

# Regulations for validated awards of The Open University



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## **INTRODUCTION**

These Regulations apply to all new student cohorts on programmes leading to an Open University (OU) validated award with effect from 1st September 2015\* (or earlier if deemed appropriate by the Partner institution and the OU). The Open University is the awarding body and the qualifications awarded are OU qualifications. However the programmes of study are developed and delivered by Partner Institutions. The Open University and its Partner Institutions have a formal relationship governed by the QAA's UK Quality Code for Higher Education which sets out expectations for academic standards, academic quality and information about higher education provision.

For students registered before the 1st September 2015, the regulations under which they originally registered will continue to apply.

For individual students who are either returning to their programme of study after an approved break from their studies or are transferring to a new or different programme, the regulations of the cohort to which they are returning, will apply.

These Regulations will be referenced in the documentation for each validated programme of study, together with any specific requirements from professional, statutory or regulatory bodies and/or local legislation (for non-UK Partner institutions), as agreed in the validation process for the programme.

In addition to these regulations each programme of study will have a Programme/Students Handbook containing procedures and requirements that are specific to that programme.

## GLOSSARY

Apprenticeships students	An apprentice is a student aged 16 or over, who must be in paid employment for the duration of their apprenticeship and will combine working with studying for a work-based, academic or combined qualification.
Assessment component	An individual piece of work or a collection of pieces of work that forms a summative assessment.
Assessment element	An assessment element is a piece of work that contributes to an assessment component.
Award	Open University qualification conferred to a student following the successful completion of an approved programme of study.
Compensation	A means of allowing marginal failure in a limited number of modules on the basis of an overall performance which is sufficient to merit the award of the qualification concerned. Compensation can be applied to the results of a student who has failed to attain the required pass mark at undergraduate level
Co-requisite module	A co-requisite module must be studied simultaneously with, or before, another designated module within a programme of study.
Credit	A means of quantifying and recognising learning, expressed as 'numbers of credits' at a specific credit level.  Within this document it is assumed that one credit represents 10 notional hours of learning (including individual study).
Credit level	An indicator of the relative complexity, depth and autonomy of learning associated with a particular module (used in credit frameworks).
Degree Apprenticeship/Higher Degree Apprenticeship	Higher and degree apprenticeships are available at levels 4 to 7. They combine work with study and may include a work-based, academic or combined qualification or a professional qualification relevant to the industry.  Higher apprenticeships go from level 4 to 7 and are equivalent to a foundation degree and above e.g. a professional qualification. Degree apprenticeships are available at levels 6 and 7 (full bachelor's and Master's).
Direct Entry	Exemption to stage of a programme without award of OU credit). Direct entry via stage exemption allows an applicant into Open University validated awards at level 5 or 6 of an undergraduate qualification on the basis of completion of an

	appropriate certificated qualification from a recognised UK HE programme of study.
Exit award	A lower award than one for which the student is registered. Such an award may be conferred if a student completes part of, but not all, of the requirements of the programme for which he or she is registered.
Institutional Approval	The process through which an institution is judged to be a satisfactory environment for the presentation of programmes leading to The Open University validated awards. Approval is conferred for a period of up to five years.
Institutional Review	The process through which an institution is critically reviewed for the purposes of confirming that it continues to meet The Open University's requirements. Approval is conferred for a further period of up to five years.
Learning outcome	What a learner is expected to know, understand and be able to demonstrate after completing a defined element of study. Learning outcomes features within the programme specification must align with module descriptors.
Module	A self-contained, formally structured, credit-bearing unit of study with explicit learning outcomes. (Some institutions use the word 'course' to refer to individual modules.)
Module specification	A document that defines key characteristics of a module, and includes learning outcomes, models of teaching and learning, and assessment schemes.
Partner institution	An institution approved by The Open University for the delivery of validated programmes of study that lead to Open University awards.
Pre-requisite module	A pre-requisite module is one that must be successfully completed before progressing to another designated module or stage within a programme of study.
Programme	A schedule of academic study and assessment which leads to an Open University award
Programme specification	A document that defines key characteristics of an award, including learning outcomes, models of teaching and learning, assessment schemes, and how individual modules relate to qualification levels and contribute to the classification of awards.
Progression	The advancement (or progress) by a student from one stage of a programme to an adjacent higher stage. Such progression is the subject of regulations of the University and must be confirmed at a meeting of the Board of Examiners.

Qualification level	One of a series of defined points in the Further and Higher Education Qualification Framework (or Scottish Credit and Qualifications Framework in Scotland). They are numbered in ascending order. Qualifications at the same qualification level share characteristics and require similar achievement.
Quality Assurance Agency (QAA)	The UK government-appointed agency that safeguards the quality and standard of the higher education awards offered by UK universities. The Open University complies with the codes of practice defined by the QAA and is subject to its scrutiny
Recognition of Prior Learning (RPL)	Assessment of prior learning that has occurred in any of a range of contexts including school, college and university, and/or through life and work experiences. Once recognised through this process, prior learning can be used to gain credit or exemption for qualifications and/or personal and career development. RPL includes Accreditation of Prior Certificated Learning (APCL), Accreditation of Prior Experiential Learning (APEL) and Accreditation of Prior Learning (APL).
Resit	To take again part or all failed assessments component in order to pass a module. Resit of the failed component does not require the student to participate in classes.
Retake	To take all assessments components of a module again, having failed a resit attempt. Retake of the failed component may require the student to participate in classes to prepare them for the second attempt.
Stage	A stage of an undergraduate programme is a collection of study consisting of a total of 120 credits. In full-time programmes of study, a stage is equivalent to one year of study. Stages are usually commensurate with a credit level.
Validation	The formal process whereby a new programme of study is critically appraised by The Open University, in order to establish that it meets the requirements for approval. Approval of a programme of study is for a period of up to five years before a further validation (re-validation) is required. Within this document references to the validation process also include the revalidation process.

# A FRAMEWORK OF AWARDS

## 1.0 General

- 1.1 The Open University validated awards are defined with reference either to the Further and Higher Education Qualification frameworks of England, Wales, and Northern Ireland (FHEQ) or to the Scottish Credit and Qualifications Framework (SCQF), but not to both.
- 1.2 Each national qualifications framework provides a set of learning outcomes and skills expected of the holders of Open University validated awards.

## 2.0 Credit

- 2.1 The Open University uses a UK credit-based system for its validated awards, and it defines these awards primarily in terms of the qualification level and volume of credit required for each.
- 2.2 The main determinant for the volume of UK credit is notional learning time. This is defined as the reasonable measure of time it would take a student to achieve the learning outcomes of the activities. Total notional student learning time includes all activities required to achieve the learning outcomes of a programme, including formal study, assessment, and independent learning.
- 2.3 Notional learning time for a 'standard' full-time academic year is 1200 hours at undergraduate qualification level and 1800 hours at postgraduate qualification level. These are intended as benchmarks only, and the actual time students take to achieve the required outcomes may be shorter or longer depending on the knowledge and skills of students at entry and on their rate of progression through the programme, and the impact of any reasonable adjustments made for students with impairments.
- 2.4 A UK credit value is twice its European Credit Transfer (ECTS) equivalent (e.g. a 20 UK credit module equates to 10 ECTS credits).
- 2.5 Each module of a programme will be assigned a single designated credit level (module assessment is unique to a given credit level). The volume and level of credit assigned to any one module is determined and approved by The Open University at the point of validation.
- 2.6 The assignment of credit to learning should be understood in the following terms:
  - (a) Credit is allocated to a learning activity on the basis of its stated learning outcomes.
  - (b) A student will only be assigned credit after demonstration through assessment of the achievement of the stated learning outcomes. Credit cannot be assigned if no assessment has taken place or if the assessment has not been appropriately conducted.
  - (c) The number of credit points assigned is independent of the standards (grades awarded). Students achieving higher standards will not be

allocated more credit points. The higher standard will be reflected in the grade and classification of the pass.

### 3.0 Validated Awards offered by The Open University

3.1 The Open University confers the following Validated Awards although Partner institutions do not necessarily offer programmes leading to all of these awards.

Award title	FHEQ Qualification level	Overall number of credits required	Levels of credit required
Professional Certificate	4	60	60 at any UG level
Certificate of Higher Education (CertHE)	4	120	120 at level 4
Diploma of Higher Education (DipHE)	5	240	120 at level 5 120 at level 4
Foundation degree (FD)	5	240	120 at level 5 120 at level 4
Ordinary Bachelor's degree (BA, BSc, Bed, BEng) [Exit Award only]	6	300	60 at level 6 120 at level 5 120 at level 4
Bachelor's degree with honours (BA(Hons), BSc(Hons), Bed, BEng, LLB (Hons <sup>1</sup> ))	6	360	120 at level 6 120 at level 5 120 at level 4
Bachelor of Music*(BMus)	6	480	At least 120 at Level 6 No more than 120 at Level 4 Remaining credits at Levels 5 or 6
Bachelor of Osteopathy (BOst)	6	480	At least 240 at Level 6 No more than 120 at Level 4 Remaining credits at Levels 5 or 6
Graduate Certificate (Grad Cert)	6	60	60 at level 6
Graduate Diploma (Grad Dip)	6	120	120 at level 6

<b>Award title (continued)</b>	<b>FHEQ Qualification level</b>	<b>Overall number of credits required</b>	<b>Levels of credit required</b>
Professional Graduate Certificate of Education	6	120	A validated PGCE provision may have only 60 credits at FHEQ level 6, with 60 credits at a lower level. This meets the National Qualifications Framework for this type of qualification and validation is therefore permitted by the University for such qualifications.
Postgraduate Certificate (PgCert)	7	60	60 at level 7
Postgraduate Diploma (PgDip)	7	120	Min 90 at level 7 Max 30 at level 6
Master's degree (MA, MSc, MArch, MBA, MTh, MfA* MDes)*	7	180	Min 150 at level 7 Max 30 at level 6
Master of Engineering (MEng)	7	480	Min 120 Level 7 Min 120 Level 6 No more than 120 Level 4 Remaining credits at Levels 5 or 6
Taught MPhil	7	360	Minimum 240 at level 7 Remaining credits at level 6 or above
Professional Doctorate	8	540	Minimum 420 at level 8, maximum of 120 at level 7

<sup>1</sup> Bachelor's degree titles of BEd and BEd (Hons) are reserved for programmes of teacher education. Initial or pre-service BEd programmes include a substantial element of teaching practice, and the normal credits of such a BEd programme will be 480. The In-service BEd is designed for students who are already qualified and experienced teachers holding a Certificate in Education or equivalent qualification. Minimum credits: 180.

\* These awards have variance in structure and numbers of credits across the sector, as a result the above acts as a guideline on the number of credits which need to be included within the award.

3.2 Students must meet all requirements set out in the programme specification approved by The Open University before a qualification is awarded.

## **Titles and characteristics of Programmes**

A title will be given to an approved programme leading to any taught award and will not be changed without reference to The Open University.

The title will accord with the normal expectations of higher education bodies, relevant professional bodies, students and employers about the level of knowledge and skills to be expected from a person holding such a qualification.

The University recognises four types of honours degrees in named subjects:

A -Subject or field of study degree, for example, BA (Hons)/BSc (Hons) or MA/MSc in Psychology.

B -Major subject or field of study, with a specialist minor (where the minor subject is part of the broad-based field of study that is the major subject of the degree), for example, BA (Hons)/BSc (Hons) or MA/MSc Humanities (Music).

C – Major subject or field of study with a supplementary minor honours subject, (where the minor subject is not part of the field of study which is the major subject of the degree), for example, BA (Hons)/BSc (Hons) or MA/MSc Computing with Psychological Studies.

D – Joint degrees in two approximately equally-weighted subjects or fields of study, for example, BSc (Hons)/BA (Hons) or MSc/MA Philosophy and Psychological Studies.

The Open University's recommended practice for the programme titles that will appear on certificates is that simple, single-subject titles should be used whenever possible.

Where students study more than one subject, up to three separate fields of study may be identified in the title with or without the addition of 'combined studies'.

Where awards include named pathways, the University recommends a minimum requirement of 25% subject specific credits.

## **B. ADMISSIONS**

Students registering for programmes leading to awards of The Open University must have satisfied the admissions criteria approved by The Open University at validation.

### **4.0 Admissions policy and procedure**

The current University Centre Somerset HE Admissions Policy sets out the principles for Admission.

Details of Recognition of Prior Learning (RPL) can be found in Appendix 7 of these OU Academic Regulations, with further information in the current Recognition of Prior Learning Procedure.

Policies and Procedures can be found together with these Regulations on the University Centre Somerset website: <https://www.somerset.ac.uk/about-us/wider-information-set/>

4.1 This policy should also be read in conjunction with guidance contained in section 22 covering the Recognition of Prior Learning.

### **5.0 Appeals and complaints regarding the admissions process**

5.1 Appeals against a decision not to admit an applicant to a programme of study leading to an Open University award are restricted to those that cite irregularity in the decision-making process (for example, failure to make a reasonable adjustment relating to a disability). The process for arbitrating such appeals is that which has been approved at Institutional Approval/Review. Such appeals must be initiated within four weeks of the date of the original decision.

Appeals should be forwarded to the HE Team (HE@btc.ac.uk) at University Centre Somerset (UCS), part of Bridgwater & Taunton College, as explained in the Appeals section of the UCS HE Admissions Policy and the current UCS HE Academic Appeals Policy and Procedure.

Policies can be found on the University Centre Somerset website: <https://www.somerset.ac.uk/about-us/wider-information-set/>

## **C. MATTERS RELATING TO REGISTRATION**

### **6.0 General**

- 6.1 A student who is admitted for study on a programme leading to an OU validated award must be registered for that programme with the partner institution.
- 6.2 The partner institution will submit student name and contact details to The Open University solely for the purposes of recording student details and progression information. By registering with a Partner for a programme leading to an Open University validated award the student agrees to the sharing of their information with The Open University for this purpose. The Open University will not make any contact with students unless there is a specific need in relation to their studies towards an OU validated award. It is the student's responsibility to keep their personal information up to date with their institution and to notify them of any changes or errors.

