. However, under these Regulations, Boards will be considered quorate when the Chair of a Board, an academic member of staff and the Academic Registrar (or nominee) are able to participate in the business of the Board either physically or remotely.
- 6.2 Prior to the Board commencing, the scope of the Board's decision-making powers based on the members who are available will be determined, normally by the Academic Registrar and the Chair of the Board. For example, it might be decided that a Board with minimal quoracy under these Regulations could not determine the impact of PSRB requirements on outcomes. This decision will be recorded in the minutes of the Board.
- 6.3 The Academic Registrar (or nominee) will record the outcomes of the Board.
- 6.4 External Examiners may attend Boards remotely or present their report(s) by correspondence to the Board.
- 6.5 If it has not been possible for a module to be externally moderated by an External Examiner, the Subject Assessment Board will consider the module results in line with the Exceptional Arrangements detailed above.
- 6.6 If it is not possible for an External Examiner to participate in the Board of Examiner meeting, the Board of Examiners will consider the outcomes, but the agreed outcomes will be provisional until such time that an External Examiner is available to externally moderate a sample of outcomes and confirm that they have been applied consistently and fairly.

## **7. Notification and Record Keeping**

- 7.1 As a guiding principle, all departures from standard procedure or regulation should be documented and a summary of the application prepared by the Academic Registrar (or nominee) for submission to Academic Board once the force majeure situation has ended. Any departures from standard assessment strategies, marking and moderation processes must also be reported to the Subject Assessment Board by the Chair of the Board.
- 7.2 After these Regulations are invoked, the report to Academic Board should include an assessment of the effectiveness of the operation of these Regulations.
- 7.3 The Course Leader should advise the Academic Registrar of any cases where marks are missing or where missing marks are likely to occur at module level. The Academic Registrar (or nominee) should attend any assessment Boards to which the Exceptional Regulations will pertain to oversee arrangements.
- 7.4 Detailed records of any decisions taken which have been based on these Regulations should form part of the minutes of the Board.

## **8. Administration and Operational Considerations**

- 8.1 General communications with the student body about exceptional arrangements will be the responsibility of the Academic Registrar and/or the **Pro Vice Chancellor Students**. Every effort should be made to advise students as soon as possible of any alterations to teaching, learning and assessments. Students should assume that assessments are going ahead unless they receive a formal communication to the contrary.
- 8.2 When these Regulations are invoked, a consultation will take place with the appropriate Head of School(s), Academic Registrar, Director of Quality and Educational Development and **Provost** who will need to undertake detailed operational work to implement these regulations based on the particular circumstances. Such work would include, but is not limited to:
- a) Communications with staff and students
  - b) Review of standard assessment letters for students
  - c) Implications for student records relating to:
    - I. letters/predicted outcomes
    - II. coding where no prediction is possible
    - III. Implications for awards.
  - d) Support to students not covered by these regulations.



- 8.3 If key staff named within these Exceptional Regulations are unavailable this should be reported as soon as possible to the Academic Registrar so that suitable substitutes can be identified.

Version reference: 1.1

Date document comes into effect: 1 July 2020

Author of the document: Kevin Pickess

Date document is due for review: 1 September 2026

Date document checked for Accessibility: 1<sup>st</sup> August 2023

### Revision History

<b>Committee</b>	<b>Date</b>	<b>Change</b>
Academic Board v1.1	5 July 2023	Minor Amendments approved [AB22/59]
Academic Board	1 July 2020	New Procedure Approved [AB19- 59]