### **7.0 Period of registration for Open University awards**

- 7.1 The period of registration will commence on the date the student registers on a programme.
- 7.2 The minimum and maximum periods within which a student will be expected to complete the programme of study and associated assessment, including the time period for any resit assessments, stated in the box below.

<p>The maximum period of registration will be no more than 3 years longer than the planned duration of the programme of study.</p>
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- 7.3 Subject to paragraph 7.5 below, a student will remain registered for the maximum period of the award or until they have achieved the award or the registration has been terminated, whichever comes first.
- 7.4 The period of registration may be extended if:
- (a) the student has had to resit or retake parts of their programme of study, see Section D;
  - (b) the student has been unable to study or complete a year of study due to extenuating circumstances, see Section F;
  - (c) the student has been given permission to take a study break as described in Section 8 below.
- 7.5 A student's registration may be terminated if the student has:
- (a) committed a serious disciplinary offence or be deemed as unfit to study;
  - (b) exhausted all opportunities to remedy failure or has made insufficient progress through their programme of study at the required stage;

- (c) formally notified the institution that they wish to discontinue their studies and so discontinue their programme;
- (d) failed to comply with their financial commitment to the partner institution.

For more information, please see Section D.

**The Exclusion of a Student on the Grounds of Unsatisfactory Progress (either Academic or in Terms of Professional Development)**

A student who is considered by the Chair on an Award Assessment Board, in consultation with the Programme Leader, to be making unsatisfactory progress (either academic or in terms of professional development) or whose conduct is unethical or unprofessional or dangerous may be required to withdraw from a programme of study. Under such circumstances the following action will be taken:

Either:

- a) The Award Assessment Board may instruct the Programme Leader to withdraw a student who fails to make satisfactory progress (or suspend the student, if valid extenuating circumstances make this more appropriate) from the programme.  
Or
- b) Note the decision taken in-year by the Programme Leader to withdraw or suspend a student who has failed to attend the programme for four weeks or more without adequate reason being given. Or
- c) A written formal warning will be issued by the Chair of the Award Assessment Board after consultation with the Programme Leader indicating the grounds for the warning. If the problem is not resolved an interim Award Assessment Board meeting will be held to discuss the case and take appropriate action which may be referred for action under the College's standard disciplinary procedure. Or
- d) If the circumstances are of a serious nature, the Chair of the Award Assessment Board, following consultation with the Programme Leader, may refer the matter for action under the Serious Misconduct section of the College's Disciplinary Procedure which may result in the student being suspended pending investigation. In the event of such a referral, action will be taken in accordance with the College's Disciplinary Procedure.

The External Examiner(s) will be involved in the discussion with the Award Assessment Board.

**Student wishing to discontinue their studies**

In line with section 7.5 (c) of these Regulations, if a student wishes to suspend their studies or withdraw from their programme they should notify their Programme Leader in writing. The appropriate procedure can then be followed.

**Payment of Fees and Withholding of Student Awards in Cases of Outstanding Fees and Other Debts**

- 1. Students are required to ensure that the relevant fees for their programme of study are paid by the Students Loans Company, other sponsor or by themselves by the due date(s) in each level of their programme of study. It is the student's responsibility to ensure that all relevant application and renewal forms are

submitted to the Student Loans Company, as appropriate, by the required date and at the required frequency. Students who are sponsored may be required to provide a letter confirming financial support.

2. Students must settle all other College accounts presented to them promptly.
3. The result of any student who has outstanding fees or debt of any other nature to the College will appear on the results list. However, students will be notified in writing that their award documents will not be available to them, nor requested from any external body until the debt is cleared in full.
4. Continuing students must clear their debt or agree a staged payment with the College Finance Office before being permitted to re-enrol for a subsequent level of their programme of study.
5. Students should refer to the current HE Terms and Conditions of Trading, which are available on the University Centre Somerset website:  
<https://www.somerset.ac.uk/about-us/wider-information-set/>

NOTE: If a sponsor subsequently fails to pay or withdraws from a sponsorship agreement, the student will be personally liable for the fee debt.

- 7.6 The date of termination recognised by The Open University will be taken as the date on which a partner institution records the student's registration as terminated.

## **8.0 Interruption of studies**

- 8.1 A student may apply, or be required, to take a study break for a maximum period of twelve consecutive months under the agreed procedure for reasons of ill health or other extenuating circumstances (see Section F). This may be extended in exceptional circumstances as agreed between The Open University and the partner institution.

## **9.0 Attendance requirement**

Students are expected to attend 100% of their programme of study as this provides the greatest opportunity for academic success. The College reserves the right to discontinue a student's study in line with section 7.5 (b) if a student fails to attend regularly and thereby fails to make sufficient progress. This would be reviewed on a case by case basis. Please also refer to the Terms and Conditions sent out prior to enrolment and available on the website which also confirm this requirement.

<https://www.somerset.ac.uk/about-us/wider-information-set/>

The process of withdrawal from the programme may be started for students who fail to attend without adequate reason, for four weeks.

Regular absence by a student, including for short periods of time, may also trigger intervention by the Course Team and could lead to a suspension or discontinuation of studies.

Students should note that the College is required to report student attendance to the Student Loans Company, Student Finance England and UK Visas and

Immigration as applicable. Failure to attend could therefore impact on the funding available and/or the student's ability to remain in the county.

Certain programmes may have specific attendance requirements identified in their programme handbooks. For example, attendance of skills workshops where it is necessary to attend in order for students to learn and develop skills necessary for successful completion of the programme.

Programme Handbooks are available for each programme. These can be located on the Bridgwater & Taunton College Virtual Learning Environment site Blackboard and are referred to during induction. They can also be obtained on request from the Course Leader.

## **D. ASSESSMENT, PROGRESSION AND AWARD OF CREDIT**

10.0 The forms of assessment and its weighting and timing, and the ways in which the learning outcomes are to be demonstrated through assessment, are set out in the module and programme specifications approved by The Open University at the point of validation.

10.1 Each programme handbook contains comprehensive details of the assessment scheme as approved by The Open University in the validation process.

### **11.0 Minimum requirements for pass**

11.1 To obtain an Open University award students are required to complete all parts of the programme's approved assessment and comply with all regulations relating to their programme of study.

11.2 The minimum aggregate pass marks for The Open University validated awards are:

40% for undergraduate programmes

50% for postgraduate programmes.

These minima may apply to assessment elements as stated in the wording of the module specifications, but will apply to modules, stages and qualifications.

### **12.0 Identification of requirements from professional, statutory and regulatory bodies**

12.1 Additional academic regulations required by any professional, statutory or recognised regulatory body will be set out in the relevant programme specification and approved by The Open University in the validation process.

### **13.0 Submission of assessed work**

13.1 Work submitted for a summative assessment component cannot be amended after submission, or re-submitted.

13.2 Student requests for extensions to assessment deadlines will not be approved unless made in accordance with published partner institution guidelines as approved by The Open University.

13.3 Where coursework is submitted late and there are no accepted extenuating circumstances it will be penalised in line with the following tariff:

Submission within 6 working days: a 10% reduction deducted from the overall marked score for each working day late, down to the 40% pass mark (for UG) and 50% pass Mark (PG awards) and no further.

Submission that is late by 7 or more working days: submission refused, mark of 0.

A working day is defined by the partner and submission after the deadline will be assumed to be the next working day.

Students who fail to submit work for assessments or attend examinations shall be deemed to have failed the assessments components concerned and will be marked as 0.

#### **14.0 Assessment scores**

14.1 All undergraduate assessment will be marked on a percentage scale of 0-100.

% Scale Score	Performance Standard
70+	Excellent pass
60-69	Very Good pass
50-59	Good Pass
40-49	Pass
0-39	Fail

14.2 All postgraduate assessment will be marked on a percentage scale of 0-100. Taught postgraduate awards may include merit and/or distinction classification (see paragraph 18.1).

% Scale Score	Performance Standard
70+	Distinction
60-69	Merit
50-59	Pass
0-49	Fail

14.3 The final grade for an individual assessment component will be determined after completion of a quality assurance process (e.g. moderation, remarking) as detailed in the partner institution's OU approved policy for moderation.

- 14.4 Where the result of the overall assessment calculation creates a mark of 0.5% or greater, this will be rounded up to the next full percentage point (e.g. 69.5% is rounded to 70%; 59.5% to 60%; and so on). Where the calculation creates a mark below 0.5%, this will be rounded down to the next full percentage point (e.g. 69.4% is rounded to 69%; 59.4% to 59%; and so on). For the purposes of rounding up or down, only the first decimal place is used.

The definition of “working days” referred to in section 13 for submitting work within six working days of a deadline date, is Monday to Friday, excluding UK Bank Holidays and periods when the College is officially closed, such as Christmas.

Assessment arrangements are covered by the University Centre Somerset, Bridgwater & Taunton College HE Assessment Policy.

Policies can be found on the University Centre Somerset website:  
<https://www.somerset.ac.uk/about-us/wider-information-set>

***Footnote in relation to section 19.3 of these regulations:***

Regulation 19.3 states:

“Where students have **directly entered** a Qualification Level 6 top-up award (e.g. having previously undertaken a Higher National Diploma (HND) or Foundation Degree (FD) award) the calculation for the honours classification will be based solely on all credits at Credit Level 6.”

In this regulation, ‘directly entered’ should be interpreted as entry on to the top-up via an HND or Foundation Degree not delivered by University Centre Somerset (UCS) or via a Foundation Degree delivered by UCS where the curriculum and assessment does not match that of the full degree programme leading to the same Bachelor’s degree.

## **15.0 Determining module outcomes**

- 15.1 The overall module mark shall be determined as per the assessment strategy detailed in the module specification and published in the Programme Handbook.
- 15.2 A student who passes a module shall be awarded the credit for that module. The amount of credit for each module shall be set out in the programme specification and published in the Programme Handbook.
- 15.3 In order to pass a module a student must achieve the requirement of the module as set out in the module specification and published in the Programme Handbook.
- 15.4 Where a student is registered only for a module (rather than a qualification) the resit provisions set out in 17.3 will apply.

## **16.0 Provision for *viva voce* examination**

16.1 Exceptionally, viva voce examinations may be required by a Board of Examiners (with the approval of external examiners):

- (a) to confirm the progression/result status of a student;
- (b) to determine the result status of unusual or borderline cases;
- (c) when there is conflicting evidence from the various assessment components;
- (d) as an alternative or additional assessment in cases where poor performance in assessment is the result of exceptional circumstances verified through due processes.

## **17.0 Determining progression and qualification outcomes**

### **17.1 Module prerequisites and co-requisites**

17.1.1 The paths through which students are required to progress through the programme in order to obtain an award, and the elements identified as compulsory or optional, are set out in the programme specification and approved in the programme validation process.

17.1.2 Progression through any programmes offered by partner institutions may require students to complete prerequisite or co-requisite modules which are set out in the programme specification and approved during the validation process.

### **17.2 Stage requirements**

17.2.1 Each of the stages of an undergraduate programme is expected to consist of a total of 120 credits.

17.2.2 In cases where Programmes are not divided into stages (for example, most postgraduate programmes and undergraduate programmes of 120 credits or less) the provisions below apply to the whole programme.

17.2.3 In order to complete and pass a stage of a programme, a student must normally acquire the total number of credits set out in the programme specification at the approved qualification level for the award. Exceptions are restricted to those detailed in paragraph 17.5.3 below or have been exempted through advanced standing, or through the implementation of the processes covering extenuating circumstances (see Section F).

17.2.4 The credit value of each module contributing to a stage determines its weighting in the aggregation of credit for a stage.

17.2.5 Where a student fails a module, the following may apply in the first instance:

- (i) Resit (see 17.3 below) – a second attempt of an assessment component within a module, following failure at first attempt.
- (ii) Compensation (see 17.4 below) – the award of credit by the Board of Examiners for a failed module(s) on account of good performance in other modules at the same credit level where the learning outcomes have been met.
- (iii) Retake – a second attempt of all assessment components within a module following failure at the first or resit attempt. Retake of the failed component may require the student to participate in classes to prepare them for the second attempt. This will be confirmed at the Examination Board.

### 17.3 Resit provision

The board of examiners may, at its discretion, make such special arrangements as it deems appropriate in cases where it is not practicable for students to be reassessed in the same elements and by the same methods as at the first attempt. However, where a validated programme is discontinued, provision has to be made to ensure fair assessment opportunities for all students who have been enrolled.

17.3.1 Resit provision is subject to all the following conditions:

- (a) A student may resit the failed assessment components of a module only once. Where there are extenuating circumstances, the Board of Examiners has discretion to decide whether a further assessment opportunity shall be permitted, unless explicitly prohibited in the rules for the programme, as approved in the validation process and programme specification.
- (b) A student who does not complete the resit by the date specified shall not progress the programme, except in cases where the process for allowing extenuating circumstances has been followed.
- (c) Resits can only take place after the meeting of the Board of Examiners or following agreement by the Chair and the External Examiner of the Board.
- (d) A student who successfully completes any required resits within a module shall be awarded the credit for the module and the result for the individual assessment component capped at the minimum pass mark for the module.
- (e) A student shall not be permitted to be reassessed by resit in any module that has received a pass mark, or in a component that has received a mark of 40% or above at UG level, or 50% at PG level.
- (f) The resit will normally be carried out by the same combination of written examination, coursework etc. as in the first attempt.

### 17.4 Compensation for marginal failure

17.4.1 Unless otherwise stated in the approved programme specification, compensation will be applied at stage level and agreed during an examination board when the following conditions are met:

- (a) No more than 20 credits whichever is greater, can be compensated in any one stage of an undergraduate or postgraduate programme.
- (b) Compensation is not permitted for modules within awards of less than 120 credits in total.
- (c) Examination boards should assure themselves that learning outcomes of the qualification level have been satisfied. The process for evaluating cases will be identified in the programme specification.
- (d) A minimum mark of no more than 5 percentage points below the module pass mark has been achieved in the module to be compensated.
- (e) Taking the module mark to be compensated into account, an aggregate mark of 40% has been achieved for the qualification level of the

undergraduate programme (except in the case of MEng Level 7 where an aggregate mark of 50% has been achieved).

- (f) In the case of postgraduate programmes, taking the module mark to be compensated into account, an aggregate mark of 50% has been achieved.
- (g) No compensation shall be permitted for any core project/dissertation/capstone module, as defined in the programme specification.
- (h) PSRB requirements may exempt certain modules from compensation – this will be articulated in the programme specifications.

A student who receives a compensated pass in a module shall be awarded the credit for the module. The original component mark(s) (i.e. below the pass mark) shall be retained in the record of marks and used in the calculation of the aggregate mark for the stage or qualification.

## 17.5 Options for the retake of study

17.5.1 If, having exhausted all permitted compensation, resit, and retake opportunities, and a student is still unable to pass, the Board of Examiners may, at its discretion, permit one of the following repeat options:

- (a) Partial retake as fully registered student:
  - (i) The student is not permitted to progress to the next stage of the programme but must retake the failed modules and/or components in full during the following academic year,
  - (ii) The student has full access to all facilities and support for the modules and/or components being retaken,
  - (iii) The marks that can be achieved for the modules and/or components being retaken will be capped at the module and/or component pass marks,
  - (iv) The student retains the marks for the modules and/or components already passed,
  - (v) No further resit opportunities are permitted.
- (b) Partial retake for assessment only:
  - (i) As in paragraph 17.5.1(a) except that access to facilities and support will be limited to certain learning resources for the module(s) and/or component(s) being retaken. Participation will only be allowed for relevant revision sessions and assessments.
- (c) Full retake:
  - (i) This is only permitted where the student has extenuating circumstances;
  - (ii) The student does not progress to the next stage of the programme but instead repeats all the modules in the current stage during the following academic year,
  - (iii) The student has full access to all facilities and support,
  - (iv) The marks that can be achieved are not capped, and the student is normally entitled to the resit opportunities available. However, a student

is not able to carry forward any credit from previous attempts at the stage.

17.5.2 Where compensation, resit, and retake opportunities have been exhausted, a Board of Examiners may recommend a student for an exit award as defined in Section 20 below.

17.5.3 With the approval of the Board of Examiners students may be eligible to progress to a higher stage of a programme without having completed the requisite 120 points of the lower stage. They may exceptionally be allowed to do so if any of the following conditions are met:

- (a) A minimum of 80 credit points at the lower level have been successfully completed including passes in all designated core modules;
- (b) All requirements for academic prerequisites for the higher-level modules are met;
- (c) The Examination board have approved progression following a successful application for extenuating circumstances, and results are still pending in the student's profile.

17.5.4 Institutions that offer a rolling entry system for qualifications with a high study intensity may find that the timings of examination boards do not coincide with those institutions that offer programmes within the traditional academic year. Under such circumstances, students are provisionally allowed to progress on the programmes, with the recommendation deferred until the next Board of Examiners which must be held within twelve calendar weeks. At which point the student's full profile will be considered and a formal recommendation for progression will be made (if applicable).

## **18.0 Grading and Classification Awards except Bachelor Honours Degrees**

18.1 Validated taught awards, including Masters' degrees, consisting of at least 120 credits at FHEQ level 4 (SCQF 7 for Scotland) or above may be awarded with Merit or Distinction with the exception of ordinary and honours degrees where the award of Merit or Distinction will not apply.

18.2 For the award of Distinction, the overall aggregate mark will be 70% or above.

18.3 For the award of Merit, the overall aggregate mark will be 60% - 69%.

18.4 Where the final result of the award classification calculation creates a mark of 0.5% or greater this will be rounded up to the next full percentage point (e.g. 69.5% is rounded to 70%; 59.5% to 60%; and so on).

Where the calculation creates a mark below 0.5% this will be rounded down to the next full percentage point (e.g. 69.4% is rounded to 69%; 59.4% to 59%; and so on). For the purposes of rounding up or down, only the first decimal place is used:

- 18.5 Calculation of a Foundation Degree will be based on the average mark across all modules within Stage 2 (usually Credit Level 5) and Stage 1 (usually Credit level 4) unless the requirements of a Professional, Statutory and Regulatory Body (PSRB) state otherwise.
- 18.6 Calculation of a DipHE will be based on the average mark across all modules within Stage 2 (usually Credit Level 5) and Stage 1 (usually Credit level 4) unless the requirements of a Professional, Statutory and Regulatory Body (PSRB) state otherwise.
- 18.6 Calculation of a CertHE will be based on the average mark across all modules within Stage 1 (usually Credit Level 4) unless the requirements of a Professional, Statutory and Regulatory Body (PSRB) state otherwise.
- 18.7 Calculation of Masters Degrees will be based on the average mark across all modules within a programme unless the requirements of a Professional, Statutory and Regulatory Body (PSRB) state otherwise.
- 18.8 The award of PgCERT cannot be awarded with Merit.

## **19.0 Bachelor Honours Degree Classification**

- 19.1 Classification of bachelor degrees will be based on the average mark across all modules within Stage 3 (usually Credit Level 6) and Stage 2 (usually Credit Level 5) at a ratio of 2:1 respectively unless the requirements of a Professional, Statutory and Regulatory Body (PSRB) state otherwise.
- 19.2 Honours degrees are classified as:

First class	Aggregate mark of 70% or above
Upper Second class	Aggregate mark between 60% and 69%
Lower Second class	Aggregate mark between 50% and 59%
Third class	Aggregate mark between 40% and 49%

- 19.3 Where students have directly entered a Qualification Level 6 top-up award (e.g. having previously undertaken a Higher National Diploma (HND) or Foundation Degree (FD) award) the calculation for the honours classification will be based solely on all credits at Credit Level 6.

19.4 Performance in work for which an award of credit for prior learning has been made is not taken into account in the calculation of the final award. See section 22 for rules related to credit for prior learning.

19.5 Where the final result of the award classification calculation creates a mark of 0.5% or greater this will be rounded up to the next full percentage point (e.g. 69.5% is rounded to 70%; 59.5% to 60%; and so on). Where the calculation creates a mark below 0.5% this will be rounded down to the next full percentage point (e.g. 69.4% is rounded to 69%; 59.4% to 59%; and so on). For the purposes of rounding up or down, only the first decimal place is used.

## **20.0 Provision for exit awards**

20.1 Programmes must make provision for exit awards at intermediate stages, for which clear learning outcomes must be stated and laid out in programme specifications approved by The Open University in the validation process.

20.2 Where a student leaves a partner Institution with an exit award they may reapply at a later date to upgrade to a higher award on the same programme, if it is still offered by the partner institution.

20.3 A student who has withdrawn from a programme or has exhausted all assessment attempts (as outline in sections 17.3-17.5.2 above) will automatically be considered for an exit award where sufficient credit has been accrued.

## **21.0 Posthumous and Aegrotat awards**

21.1 Should a student be prevented by illness, or other circumstances, from completing the final assessed component of the programme, the board of examiners, having considered the relevant evidence (including medical certification) may make a recommendation that an Aegrotat award be made. Such exceptions are limited to students who are permanently unable to continue their studies and are registered for the final module that would complete a qualification, and have been assessed on at least part of the module. The board must be satisfied that the student's prior performance shows beyond reasonable doubt that they would have passed but for the illness, or other circumstances.

21.2 Posthumous awards are permitted for all programmes. The classification for such awards is based on past performance and aligned to the closest exit award (which may include a classification). Recommended to The Open University's Module Results Approval and Qualifications Classification Panel (MRAQCP) for approval.

## **22.0 Recognition of prior learning**

22.1 Students who are able to demonstrate that they have already fulfilled some of the learning outcomes of the programme by means other than attendance on the planned programme, and will be able, by completing the remaining requirements,

to fulfil the learning outcomes of the programme and attain the standard required for the award, may be admitted with advanced standing, thus exempting them from some modules or stages of the programme.

If the student's prior learning is not certificated, the partner institution itself will assess the student's learning directly, either by requiring the applicant to take the normal progression assessments of the programme or by some other appropriate form of assessment. This will be laid out in the Recognition of Prior Learning (RPL) policy and procedure as approved by OU at Institutional approval or review.

- 22.2 A student admitted on the basis of uncertificated learning and experience or through prior certified learning is subject to the same principles of admission as all other students on that programme. Subject to the requirements of any Professional, Statutory and Regulatory Body (PSRB) requirements the partner institution has discretion to admit a student with exemption from certain elements of the programme or with specific credit.
- 22.3 A student may be awarded recognition for prior learning (certified, experiential or uncertified), towards the requirements of a named award up two-thirds\* of the total credit requirements for that award.
- 22.4 Recognition for prior learning (certified, experiential or uncertified) is not permitted at level 6 of a Bachelor's Degree or for the thesis/dissertation module, where students are expected to complete 120 credits in order to gain the award.
- 22.5 Recognition for prior learning (certified, experiential or uncertified) is not permitted for the thesis/dissertation module on a PG programme.
- 22.6 The Partner Institution will be satisfied that an individual applicant has fulfilled some of the progression and assessment requirements of the programme by means other than attendance on the planned programme, and will be able by completing the remaining requirements to fulfil the learning outcomes of the programme and attain the standard required for the award, that student may be admitted to an appropriate point in the programme.

## **22.7 DIRECT ENTRY VIA STAGE EXEMPTION (exemption to stage of a programme without award of OU credit)**

- 22.7.1 The RPL policy allows for candidates to enter stage 2 or stage 3 of an undergraduate qualification on the basis of completion of an appropriate certificated qualification from a recognised UK HE programme of study.
- 22.7.2 With stage exemption of this kind, it will be recorded on the student's transcript that stage exemption was awarded, but credit for the stage(s) from which the student was exempted would not be transferred to OU validated awards.

*\*two-thirds of RPL is only permitted for full, three-year bachelor's degrees (360 credits) or full Masters degrees (a minimum of 180 credits) and not sub-awards, where the usual maximum is 50%.*

## **E. ACADEMIC MISCONDUCT**

23.0 Academic misconduct is defined as any improper activity or behaviour by a student which may give that student, or another student, an unpermitted academic advantage in a summative assessment. In investigating and dealing with cases of suspected misconduct, partner institutions will follow the policies and processes approved at Institutional approval or review. Any penalties arising from academic misconduct will be levied in line with the AMBeR Tariff (see section 23.4 below).

23.1 The following is a non-exhaustive list of examples of academic misconduct which will be considered under these Regulations:

23.1.1 Plagiarism: representing another person's work or ideas as one's own, for example by failing to follow convention in acknowledging sources, use of quotation marks, etc. This includes the unauthorised use of one student's work by another student and the commissioning, purchase and submission of a piece of work, in part or whole, as the student's own.

Note: Where a student has an acknowledged learning disability, a proof-reader may be used to ensure that the student's meaning is not misunderstood as a result of the quality and standard of writing, unless a partner institution policy specifically prohibits this. Where permitted, a proof-reader may identify spelling and basic grammatical errors. Inaccuracies in academic content should not be corrected nor should the structure of the piece of work be changed.

23.1.2 Collusion: cooperation in order to gain an unpermitted advantage. This may occur where students have consciously colluded on a piece of work, in part or whole, and passed it off as their own individual efforts or where one student has authorised another to use their work, in part or whole, and to submit it as their own.

Note: legitimate input from tutors or approved readers or scribes is not considered to be collusion.

23.1.3 Misconduct in examinations (including in-class tests).

23.1.4 Processes for dealing with Academic misconduct and the penalties

Refer to Appendix 4 for the HE Academic Offences Regulations. Also refer to the Disciplinary and Appeals Procedure for Bridgwater & Taunton College students, which can be found on the University Centre Somerset website:  
<https://www.somerset.ac.uk/about-us/wider-information-set>

## **F. EXTENUATING CIRCUMSTANCES**

- 24.0 The Open University recognises that students may suffer from a sudden illness, or other serious and unforeseen event or set of circumstances, which adversely affects their ability to complete an assessment, or the results they obtain for an assessment. In such cases the partner institution's extenuating circumstances procedures will be applied, as approved in institutional review.
- 24.1 A student who is prevented from attending or completing a formal assessment component or who feels that their performance would be (or has been) seriously impaired by extenuating circumstances, may submit a deferral request. Further information is available from the partner institution.

Students seeking to defer (suspend) their studies should in the first instance discuss this with their personal tutor.

Extenuating circumstances, including cases of Long term health condition are considered in line with the University Centre Somerset Late Coursework and Extenuating Circumstances Guidance in Appendix 5 of these Regulations.

Students who wish extenuating circumstances to be considered should obtain an Extenuating Circumstances Form from the HE Info Hub on Blackboard or via the HE Team at the Taunton Campus. The form should be completed by the student, corroborating evidence attached, and the student should obtain the signature of the Module or Course Leader. They will not sign the form without corroborating evidence.

Once the form has been signed, the Module or Course Leader will pass the form to the HE Team, who will log the claim and pass it to the Extenuating Circumstances Panel for consideration.

Extenuating circumstances claims should be submitted as soon as feasible. In the case of assessed coursework/major project/dissertation or equivalent, extenuating circumstances claims must be submitted in advance of the deadline, (except where prevented by the nature of the circumstance from so doing). Extenuating circumstances claims with respect to formal examinations should be submitted in advance of the start of the relevant examination (except where prevented by the nature of the circumstance from so doing). A phone call in advance of the start of an exam, alerting the teaching team to

the fact that a student will be unable to attend may then be followed up by the correct form and evidence as soon as possible thereafter.

- 24.2 Students are responsible for ensuring that the partner institution is notified of any extenuating circumstances at the time they occur and for supplying supporting documentation by the published deadline.
- 24.3 If a student is unable to attend an examination or other assessment event because of extenuating circumstances, they must inform the Partner institution as soon as possible and provide supporting evidence before published deadlines or within 7 calendar days, whichever is sooner. If a student cannot submit evidence by published deadlines, they must submit details of the extenuating circumstances with an indication that evidence will be submitted within 7 calendar days.
- 24.4 Medical evidence submitted in support of a claim for extenuating circumstances should be provided by a qualified medical practitioner.
- 24.5 The partner institution will verify the authenticity of any evidence submitted.
- 24.6 Upon receipt of recommendations from the panel or body responsible for investigating extenuating circumstances, the Board of Examiners, or its subsidiary board, will decide whether to:
- (a) provide a student with the opportunity to take the affected assessment(s) as if for the first time, allowing them to be given the full marks achieved for the examination or assessment, rather than imposing a cap;
  - (b) waive late submission penalties;
  - (c) determine that there is sufficient evidence of the achievement of the intended learning outcomes from other pieces of assessment in the module(s) for an overall mark to be derived;
  - (d) note the accepted extenuation for the module(s) and recommend that it is taken into account at the point of award and classification.
- 24.7 The Board of Examiners, depending on the circumstances, may exercise discretion in deciding on the particular form any reassessment should take. Options are a viva voce examination, additional assessment tasks designed to show whether the student has satisfied the programme learning outcomes, review of previous work, or normal assessment at the next available opportunity. The student will not be put in a position of unfair advantage or disadvantage: the aim will be to enable the student to be assessed on equal terms with their cohort.
- 24.8 If a student fails, without good cause, to provide the responsible body with information about extenuating circumstances within the timescales specified in the partner institution policy, the responsible body has authority to reject the request on those grounds.

## **G. BOARDS OF EXAMINERS**

### **25.0 Appointment of Boards of Examiners**

- 25.1 For every programme (or subject area in a Liberal Arts or Combined Studies programme) leading to a validated award of The Open University there will be a Board of Examiners whose constitution (including a note of those members constituting a quorum) and terms of reference will have been approved by The Open University as part of the Institutional approval and review process.
- 25.2 In the case of large modular programmes, there may be subsidiary boards with designated responsibility for a cognate group of units or subjects. Where this is the case, the relative responsibilities, powers and terms of reference of the different boards will have been approved by The Open University (as part of the Institutional approval and review process).
- 25.3 External Examiners are appointed by, and report to The Open University. The terms under which they engage with the partner institution and the programmes to which they are appointed are those determined by The Open University.

### **26.0 Membership of Boards of Examiners**

- 26.1 The Academic Board (or equivalent body) of the partner institution is required to agree the membership of Boards of Examiners, at the start of each academic year.
- 26.2 All External Examiner(s) for the programme/subject area will be members of the board. Where institutions operate a tiered board structure/subsidiary boards and have many External Examiners appointed, the Chief External Examiner(s) only will be required to be members of the board where recommendations for awards to The Open University's Module Results Approval and Qualifications Classification Panel (MRAQCP) are made.
- 26.3 Under no circumstances may a student of a partner institution of The Open University or student studying for an award of The Open University may be a member of, or attend, a Board of Examiners. A person who is otherwise qualified to be an internal examiner for a programme, for example as a member of academic staff or as an approved External Examiner, and is coincidentally registered as a student on another programme either at the same institution or elsewhere, will not be disqualified from carrying out normal examining commitments.
- 26.4 The Chair of the Board of Examiners will be a senior member of staff, commonly a Head of Department, Dean of Faculty or their nominee, and not directly involved in the delivery of the programme/subject area or the assessment of students in the programme or subject area considered by the Board of Examiners.
- 26.5 The Registrar (or equivalent) or a nominee at the partner institution – acting with the authority of the Academic Board – should normally be appointed as Secretary to the Board of Examiners.

- 26.6 A member of The Open University staff must be present at any Examination Board where final decisions on recommendations for an Open University award is made and where decisions about progression are made. Although not normal practice The Open University reserves the right to Chair the Board of Examiners or any subsidiary boards.

Refer to Appendix 6 for the Operational Instructions, including membership, of the Board of Examiners, known at University Centre Somerset as the Award Assessment Board.

Assessment arrangements for students with special requirements should be reported by the Curriculum Manager or Course Leader to the Award Assessment Board.

The Award Assessment Board will be informed by the Extenuating Circumstances Committee of any valid cases of Extenuating Circumstances. The Award Assessment Board will take such valid cases into account in determining its decisions.

The Award Assessment Board will be informed by the Panel of Investigation of proven cases of Academic Offences together with a recommended penalty. The Award Assessment Board will then determine on academic grounds the extent of the penalty or mitigation. The Award Assessment Board will normally endorse the recommended penalty but may agree to substitute an alternative (in which case it must provide a full rationale). All discussion must be recorded fully in the minutes.

## **27.0 Authority of Boards of Examiners**

- 27.1 The Board of Examiners is authorised to determine the progression of students in accordance with these academic regulations and to recommend progression or the conferment of validated awards of The Open University.
- 27.2 All progression and award recommendations are made to The Open University's Module Results Approval and Qualifications Classification Panel (MRAQCP) for them to ratify. The Panel is responsible for approving recommendations for module results and the award and Classification of qualifications (including partner institutions).
- 27.3 All decisions related to a student's progression, final results, and awards, will be approved by a properly constituted Board of Examiners.
- 27.4 No other body has authority to recommend conferment of an award or progression, nor to amend the decision of an approved and properly constituted Board of Examiners acting within its terms of reference and in accordance with the regulations for the programme of study. A Board of Examiners may, however, be required to review a decision, or may have that decision annulled under the Appeals procedure.

## **28.0 Subsidiary Boards of Examiners**

- 28.1 Any subsidiary board of examiners (with designated responsibility for a cognate group of units or subjects) will include all approved subject-based or cognate group External Examiners.
- 28.2 The rights and duties of External Examiners on subsidiary boards are the same as those of External Examiners on the parent board except that the subsidiary board of examiners only makes recommendations to the parent board.
- 28.3 Subsidiary boards will exercise responsibility for assessing students' grades but will not make decisions on progression or awards. These will remain the responsibility of the parent Board of Examiners.
- 28.4 Once a subsidiary board has reviewed marks or grades for a student a recommendation is made to the parent board over these grades. However, the parent board retains the authority to reach its own conclusion on the overall performance and grading of each student. While a subsidiary board will be charged with recommending arrangements for reassessment of a failed student, only the parent board – having reviewed the failed assessment component and determined a student's right to retrieve – can approve the reassessment arrangements.

## **29.0 Conditions of conferment by The Open University**

- 29.1 The OU may approve conferment of a validated award when the following conditions are satisfied:
- (a) The student has been a registered student at a partner institution at the time of the assessment for an award and the appropriate fee to The Open University has been paid by the institution.
  - (b) Details of the student's full name, full postal address, email address, telephone numbers, date of birth, gender, programme of study, award and all required information have been forwarded to The Open University.
  - (c) The institution at which the student has been registered has confirmed that the student has completed a programme of study approved by The Open University as leading to the award being recommended.
  - (d) The award has been recommended by a Board of Examiners convened, constituted and acting under regulations approved by The Open University and including all members appointed by The Open University as External Examiners for the programme.
  - (e) The recommendation of the award has been signed by the Chair of the Board of Examiners, the External Examiners and The Open University's representative at the Board of Examiners, confirming that the assessments have been carried out in accordance with the requirements of The Open University and that the recommendations have received the written approval of the External Examiners.

## **H. ACADEMIC APPEALS AND COMPLAINTS**

### **30.0 Grounds for appeal**

- 30.1 There shall be no appeal against an assessment result determined in accordance with paragraph 15.1 above, except on the grounds that the approved policy for moderation has not been followed.
- 30.2 A student may appeal against a decision of a Board of Examiners made under section G 27 and 28 above, only if one or more of the following grounds apply:
- (a) Where the student provides written evidence in support of a claim that performance in the assessment was adversely affected by extenuating circumstances which the student was unable or, for valid reasons, unwilling to divulge before the Board of Examiners reached its decision; or
  - (b) Where there is prima facie evidence, whether provided by the student or otherwise, that:
    - (i) there has been a material administrative error; or
    - (ii) the examinations or other assessments were not conducted in accordance with the regulations for the programme and/or special arrangements formally agreed; or
    - (iii) some other material irregularity relevant to the Board of Examiner's decision has occurred.
- 30.3 Disagreement with the academic judgement of a Board of Examiners cannot constitute grounds for an appeal.
- 30.4 An appeal must be made within the time limits and in the manner prescribed in the partner institution's approved appeals procedure set out in paragraph 32 below.
- 30.5 A formal complaint is an expression of dissatisfaction with a service provided or the lack of a service. It must relate to services that students were led to believe would be provided. Students should refer to procedures set out in paragraph 31 below.
- 30.6 Where a student raises a matter of concern that does not meet the grounds for appeal highlighted above, the matter may be dealt with as a formal complaint. In the event that a complaint is upheld, where there is no right of appeal, an assessment result or a decision of a Board of Examiners cannot be changed.

## 31.0 Academic Appeals and Complaints procedures

Refer to the UCS HE Academic Appeals Policy and Procedure for guidance in relation to Appeals against academic decisions (i.e. admissions and assessment decisions). This includes guidance on what information to include and who to send it to should you wish to appeal an academic decision.

If you are on a standard programme, you must submit your appeal to reach the HE Team (HE@btc.ac.uk) by no later than 31<sup>st</sup> August if you are appealing against the decision of a summer Award Assessment Board.

If you are appealing against the decision of a September (re-sit) Award Assessment Board, you must submit your appeal no later than 30<sup>th</sup> September.

Please read the appeal regulations carefully before submitting your appeal. You may also need to refer to the module assessment sections in your Programme Quality Handbook for assessment requirements for your programme. The Programme Quality Handbook is usually available on the Programme Handbook pages of the Virtual Learning Environment site Blackboard. Alternatively it can be requested from your Course Leader.

It is in your best interests to submit your appeal as soon as possible. Although University Centre Somerset will do what it can to expedite matters, there is no guarantee that your case will be resolved prior to any re-sit dates. The later you appeal, the less likely it is that you will get a decision in time. You will be expected to complete re-sits as usual unless your appeal has by then been resolved and the initial decision reviewed. Please note that if your appeal is not submitted in time or with all relevant documentation, in the event that the appeal is upheld, it may not be possible for the College to implement an immediate reassessment opportunity.

Please note that it is very unlikely that the Board would decide to award you additional marks or upgrade your degree classification because of extenuating circumstances.

**For non-academic complaints** refer to the HE Complaints Policy and Procedure. Guidance on how to complain informally and formally can be found in the HE Complaints Policy and Procedure and also in the Student Handbook for each validated award. In the first instance it is hoped that any issues can be resolved informally by raising the matter with your tutor, Course Leader or Curriculum Manager.

Policies and Procedures can be found on the University Centre Somerset website:  
<https://www.somerset.ac.uk/about-us/wider-information-set>

## 32.0 Action following appeal procedures

32.1 The student will be sent a written statement setting out the decision that has been made and the reasons for reaching that decision, together with any actions required by the student or the partner institution to follow up and implement that

decision. Partner institutions will align to Office of the Independent Adjudicator (OIA) timelines. The written statement will also include details of any further right of appeal available to the student if they remain dissatisfied with the final outcome of the institution's procedures. This will include, where applicable, the right to appeal to The Open University under paragraph 33 below.

### **33.0 Appeals to The Open University**

33.1 There shall be a final right of appeal to The Open University against a decision of a Board of Examiners only if the appeal is against a decision related to either:

- (a) progression from one stage to another of the programme to the next; or
- (b) a final award;

and both of the following criteria are met:

- (a) all appropriate internal procedures at the partner institution have been exhausted;
- (b) there are reasonable grounds to believe that the partner institution's internal procedures and regulations for dealing with appeals were not implemented correctly or fairly.

The procedure for appealing to The Open University is set out in The Open University Handbook for Validated Awards which students should have access to through the partner institution.

## **I. TRANSCRIPTS, DIPLOMA SUPPLEMENTS AND CERTIFICATES**

### **34.0 Transcript**

34.1 The transcript is produced by the partner institution and provides a comprehensible verifiable record of a student's learning. The standard content of a transcript is listed in Appendix 1 of these Regulations.

34.2 The transcript is issued to the student after each stage of their programme is completed.

34.3 If a student has completed only a part of a programme of study, without fulfilling the full requirements for an award, a transcript is issued.

### **35.0 Diploma supplement**

35.1 The diploma supplement is issued to a student solely on the successful completion of a qualification.

35.2 The diploma supplement is produced by the partner institution and provides students who have completed an Open University validated award with a formal,

verifiable and comprehensive record of learning and achievement. The standard content of a diploma supplement are set out in Appendix 2 to these Regulations.

### **36.0 Certificates**

36.1 The Open University issues a certificate for each conferred award. The standard content of a Certificate for a validated award is set out in Appendix 3 to these Regulations.

36.2 Students awarded any qualification of The Open University, will be issued with a certificate in respect of that qualification in the name held in formal records at the point when the qualification is conferred. A certificate will not be amended or reissued in a different name if a change of name is notified after the date the qualification is conferred, except in the case of an error by The Open University in recording personal details, or if a valid request is made under the Gender Recognition Act 2004. A duplicate certificate will be issued in the same name as the original certificate (unless amended as above), even if a change of name may subsequently have been notified.

## **Appendix 1**

### **Content of transcripts**

Partner institutions will present the information in the format that they consider to be most appropriate. The minimum requirements for the content of transcripts of The Open University validated awards are:

- (a) Student details
- (b) Details of the qualification, including any professional, statutory or regulatory body accreditation or recognition.
- (c) Up-to-date details of learning and achievement, i.e. modules or units studied, credits awarded, marks or grades achieved and the date and year in which credits were awarded.
- (d) Up-to-date details of non-completion, including the number of attempts taken to complete a module.
- (e) Other types of learning, e.g. study abroad, work placement and work experience, accreditation of prior certificated and experiential learning, or accreditation of key skills.

## Outline structure for the diploma supplement

The following information will be given in the diploma supplement:

### **1 Information identifying the holder of the qualification**

- 1.1 Family name(s)
- 1.2 Given name(s)
- 1.3 Date of birth (day/month/year)
- 1.4 Student identification number or code (if available)

### **2 Information identifying the qualification**

- 2.1 Name of qualification and (if applicable) title conferred (in original language)
- 2.2 Main field(s) of study for the qualification
- 2.3 Name and status of awarding institution (in original language)
- 2.4 Name, address and status of institution (if different from 2.3) delivering studies
- 2.4a Principal location of study (if different from 2.4 above)
- 2.5 Language(s) of instruction/examination

### **3 Information on the level of the qualification**

- 3.1 Level of qualification
- 3.2 Official length of programme
- 3.3 Access requirements(s)

### **4 Information on the contents and results gained**

- 4.1 Mode of study
- 4.2 Programme requirements
- 4.3 Programme details (e.g. modules or units studied) and the individual grades/marks/credits obtained
- 4.4 Grading scheme and, if available, grade distribution guidance
- 4.5 Overall classification of the qualification (in original language)

### **5 Information on the function of the qualification**

- 5.1 Access to further study
- 5.2 Professional status (if applicable)

### **6 Additional information**

- 6.1 Additional information
- 6.2 Further information sources

### **7 Certification of the supplement**

- 7.1 Date
- 7.2 Signature of official certifying the diploma supplement
- 7.3 Capacity
- 7.4 Official stamp or seal of partner institution

## **8 Information on the higher education system**

For this field, Partner institutions will adopt the standard description adopted by the rest of The Open University.

**Content of certificates**

A validated award certificate conferred under the Charter of The Open University records:

- (a) the name of the Partner institution at which the student has been registered, together with the name of any other institution sharing responsibility for the student's programme of study
- (b) the student's full name as given on the list of recommendations submitted to The Open University by the institution at which the student was registered. For gender reassignment, The Open University will require proof of the new identity before a new certificate is issued.
- (c) the award
- (d) the title of the programme, as approved by The Open University
- (e) the language of instruction and assessment, where this is not English
- (f) an approved endorsement, where appropriate, that the programme of study was in sandwich mode
- (g) the date the award was conferred.

The Open University validated award certificates conform with specific design requirements of The Open University.



University  
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Somerset

Part of Bridgwater & Taunton College

## **Additional Appendices to the University Centre Somerset / Open University Academic Regulations**

**These additional appendices should be read in conjunction with the UCS/OU Academic Regulations. They are referred to within the boxed sections of these Regulations.**

The first four appendices written by The OU are contained within the Regulations document itself. From 2018-19 these additional appendices previously contained within the same document have had to be separated as the formatting will no longer allow them to be contained within the same document. They are however an integral part of the Academic Regulations, approved by The OU. For the avoidance of doubt, in the eventuality of any discrepancy in interpretation of these appendices, the main UCS/OU Academic Regulations should be followed.

## Appendix 4 - HE Academic Offences Regulations

### Examination and Assessment Offences

Note: 1. This Regulation applies to all students registered on credit-rated modules or award bearing programmes.

#### 1 Definitions

- 1.1 A breach of any part of University Centre Somerset (UCS) or Programme Regulations relating to assessment, or of the instructions issued in relation to an individual examination or piece of assessed work, will be considered an offence, irrespective of the intentions of the students concerned.
- 1.2 For the purpose of this Regulation, 'examination or piece of assessed work' includes, *inter alia* written and oral examinations, tests, coursework essays and assignments, projects and dissertations, practical/laboratory work, group and other collaborative work, placements and field trips and reports thereon, designs, artefacts, computer programmes.

#### 2 Examples of Examination and Assessment Offences

Note: these examples are not necessarily exhaustive

- 2.1 Obtaining or attempting to obtain access to an unseen examination or test paper prior to the start of the examination/test
- 2.2 The introduction or use in an examination/test of any books, notes, paper or devices of any kind other than those specifically permitted in the rubric of the paper (e.g. use of a pre-programmable calculator/electronic device where the paper permits use of an ordinary calculator).
- 2.3 Failing to comply with the instructions of an invigilator or examiner, or with the printed instructions for candidates.
- 2.4 Removing from an examination or test any script, paper, or other official stationery (whether or not completed) unless specifically authorised by an invigilator or examiner.
- 2.5 Being party to any arrangement whereby a person other than the candidate fraudulently represents, or intends to represent, the candidate in an examination or test (impersonation).
- 2.6 Communicating, or attempting to communicate with another student or with any third party other than the invigilator/examiner during an examination or test.
- 2.7 Use of crib sheets, revision notes etc. at any time during an examination or test.
- 2.8 Copying or attempting to copy the work of another student, whether by overlooking his/her work, asking him/her for information, or by any other means.
- 2.9 The submission for assessment of material (written, computer-generated, visual or oral) or ideas originally produced by another person or persons, without clearly indicating that the material is not original, such that the work could be assumed to be the student's own.

- 2.9.1 Offences can also include the use of intellectual data, images or ideas without acknowledgement; copying, summarizing or paraphrasing the work of another student or graduate; commissioning another person to complete work which is then submitted as a student's own work; the use of professional essay writing services or work drawn from the internet.
- 2.10 The unauthorised use of the work of another student (whether by taking a hard copy without permission or through access to another electronic format such as a memory stick)
- 2.11 The representation of work produced in collaboration with another person or persons as the work of a single candidate
- 2.12 The inclusion in a piece of assessed work (other than an examination or test) of material which is identical or substantially similar to material which has already been submitted for any other assessment within UCS
- 2.13 Making false declarations in an attempt to obtain special examination arrangements or special consideration (e.g. of extenuating circumstances).
- 2.14 The presentation of data in projects etc. based on work purporting to have been carried out by the student but which has been invented, copied, altered or otherwise falsified.
- 2.15 Attempting to persuade another member of UCS (student, staff, or invigilator) to participate in any way in actions which would be in breach of this Regulation
- 2.16 Being party to any arrangement which would constitute a breach of this Regulation.

### **3 Responsibilities**

- 3.1 All students must ensure that they are aware of, and comply with, UCS and programme requirements and that they are not party to any behaviour which could be construed as an examination or assessment offence.
- 3.2 Students authorised to work in pairs and/or groups will normally be required to complete a cover sheet declaring whether the work was undertaken alone or as part of a team. Students may be required to name other students with whom they worked and/or identify individual responsibility for component parts.
- 3.3 Students submitting an individual assignment must confirm that the work is entirely their own and has been completed in accordance with UCS and Programme Regulations.
- 3.4 Module Leaders must ensure that students receive written guidelines clearly identifying the parameters of acceptable practice for the modules for which they are responsible. Where students are authorised/required to work collaboratively, the Module Leader must specify the boundaries of collaboration at the outset. Information on the presentation of written assignments in order to avoid allegations of an assessment offence (e.g. information on acceptable referencing etc.) should be reinforced in lectures, seminars and tutorials as appropriate.
- 3.5 UCS has established a pool of individuals who could be called upon to join any Panel of Investigation. This pool is made up of those in the programme areas who have not taught the student(s) in question, and members of the Senate or their nominee(s).

#### **4 UCS Panel of Investigation**

- 4.1 A UCS Panel of Investigation will comprise three members in total. These will be drawn from those in the programme areas who have not taught the student(s) in question, and members of the Senate or their nominee(s). A member of the Senate will Chair the Panel, and the HE Quality Co-ordinator or nominee, will act as secretary to the Panel. The Secretary to the Panel will ensure, as far as is possible, an appropriate gender balance in determining membership.
- 4.2 The panel will deal with cases by correspondence unless a student wishes to contest their case in person.
- 4.3 The dates of meetings of the UCS Panel of Investigation will be arranged as required.
- 4.4 When a member of teaching staff or an External Examiner considers that a breach of the Academic Regulations has taken place the relevant member of teaching staff will provide the student with a copy of this Regulation together with a standard letter outlining the allegation, explaining the part of the regulation it is alleged the student has breached and requesting her/him to confirm in writing on a standard pro-forma to the HE Team (HE@btc.ac.uk), within 5 working days, whether
- s/he accepts the charge to be laid against her/him and understands that the case will be considered by a Panel of Investigation. The candidate may submit evidence in mitigation, in the form of a written statement, for consideration by the Panel if s/he so wishes. Should correspondence not be received from the candidate by the deadline for a response (five working days), it will be assumed that s/he has accepted the allegation made and the case will be forwarded to the Panel.
  - s/he wishes to contest the allegation in which case the panel will either:
    - review the case by correspondence and take into account any written statement that the student submits in defence of his/her case. Or
    - hold a hearing of the panel of investigation attended by the student in person with the opportunity to bring witnesses to support his/her case. The dates of the meeting of the Panel will be confirmed in the letter. A student will not have the right to demand a revised date for the Panel to meet. The student will be required to indicate whether s/he wishes to bring a friend (who may be a fellow student, staff member, SU officer or other party) and the identity of any such individual. S/he will also be required to indicate whether they will be calling any witnesses and if so the identity of those individuals. It is the student's responsibility to arrange for the attendance of their own witnesses.

#### **4.5 A Hearing of the UCS Panel of Investigation**

- 4.5.1 Where a student wishes to contest the allegation in person, the Head of HE (or their nominee), will on receipt of the written confirmation by the student:
- i) acknowledge the letter from the student, confirming that their case will be referred to the Panel of Investigation and the timing of their hearing
  - ii) confirm the membership of the Panel of Investigation, being three members drawn from those in the programme areas who have not taught the student(s) in question, and members of the Senate or their nominee. A member of the Senate will Chair the Panel. The Secretary to the Panel will ensure, as far as is possible, an appropriate gender balance in determining membership.
  - iii) confirm the identity of any witnesses called by UCS
  - iv) ensure that all relevant evidence is collected and made available to the Panel

- v) call any relevant witnesses on behalf of UCS
- vi) obtain information about any previous proven examination or assessment offences

- 4.5.2 The Panel is required to examine all the evidence relevant to the circumstances of the alleged offence and to interview the student and any witnesses in order to establish the facts of the case. The student will also have the right to question witnesses. Should the student be unable to attend s/he has the right for her/his case to be heard in absentia and to submit a written statement but will not have the right to demand a revised date for the Panel to meet.
- 4.5.3 The Panel may decide that the student be subject to a viva voce examination as a means of determining whether an offence has occurred. The viva voce examination will be conducted by the Programme Leader or nominee together with one member of the Panel who will be considering the case.
- 4.5.4 If the Panel decides that there is no case to answer, the Programme Leader (or nominee) will be required to ensure that all records relating to the allegation are removed from the student files.
- 4.5.5 The outcome of the Panel hearing will be reported to the student and the relevant Programme Leader (or nominee) in writing within five working days of the meeting.

## **5 Alleged Examination Offence (Formal Written Examination)**

### **5.1 Procedure to be followed when the suspected offence is identified**

5.1.1 Where an invigilator or examiner suspects that a student may have committed (or be attempting to commit) an offence during an examination, s/he should:

- i) where possible call another invigilator/staff member to act as a witness
- ii) confiscate any unauthorised material/device in the possession of the candidate
- iii) endorse the candidate's script/paper on the front cover with a note of the time the alleged offence was discovered
- iv) note on the script/paper the point the candidate had reached when the alleged offence was discovered
- v) allow the candidate to continue with the examination but at the end of the examination provide him/her with a copy of this Regulation together with a standard letter outlining the allegation, explaining the part of the regulation it is alleged the student has breached and requesting her/him to confirm in writing on a standard pro-forma to the Head of HE, within 5 working days, whether
  - o s/he accepts the charge to be laid against her/him and understands that the case will be considered by a Panel of Investigation (see paragraph 4.) The candidate may submit evidence in mitigation, in the form of a written statement, for consideration by the Panel if s/he so wishes. Should correspondence not be received from the candidate by the deadline for a response, it will be assumed that s/he has accepted the allegation made and the case will be forwarded to the Panel.
  - o  s/he wishes to contest the allegation in which case the panel will either:

o review the case by correspondence and take into account any written statement that the student submits or

o hold a hearing of the panel of investigation attended by the student in person with the opportunity to bring witnesses to support his/her case. The dates of the meeting of the Panel will be confirmed in the letter. A student will not have the right to demand a revised date for the Panel to meet. The student will be required to indicate whether s/he wishes to bring a friend (who may be a fellow student, staff member, SU officer or other party) and the identity of any such individual. S/he will also be required to indicate whether they will be calling any witnesses and if so the identity of those individuals. It is the student's responsibility to arrange for the attendance of their own witnesses.

- vi) make a full written report to the Head of HE enclosing any confiscated device/materials.
- 5.1.2 The Head of HE (or their nominee) will, within 24 hours, forward a copy of the written report and any confiscated device/materials to the Curriculum Manager or nominee for comment by the Module Leader and Programme Leader. The Module Leader will be requested to comment on the relevance to the examination/student performance of any confiscated material.
- 5.1.3 Should an allegation of an examination offence come to light after the examination has been held, e.g. during the marking process, the person who has identified the alleged offence should consult the Module Leader/Curriculum Manager. If, following discussion, the curriculum team considers that there is a case to answer, the Module Leader/Curriculum Manager will then notify the Head of HE of the nature of the allegation. The Head of HE (or their nominee) will then send a standard letter by recorded delivery to the student's home and local addresses, and email a copy to the student's email address. Should there be no reply it will be assumed that the student does not wish to contest the allegation. The case will proceed to a Panel of Investigation as described in section 4.

## **6 Alleged Coursework Offence (Including Tests)**

- 6.1 UCS will convene a Panel of Investigation for coursework offences (including tests) as and when required. Membership will be drawn from the UCS pool (see 3.5). The procedure for the Panel will be the same as identified in section 4.
- 6.2 **Initial action by internal or external marker**
  - 6.2.1 Where an internal or external marker suspects that a candidate has breached the Regulations in respect of assessed work, s/he should advise the Module Leader for the work in question. The curriculum team will review the evidence and decide if there is a case to answer. If the team decide that there is a case to answer, the Module Leader, in consultation with the Programme Leader, must advise the student in writing following the procedure outlined in section 4.4
  - 6.2.2 The Module Leader must refer the matter to the Programme Leader, Curriculum Manager and the Head of HE. The Programme Leader/Curriculum Manager and Head of HE must be provided with a copy of the letter to the student, a written statement of the grounds for the allegation, the student's work, and any other evidence in support of the allegation.
  - 6.2.3 In the case of a first year undergraduate student who has committed a technical breach of the Regulations (e.g. poor referencing) in respect of a piece of work worth no more than 25% of the module mark, the Module Leader, in consultation with the Programme Leader/Curriculum Manager or Head of HE may at the same time offer the student the opportunity to have the work marked in the usual way rather than go through the formal procedures. The student retains the right to contest the allegation and for the matter to be referred to a Panel of Investigation (as described in section 4). Where the procedure outlined in this paragraph is followed, this must be recorded on the student file and reported formally to the Panel of Investigation and subsequently to the Award Assessment Board.

## 7 Recommendation of penalty to Award Assessment Board

- 7.1 If an offence has been committed, the Panel of Investigation will recommend an appropriate penalty to the Award Assessment Board as sanctioned through the College's Student Conduct and Disciplinary Procedure and under the authority of the Senate. The recommendation will take account of the seriousness of the offence, the student's intent or otherwise and, where relevant, any previous offences of which the student has been found guilty, together with custom and practice across the College/UCS. This will be in line with the Academic Misconduct Benchmarking Research (AMBeR) tariff detailed below. Misconduct at exams will attract the same level of points as the highest level of plagiarism.

Step 1: Assign points based on the following criteria:

### **History**

1st Time	<b>100 points</b>
2nd Time	<b>150 points</b>
3rd/+ Time	<b>200 points</b>

### **Amount / Extent**

Below 5% **AND** less than two sentences **80 points**

As above but with **critical aspects\*** plagiarised **105 points**

Between 5% and 20% **OR** more than two sentences but not more than two paragraphs **105 points**

As above but with **critical aspects\*** plagiarised **130 points**

Between 20% and 50% **OR** more than two paragraphs but not more than five paragraphs **130 points**

As above but with **critical aspects\*** plagiarised **160 points**

Above 50% **OR** more than five paragraphs **160 points**

Submission purchased from essay mill or ghost-writing service **225 points**

*\*Critical aspects are key ideas central to the assignment*

### **Level / Stage**

Level 4	<b>70 points</b>
Level 5	<b>115 points</b>
Level 6/Postgraduate	<b>140 points</b>

### **Value of Assignment**

Standard weighting	<b>30 points</b>
Large project (e.g. final year dissertation)	<b>60 points</b>

### **Additional Characteristics**

Evidence of deliberate attempt to disguise plagiarism by changing words, sentences or references to avoid detection **40 points**

Step 2: Award penalties based on the points

#### PENALTIES (Summative Work)

In all cases a formal warning is given and a record made contributing to the student's previous history

#### Points Available Penalties (select one)

Points	Available Penalties (select one)
<b>280 - 329</b>	<ul style="list-style-type: none"> <li>• No further action beyond formal warning</li> <li>• Assignment awarded 0% - resubmission required, with no penalty on mark</li> </ul>
<b>330 - 379</b>	<ul style="list-style-type: none"> <li>• No further action beyond formal warning</li> <li>• Assignment awarded 0% - resubmission required, with no penalty on mark</li> <li>• Assignment awarded 0% - resubmission required but mark capped or reduced</li> </ul>
<b>380 - 479</b>	<ul style="list-style-type: none"> <li>• Assignment awarded 0% - resubmission required but mark capped or reduced</li> <li>• Assignment awarded 0% - no opportunity to resubmit</li> </ul>
<b>480 - 524</b>	<ul style="list-style-type: none"> <li>• Assignment awarded 0% - no opportunity to resubmit</li> <li>• Module awarded 0% - re-sit required, but mark capped or reduced</li> <li>• Module awarded 0% - no opportunity to re-sit, but credit still awarded</li> </ul>
<b>525 - 559</b>	<ul style="list-style-type: none"> <li>• Module awarded 0% - re-sit required, but mark capped or reduced</li> <li>• Module awarded 0% - no opportunity to re-sit, but credit still awarded</li> <li>• Module awarded 0% - no opportunity to re-sit, and credit lost</li> <li>• Award classification reduced</li> <li>• Qualification reduced (e.g. Honours -&gt; no Honours)</li> <li>• Expelled from institution but credits retained**</li> <li>• Expelled from institution with credits withdrawn**</li> </ul>
<b>560+</b>	<ul style="list-style-type: none"> <li>• Module awarded 0% - no opportunity to resit, and credit lost</li> <li>• Award classification reduced</li> <li>• Qualification reduced (e.g. Honours -&gt; no Honours)</li> <li>• Expelled from institution but credits retained**</li> <li>• Expelled from institution with credits withdrawn**</li> </ul>

\*\* Such cases to be recommended to the Award Assessment Board that the matter be referred for action under the College's standard Student Conduct and Disciplinary Procedure which may ultimately lead to exclusion.

#### PENALTIES (Formative Work)

<b>280 - 379</b>	Informal warning
<b>380+</b>	Formal warning, with record made contributing to the student's previous history

### 8 Award Assessment Board

- 8.1 The Programme Leader must ensure that all recommendations from Panels of Investigation are notified to the relevant Award Assessment Board.
- 8.2 An Award Assessment Board must formally consider all cases of proven examination or assessment offences and either endorse the recommended action or agree to substitute an alternative (in which case it must provide a full rationale). All discussion must be recorded fully in the minutes.
- 8.3 A student found guilty of an examination or assessment offence the penalty for which is such as to make them ineligible for the award on which they are registered (or to result in their exclusion from UCS/ the College under the Student Conduct and Disciplinary Procedure, which is available on the HE Info Hub, HE Learner Voice page of the Virtual Learning Environment Blackboard) is nonetheless eligible for any intermediate award for which s/he has legitimately met the academic requirements, and any such award must therefore be conferred.

- 8.4 Where the recommendation of the Panel of Investigation has been changed by the Board, the student must be informed in writing of the change, and the rationale for the change must be forwarded to the Chair of the Panel of Investigation

## 9 Allegations made at or after the Assessment Board

- 9.1 Exceptionally, an alleged offence may come to light at or after the meeting of an Assessment Board. Allegations made at a Board must be investigated as soon as practicable thereafter. In the meantime the decision on the student must be deferred.
- 9.2 Where an offence is discovered after an Award Board has met and results have been published, the allegation must be referred directly to the Programme Leader, who will consult with the Head of HE or Head of Higher Education, Module Leader and Chair of the Award Assessment Board. They will take account of the nature of the evidence presented; the seriousness of the offence; the time which has elapsed; the reasons why it was not discovered earlier; and the regulations of any professional validating and accrediting body in determining whether or not to take action.
- 9.3 The Open University has the power to rescind an award or distinction made by UCS if it considers that there is due cause. UCS will notify the Open University if it considers there is due cause to take this action.

## 10 Appeals

- 10.1 The final decision on the penalty for an assessment/examination offence will rest with the Award Assessment Board and a student has the right to appeal by the deadline date indicated in the UCS HE Academic Appeals Policy and Procedure. This is available on the HE Info Hub, HE Learner Voice page of the Virtual Learning Environment (VLE) Blackboard.
- 10.2 A student may only appeal on the grounds that:
- i) there has been a material administrative error
  - ii) the assessments/examinations were not conducted in accordance with the current regulations for the programme or special arrangements formally agreed
  - iii) some other material irregularity relevant to the assessments has occurred
  - iv) ***in most exceptional circumstances*** the candidate has established to the satisfaction of the Academic Appeals Committee that performance in the assessment was adversely affected by illness or factors which the candidate was unable, or for valid reasons unwilling, to divulge before the Award Assessment Board reached their decision. The candidate's request must be supported by medical certificates or other documentary evidence acceptable to the Academic Appeals Committee.
- 10.3 If following an appeal, a student is still dissatisfied, once all internal procedures have been exhausted, a student may appeal to the Open University and then finally to the Office of the Independent Adjudicator for Higher Education. More information can be found from their website: [www.oiahe.org.uk](http://www.oiahe.org.uk)

## 11 Report to the Senate

- 11.1 At the first Senate meeting of the new academic session, the Head of HE must report on the number of cases considered by the Panel of Investigation, detailing the number where the allegation was found to be true, the nature of the allegation in each such case and the penalty invoked. The report shall not name individual students.

## Appendix 5 - Guidelines: Late Coursework and Extenuating Circumstances

### Late Coursework

As stated in section 13 of these Regulations:

1. Work submitted for a summative assessment component cannot be amended after submission, or re-submitted.
2. Extensions to deadlines for submission of coursework may not be granted by members of academic staff. A student who misses a deadline date and time, or believes that he or she will miss a deadline should submit an Extenuating Circumstances form with the appropriate evidence as described below. Student requests for extensions to assessment deadlines will not be approved unless Extenuating Circumstances are confirmed as valid by an Extenuating Circumstances Panel.
3. Where coursework is submitted late and there are no accepted extenuating circumstances it will be penalised in line with the following tariff:
  - Submission within 6 working days: a 10% reduction for each working day late down to the 40% pass mark and no further.
  - Submission that is late by 7 or more working days: submission refused, mark of 0  
The definition of "working days" is Monday to Friday excluding UK Bank Holidays and periods when the College/ UCS is officially closed such as Christmas.
4. Coursework which is submitted after the deadline will be assessed but the results will not be entered onto the official record until any claim for extenuating circumstances has been considered. Feedback may be given on the quality of the work submitted and an indicative grade awarded. If the circumstances are deemed valid, the actual result achieved will be entered onto the record and submitted to the Award Assessment Board.
5. If the circumstances are not considered valid a mark of zero will be recorded at the Award Assessment Board.

### Extenuating Circumstances

*Note 1: Students with Specific Learning Difficulties and/or Disabilities and other (Short Term) Needs*

University Centre Somerset, part of Bridgwater & Taunton College is committed to eliminating discrimination and providing equality of opportunity for students. The College/UCS has developed policies and procedures to assist students who are disabled, have specific learning difficulties or have experienced exceptional medical or personal circumstances, by attempting to minimise any adverse impact on their study and performance in assessments.

The College's/ UCS's aim is to ensure, as far as possible, a 'level playing field' by providing appropriate forms of support to enable students to undertake assessments and achieve the learning outcomes of modules. It is not the intention of the extenuating circumstances procedure to mitigate failure or give students an unfair advantage over their peers.

Students and staff must consult with the Learning Support team for advice which may lead to the submission of a claim for a Disabled Student Allowance and thereby the provision of appropriate specified support.

*Note 2: Where a student is aware that particular circumstances, be they work-related, family or financial problems, or any other issues, are likely to interfere with their ability successfully to complete their academic work at any time, it is open to the student to suspend/interrupt studies for a period (up to twelve consecutive months, which may be extended in exceptional circumstances as agreed between The Open University and UCS in line with section 8 of the OU Regulations) and to return to complete the programme of study when the problems are not so great. Any such suspension/interruption should*

remain within the maximum period of registration established for their programme of study, as stated in section 7 of the OU Regulations.

It may also be possible for a student undertaking a full time programme to transfer to part-time study so as better to balance academic and other commitments.

The Extenuating Circumstances guidance applies to students who have registered for one or more modules, started their studies, and then found themselves in circumstances outside their control which impacted on their performance in one or more elements of assessment.

## **1 Definitions**

- 1.1 Extenuating circumstances are circumstances which
- Affect the student's ability to attend or complete assessment(s)
  - are exceptional
  - are outside the student's control
  - can be corroborated by independent evidence
  - occurred during or immediately before the assessment in question; and may have led to an unrepresentative performance in relation to the student's previously demonstrated ability
- 1.2 It is difficult to lay down hard and fast rules about extenuating circumstances which may be deemed valid or not, but examples of specific circumstances are given below, for guidance of students, staff and Extenuating Circumstances Panels.

## **2 Submission of information on extenuating circumstances**

- 2.1 Students who wish extenuating circumstances to be considered should obtain an Extenuating Circumstances Form from the Curriculum Area Administration office. The form should be completed by the student, corroborating evidence attached, and the student should obtain the signature of the Module or Programme Leader. They will not sign the form without corroborating evidence.
- 2.2 Once the form has been signed, the Module or Programme Leader will pass the form to the Curriculum Area Administration office, who will log the claim.
- 2.3 Extenuating circumstances claims should be submitted as soon as feasible. In the case of assessed coursework/major project/dissertation or equivalent, extenuating circumstances claims must be submitted in advance of the deadline, (except where prevented by the nature of the circumstance from so doing). If a student, who has submitted a claim of extenuating circumstances in advance of a submission deadline, has not received formal confirmation of the outcome, of their claim and is in any doubt as to whether the circumstances will be deemed valid, he or she should consult the Module or Programme Leader. Extenuating circumstances claims with respect to formal examinations should be submitted in advance of the start of the relevant examination (except where prevented by the nature of the circumstance from so doing). A phone call in advance of the start of an exam, alerting the teaching team to the fact that a student will be unable to attend may then be followed up by the correct form and evidence as soon as possible thereafter.

## **3 Corroborating evidence**

- 3.1 All claims of extenuating circumstances must be accompanied by independent corroborating evidence. That evidence must be specific about the nature, timing and severity of the problem and if possible provide an independent assessment of the effect the problem may have had on the student's performance. The burden of proof to support a claim lies with the student at all times. UCS reserves the right to take such steps as are deemed necessary to verify the evidence submitted without prior notification. Where UCS is unable to authenticate the material to its satisfaction, the claim may not be accepted. Evidence from family and/or friends will not normally be accepted.
- 3.2 Corroborating evidence may include:
- A signed medical certificate confirming a medical or psychological condition (provided at the time when the student was suffering from that condition)

- A letter from a qualified counsellor confirming a personal, psychological or emotional problem for which the student has been receiving counselling
- Written confirmation from relevant staff confirming a particularly severe accommodation problem
- An official document such as a police report including a police reference number, court summons or other legal document
- A letter from a solicitor, social worker or other official agency 52
- An insurance claim document supported by a letter from the insurance company
- Written evidence from College/UCS staff to support the case

3.3 Full-time students may not make an extenuating circumstances claim relating to pressures of work, since such students have by implication made a commitment to make available the time necessary for study. Part-time students in full-time employment, who wish to make claims based on exceptional pressures in their employment, must submit corroborating documentary evidence (e.g. a letter from their employer) which confirms the particular circumstances, explains why they are exceptional and outside the student's control and formally supports the student's claim. Where a student is self-employed, she or he must provide independent evidence to support the claim that the pressures are exceptional and outside the student's control.

3.4 Students should not seek to obtain corroborating evidence retrospectively. Any certificate or other medical note where the date of the certificate is after the date(s) of the illness may not be accepted.

#### 4 **Confidentiality**

4.1 UCS understands that students may be reluctant to disclose confidential personal information. However, students can be assured that all claims of extenuating circumstances are deemed to be confidential to the Administrator, Extenuating Circumstances Panel and to the relevant Award Assessment Board and will not be disclosed outside those meetings (other than if they need to be considered as part of a student appeal).

4.2 If a student is reluctant to disclose information of a particularly personal nature, he or she may enter the word 'Confidential' on the form in the boxes headed 'Brief Description' and 'Comments' and attach written evidence in a sealed envelope. The information will then be made available only to the Chair of the Extenuating Circumstances Panel.

#### 5 **Consideration of extenuating circumstances**

5.1 Claims will be considered within 7 working days of submission by the Extenuating Circumstances Panel. Students will be advised of the decision regarding their claim within 10 working days of submission. Students are therefore advised to continue working on their submissions so that they do not waste the time if their application is deemed valid, particularly if their application is close to the original deadline date.

5.2 UCS has established an Extenuating Circumstances Panel to consider extenuating circumstances. The Extenuating Circumstances Panel will include in membership the Chair and two staff members. If deemed necessary by the Chair, the panel will include academic staff, welfare tutors, HE Team representative(s) and/or other staff as appropriate. A record will be kept of the outcome of each meeting.

5.3 The purpose of the Extenuating Circumstances Panel meeting is to determine whether the extenuating circumstances submitted are valid (that is, that they are exceptional, outside the student's control, and corroborated by appropriate independent documentary evidence). An Extenuating Circumstances Panel must accept the professional recommendation of a medical practitioner or qualified counsellor regarding the effect on a student of a particular condition or problem. But in the absence of an opinion as to the impact of the illness or condition the Extenuating Circumstances Panel may use its own judgement to determine whether the circumstances are likely to have had an impact on performance. See below for examples of conditions which would not normally be considered valid extenuating circumstances.

5.4 If an Extenuating Circumstances Panel does not consider that it has sufficient corroborating evidence the Chair of the Panel will liaise with the Chair of the relevant Award Assessment

Board and the student as appropriate in order to secure such additional evidence as may be deemed necessary.

- 5.5 If a student fails, without good cause, to provide sufficient evidence to the Extenuating Circumstances Panel in advance of the Award Assessment Board meeting, the Award Assessment Board has authority to reject the request on those grounds.
- 5.6 Following each Extenuating Circumstances Panel, students will be sent a letter/email confirming the decision made regarding their Extenuating Circumstances application.
- 5.7 If a panel deems an application to be valid they will normally grant an extension of 10 working days. If this extension would put the new deadline date too close to the Award Assessment Board for the work to be marked and the grades presented at the Award Assessment Board, then the panel will inform the Award Assessment Board that they confirmed the application was valid. The Award Assessment Board will then take the decision relating to the new deadline.

## **6 Consideration of Extenuating Circumstances: Award Assessment Board**

6.1 If the circumstances are deemed valid, this decision will be forwarded to the Award Assessment Board who will take it into account. Extenuating circumstances may be taken into account not only where a student has failed an assessment or part of an assessment but also to take into account where student performance may have been impeded.

6.2 The existence of a valid claim of extenuating circumstances (confirmed by the Extenuating Circumstances Panel) will only lead to a change in a student's results where the Board has sufficient evidence that the performance would have been different had the circumstances not existed.

6.3 If extenuating circumstances are deemed valid, the Award Assessment Board will normally offer a student another attempt at the assessment without penalty, thus if the assessment affected by the circumstances was a first/second attempt, the student will be offered a sit/submit as if for the first/second time.

6.4 Depending on the circumstances, the Award Assessment Board may exercise discretion in deciding on the particular form any reassessment should take. Options include viva voce examination, additional assessment tasks designed to show whether the student has satisfied the programme learning outcomes, review of previous work, or normal assessment at the next available opportunity. The student should not be put in a position of unfair advantage or disadvantage over other candidates; the aim should be to enable the student to be assessed on equal terms.

6.5 Where the Award Assessment Board has not been recommended by the Extenuating Circumstances Panel that the student has presented a valid case, the student does not have a right to re-sit as if for the first time.

## **7 EXAMPLES: Late Coursework and Extenuating Circumstances**

The following are only examples of claims which may or may not normally be considered valid. The key issues in all cases will be whether the claim meets the requirements of the guidance above, that the circumstances are exceptional, outside the student's control and corroborated by independent evidence.

7.1 It is not possible in many cases to lay down hard and fast rules. For instance, UCS would not normally accept claims relating to travel delays which a student might be expected to have planned for, but if the delay were exceptional, a claim would be considered. Similarly, a cough, cold or throat infection would not normally be a valid extenuating circumstance, since students would be expected to plan their work taking into account the likelihood of minor disruptions: a student on a perfumery programme for instance may be disadvantaged by loss of the sense of smell as a result of a cold and could then have a valid claim.

7.2 UCS will not accept claims relating to computer failure, corruption of data by virus or software application, inability to print work or network failure, since students are expected to keep back-up copies and to plan their work so that they have time to manage computer/printer failure.

7.3 Full-time students may not claim pressure of work as an extenuating circumstance, since the commitment to full-time study implies a commitment to make available the time necessary. Part-time students in full-time employment may claim pressure of work, corroborated by independent documentary evidence that the pressures are exceptional, unpredictable and outside the student's control.

7.4 Examples of circumstances which would **not** normally be considered valid:

- Alarm clock did not go off
- Car broke down, train/bus delayed or cancelled, other public transport problems (unless the student can demonstrate that he or she had allowed adequate time to compensate for such problems as might reasonably have been anticipated)
- Child care problems which could have been anticipated
- Accidents or illness affecting relatives or friends (unless serious, or the student is a sole carer)
- Unspecified short-term anxiety, mild depression or examination stress
- Cough, cold, Upper Respiratory Tract Infection, sore throat, minor viral infection, unless the illness was at its peak at the time of an examination, end-of-module test or in-class test and the corroborating evidence refers to the impact on the student's performance
- Financial problems (other than cases of exceptional hardship or significant changes in financial circumstances since enrolment)
- Holidays, house moves, family celebrations or other events where the student either has control over the date or may choose not to participate
- Computer problems, corrupt data, disk or printer failure or similar
- Problems with postal delivery of work (unless recorded delivery or registered mail)
- Pregnancy (unless specific complications)
- Time management problems (e.g. competing deadlines)
- Appointments (legal, medical etc) which could be rearranged
- Sporting or recreational commitments (unless the student is representing the College/UCS at National level or their country at international level, or participating in an event that is of benefit to the College's/UCS's national or international reputation)
- Debt sanctions imposed by the College/UCS
- Close proximity of assessment deadlines to one another
- E-submission of an assessment file in an incorrect format

7.5 Examples of circumstances which might be considered valid:

- Hospitalisation, including operations
- Health problems
- Personal or psychological problems for which the student is undergoing counselling or has been referred to a counsellor or other qualified practitioner
- Chronic illness
- Pregnancy-related conditions and childbirth (including a partner in labour)
- Recent death or serious illness of a close family member, or other person with whom the student has a close relationship causing significant impact/effect
- Major accident or injury, acute ailments or conditions which coincide with an assessment deadline or an examination or test, or are sufficiently long-lasting to impact on a significant part of a module
- Clinical depression or other mental health problem
- Recent burglary/theft/serious car accident
- Jury Service which cannot be deferred
- Representing the College/UCS at national level or his/her country at international level, or participation in an event that is of benefit to the College's/UCS's national or international reputation
- For part-time students in full-time employment, exceptional pressure of work or permanent change of employment circumstances
- Late diagnosis of, for example dyslexia, resulting in no support or examination provision

- Separation or divorce – student or parental (provided the facts and the effects are independently corroborated)
- Unavailability of the Virtual Learning Environment prior to the deadline for an assignment or examination where it has been confirmed by the module lead that this would have had a material effect on the preparation for an assessment
- Examination disruption (e.g. Fire alarm going off, excessive noise from building works)
- A significant change to the student's financial circumstances after enrolment (e.g. a withdrawal of Student Finance England funding mid-year)
- Interviews for placements, only in cases where the student has asked the employer or provider to reschedule, but this has not been possible. Such claims should be evidenced by a letter from the employer or provider

## 8 Appeals

8.1 A student has the right to appeal against the decision of the Extenuating Circumstances Panel, whether or not to accept an Extenuating Circumstances claim. Such appeals must be submitted within ten working days of the outcome of the extenuating circumstances claim being communicated to the student and may be made on the following grounds:

- A material and demonstrable procedural irregularity in the Extenuating Circumstances process
- Evidence that the Extenuating Circumstances Panel did not consider all the information available to it at the time of its consideration of the claim Appeals will not be considered on the following grounds:
  - Dissatisfaction with the reasonable judgment of the Extenuating Circumstances Panel in its consideration of the Extenuating Circumstances claim,
  - Late submission of an application for Extenuating Circumstances or late submission of evidence to support an application where there are no compelling grounds for why the application was made late.

8.2 Appeals should be made in writing to the Head of HE in the HE Team ([HE@btc.ac.uk](mailto:HE@btc.ac.uk)) in line with the HE Academic Appeals Policy and Procedure, available on the UCS website: <http://www.somerset.ac.uk/about-us/wider-information-set/> Once an appeal decision has been reached, the matter will not be considered subsequently as an appeal against the decision of the Award Assessment Board.

8.3 A student who has not submitted a claim of extenuating circumstances in line with this guidance will not normally be able to use extenuating circumstances as the basis for a subsequent appeal.

8.4 If a student fails, without good cause, to provide sufficient evidence to the Extenuating Circumstances Panel in advance of the Award Assessment Board meeting, the Appeals Panel authorised to consider requests for the review of an Award Assessment Board's decision, has authority to reject the request on those grounds.

## 9 Long Term Health Condition

9.1 Long Term Health Condition encompasses medical conditions which

- Are persistent, often lasting for more than three months, and often life-long
- Cannot be solved in a short time, or which will recur regardless of action, or which need to be managed on a long-term basis
- Are a long-term or permanent illness that often results in some type of disability and which may require a person to seek help with various activities
- Can be managed but can 'flare-up'

Examples of conditions which fall into this category may include: Cystic Fibrosis, Costochondritis, Fibromyalgia, Chronic Fatigue Syndrome (ME), Psychosis, and Bipolar Disorder, respiratory conditions or mental health conditions.

9.2 Most students with a long term health condition will be identified at the admissions stage, and will be seen by the Student Support service to ensure appropriate support is in place. Some students, however, will develop conditions during the period of their study at the UCS, or previously undeclared

conditions may become more serious or difficult to manage. If a student feels s/he is in difficulty, or is identified as being in difficulty, the module tutor should discuss the matter with the student and alert the Programme Leader/Pastoral Tutor. If the matter is straight forward it can be handled via a discussion between the tutor and the student. In more complex cases, where it is deemed appropriate, a case conference can be called including the student, and those most able to enable an informed discussion to take place. This may include the module tutor or pastoral tutor, the Programme Leader or Curriculum Manager and a representative from the Learning Support Team. Advice can be sought from the HE Team. The tutor should keep a record of the meeting in the tutorial notes for the student and decisions should be confirmed and recorded clearly. The meeting will explore all the difficulties (i.e. outstanding work) and the options for the student, e.g. whether learning support is in place or further support or a DSA application is appropriate, reasonable adjustments to the assessment, adjusting deadlines for submission (only allowed once as a reasonable adjustment prior to the need to submit an Extenuating Circumstances form), transferring to part-time mode or temporary suspension of studies.

- 9.3 A student who has a long term health condition will be required to complete a long term health condition Notification Form for the initial notification of their condition and provide supporting evidence from the hospital consultant, an appropriate specialist or a General Practitioner. The evidence should include confirmation of the condition, prognosis, duration dates and a description of the symptoms during acute episodes. The form must be submitted to the HE Quality Co-Ordinator so that a central record of the form and the supporting evidence is maintained.
- 9.4 Students with a long term health condition should be monitored by their tutor, with further update discussions or Case Conferences organised if necessary.
- 9.5 Any student with a long term health condition, who suffers an acute episode which affects assessment, should submit an extenuating circumstances form to confirm the particular modules affected, clearly indicating that the reason is that of their long term health condition. But they will NOT normally be required to submit further corroborative evidence. Additional evidence will only be required if there is a change in their condition, i.e. a significant improvement or deterioration or they are claiming Extenuating Circumstances for another reason.

## Appendix 6 - Operational Instructions for Award Assessment Boards

### 1 Constitution

The membership of the Award Assessment Board will be as follows:- Chair (normally the Head of Higher Education or nominee from the Senior Leadership Team not involved with the assessment of students whose results are being considered), Curriculum Managers or Programme Leaders, the Award External Examiner(s), the Head of HE, a representative from The Open University, HE Quality Co-ordinator to act as secretary to the Board (non-voting member).

The membership of the Award Assessment Board may be extended to include Subject External Examiners and other Internal Examiners where this is a requirement for professional accreditation. In such cases the membership of the Award Assessment Board must be clearly specified in the current Award definitive document.

The Award External Examiner must be present at the Board. Any difficulties in the External Examiner attending must be discussed with the Open University and an agreed contingency put in place.

### 2 Responsibilities of the Board

The responsibilities of the Award Assessment Board are as follows:-

- (a) To make decisions on progression and awards for all students registered for the named award(s) for which the Board is responsible.
- (b) To ensure that decisions are arrived at fairly and democratically and in accordance with the "Regulatory Framework for Undergraduate Awards" (and any approved modifications for the particular award stated in the definitive document), that justice is done to the individual student and the standard of the UCS award is maintained.
- (c) To decide on recommendations on the form of referral for individual modules.
- (d) To ensure that in making decisions all corroborated extenuating circumstances relating to individual students confirmed by the Extenuating Circumstances Panel, have been fully taken into account before a decision is reached.
- (e) To take account of the recommendation of the Panel of Investigation concerning any examination or assessment offence/breach of the Regulations and take appropriate action.

### 3 Extenuating Circumstances

It is the responsibility of the Award Assessment Board to take into account the decision of the Extenuating Circumstances Panel relating to any fully documented extenuating circumstances evidence relating to the student.

It is recommended that each Programme should have a summary of the facts relating to the Extenuating Circumstances for each student including the decision of the Extenuating Circumstances Panel, the name of the student, the dates during which the student's performance was affected and the tests/examinations/ presentations missed and any late coursework submitted.

All extenuating circumstances will have been reviewed by the formal UCS "Extenuating Circumstances Panel" prior to the meetings of the Award Assessment Board to determine whether the circumstances:

- (a) fall within the definitions established in the "Regulations on Extenuating Circumstances"
- (b) are valid and occurred at a time to have had a material effect on a student's performance.

Where extenuating circumstances have been deemed valid for the submission of late coursework, the actual mark achieved will have been entered on the official record. Programme Leaders should obtain, where appropriate, for the Award Assessment Board, a report detailing extenuating circumstances which affected the student's performance. The Award Assessment Board must ensure the minutes specifically include details of students who have claimed extenuating circumstances and the resulting decisions approved.

## **4 Problems Affecting the Assessment of all Students in a Module**

Any problems affecting the assessment of all students in a module (for example power failure during an examination) should be reported to the Board before marks in that module are considered. It would be good practice for the Programme Leader to have a clear remedy for the problem formulated ahead of the meeting – if possible on which has been discussed with the Award External Examiner responsible for the programme and the Chair of the Board.

## **5 Examination and Assessment Offences**

Where an examination or assessment offence is suspected, it is important that the procedures outlined in the Regulations have been followed step by step in order that it is clear whether the case is proven. The case should have been considered by the UCS Panel of Investigation which will forward a recommendation to the Award Assessment Board on the penalty to be applied. Where the recommendation of the UCS Panel of Investigation has been upheld or changed by the Award Assessment Board, the student must be informed in writing of the change and the rationale for the change must be forwarded to the Chair of the Panel of Investigation. The Award Assessment Board will normally accept the penalty recommended by the UCS Panel of Investigation. Exceptionally an alleged offence may come to light at or immediately after the meeting of the Award Assessment Board. Such allegations must be investigated as soon as practicable thereafter and in the meantime the decision on the student must be deferred.

A student found guilty of an examination or assessment offence the penalty for which is such as to make them ineligible for the award on which they are registered (or to result in their exclusion from the College/UCS under the Student Conduct and Disciplinary Procedure) is nonetheless eligible for any intermediate award for which s/he has legitimately met the academic requirements, and any such award must therefore be conferred by the Award Assessment Board.

## **6 Before the meeting of the Board**

Broadsheets of marks, together with the minutes of Award Assessment Boards which previously considered the students' results, should be available for the Chair of the Award Assessment Board and the Programme Leader to peruse before the Board meeting in order that:-

- (a) marks are correct, validated and signed off by the Programme Leader.
- (b) where marks are missing for a particular candidate, this is the correct position.
- (c) where time permits, the initial classification can be written on the broadsheets.
- (d) overall student performance can be reviewed in the light of the extenuating circumstances which have been identified as 'valid' by the Extenuating Circumstances Panel. To enable Boards to easily identify those students for which information has been submitted the notes column on the spreadsheet must be annotated to indicate for which modules extenuating circumstances have been agreed.
- (e) any 'problem' students can be identified and discussed with the Award External Examiner.

## **7 The Meeting**

### **7.1 At the beginning of the meeting**

The Chair should check the membership of the Board and ensure that the meeting is quorate (a quorum is one-third of the specified membership and must include the appropriate External Examiner(s)) and should subsequently ensure that the meeting remains quorate.

The Chair should also check that documents or information indicated on the standard agenda, together with relevant minutes of previous Board meetings and the Academic Regulations, are available to the Board. The Board should formally receive the written annual report for the previous academic year of the Award External Examiner(s) together with any formal response, and consider any matters arising.

## **7.2 Criteria for progression and Awards**

**(NOTE: the Award Assessment Board may not alter the marks agreed by the Programme Leader except in exceptional circumstances (i.e. where there has been an error in transcription of the marks or an omission))**

### **7.2.1 Progression**

The rules for progressing, compensation in exceptional circumstances and referral are indicated in the standard regulations for undergraduate programmes. Students are expected to complete all modules before progressing.

### **7.2.2 The Use of Higher Level Credits to complete the number of Credits required for a Previous Level**

In the award of an interim qualification, Boards may accept the completion of a module at a higher level to satisfy the credit requirements for an earlier level, provided of course that there is no double counting of modules, and that all programme specific requirements have been met.

### **7.2.3 Final Level Bachelor's degree with honours**

Honours classifications are determined in line with the regulatory framework. Boards may not use criteria such as vivas or performance on projects as a means of determining honours classification.

### **7.2.4 Decisions**

The decisions reached for individual students must be very clearly recorded. All decisions relating to students with particular extenuating circumstances and discussion of cases of examination and assessment offences, together with other instances where a Board has used its discretion, should be very carefully minuted.

### **7.2.5 Consideration of Extenuating Circumstances**

The Regulations for consideration of extenuating circumstances are given in the standard regulations for programmes. The screening of extenuating circumstances by the Extenuating Circumstances Panel will ensure the Board is directed to those cases which are deemed to be valid.

Where a Board has agreed that a student is to be offered an appropriate award with the option of taking further assessments as a first attempt, the Board must formally decide on which modules must be retaken and the form of assessment. This must be clearly recorded on the Results List.

Three principles should guide an Award Assessment Board in considering extenuating circumstances:

- (a) equity, ensuring that all students are given equal consideration
- (b) confidentiality, ensuring that personal information is disseminated only as widely as is strictly necessary for the Board to be confident with its decision.
- (c) verification of the evidence presented.

Equity can only be achieved by all students being given an equal opportunity for their case to be heard and by the Board being consistent in its treatment of individual students. In practice this means that 'special pleading' on behalf of a student with whom a member of the Board happens to be familiar cannot - and must not - be permitted. Internal Examiners who have a particular knowledge of the circumstances relating to individual students may submit a written statement, although this should be in support of documentary evidence and not a substitute for it.

Award Assessment Boards must accept the professional recommendation of a doctor or counsellor regarding the effect on a student of a particular condition or problem.

Should a student submit a medical certificate on the basis of which an Award Assessment Board feels unable to make a decision, the decision should be deferred. The Chair of the Award Assessment Board should subsequently seek clarification of the extent to which a particular medical problem would have

affected a student's performance from the doctor concerned. In such a case the Programme concerned may well be required to pay for a further extended report.

### **7.2.6 'Chair's Action' with respect to Awards**

Award Assessment Boards operate under delegated authority from the University Centre Somerset Senate. The Award Board chair cannot agree standards and therefore the phrase 'Chair's Action' should not be used.

### **7.3 At the end of the Meeting**

The date of the Re-sit Assessment Board and the composition of that Board should be agreed. The Award External Examiner(s) will be asked to indicate how much involvement s/he should have in the referral process for all programmes. The Award External Examiner(s) will be required to formally endorse re-sit results and confirm recommendations for all final awards prior to results lists or transcripts being issued.

The Chair and Secretary to the Board must ensure that the appropriate declaration form is signed by the Award External Examiner(s).

## Annex to Appendix 6 - OU AWARD ASSESSMENT BOARD, STANDARD AGENDA

### **1. Membership**

- a. To note the membership of the Board and to welcome members
- b. To receive apologies
- c. To receive any declarations of interest

### **2. Confidentiality**

To note the confidentiality of all the proceedings of the Board – all in attendance must not share any discussions outside of the meeting.

### **3. Minutes of the Board meetings held in the previous academic year**

- a. To receive the minutes of the Summer Award Assessment Board
- b. To receive the minutes of the September and January (Re-sit) Award Assessment Boards
- c. To consider any matters arising from the minutes
- d. To receive the written annual reports for the previous academic year of the Award External Examiner(s) together with any formal response and to consider any matters arising.

### **4. Decisions made on progression and awards following the last meeting of the Board.**

To receive a report on any decisions made on progression and awards as a result of amended/deferred results and the outcomes of appeals.

### **5. Award Assessment Board Regulations**

- a. To receive a statement of the purpose of the Board:
  - i) To make decisions on progression and awards for all students registered for the named award(s) for which the Board is responsible.
  - ii) To ensure that decisions are arrived at fairly and democratically and in accordance with the Regulatory Framework for Undergraduate Awards (and any approved modifications for the particular award stated in the definitive document), that justice is done to the individual student and the standard of the UCS award is maintained.
  - iii) To decide on recommendations on the form of referral for individual modules.
  - iv) To ensure that in making decisions all corroborated extenuating circumstances relating to individual students (confirmed as valid by the Extenuating Circumstances Panel) have been fully taken into account before a decision is reached.
  - v) To consider and discuss any examination or assessment offences and take appropriate action.
- b. To receive an outline of the Assessment Regulations for Awards considered noting any modules which are essential for an award or progression.
- c. To agree, in accordance with the Operational Instructions for Award Assessment Boards, guidelines for the treatment of marks/grades obtained at other institutions (e.g. exchange programmes).

### **6. Results**

- a. To receive the individual module marks and decide on the form of referral
- b. To receive the assessment broadsheet and consider individual student's performance
- c. To report and discuss any cases of corroborated extenuating circumstances
- d. To report any cases of extenuating circumstances to be brought forward from the previous year
- e. To report and discuss any examination or assessment offences
- f. To agree decisions on individual student progression and award

(Decisions relating to students with corroborated extenuating circumstances and discussion of examination and assessment offences must be carefully minuted)

## **7. Referral**

- a. To decide the form of referral and dates for resubmission
- b. To agree the date of the Re-sit Assessment Board (NOTE: the Award External Examiner must agree how much involvement s/he will have in the referral process).

## **8. Prizes and Awards**

### **9. Award External Examiner Matters**

- a. To receive the Award External Examiner's Report
- b. To obtain the signature of the Award External Examiner on the declaration form
- c. To record thanks to the Award External Examiner (particularly where their term of office is ending)

Note: The Award External Examiner will be required to endorse re-sit results and confirm recommendations for awards prior to results lists or transcripts being issued.

### **10. Confidentiality**

To remind the Board of the confidentiality of the proceedings and the procedures governing publication of results.

### **11. Date of next meeting of the full Award Assessment Board**

### **12. Any Other Business**

The following documents should be available at the meeting for reference purposes:-

- Definitive programme document(s)
- Regulations for passing specific modules
- Summary list of personal circumstances relating to students to be considered by the Board (including previous years where relevant) and Guidelines on Extenuating Circumstances
- Minutes from UCS Panel of Investigation if appropriate
- Minutes from Boards held in the previous academic year
- Operational instructions for Award Assessment Boards

## Appendix 7 - HE Recognition of Prior Learning (RPL)

### Rules for students on OU-validated awards at University Centre Somerset

These rules for students on OU-validated awards run by University Centre Somerset (UCS), part of Bridgwater & Taunton College should be read in conjunction with UCS's current Recognition of Prior Learning (RPL) Procedure. For the avoidance of doubt, in the eventuality of any discrepancy in interpretation of the RPL rules, the UCS/OU Academic Regulations should be followed.

These rules incorporate Accreditation of Prior Learning (APL) Accreditation of Prior Certificated Learning (APCL) and Accreditation/Assessment of Prior Experiential Learning (APEL)

The term 'accreditation of prior learning' (APL) is used to encapsulate the range of activities and approaches used formally to acknowledge and establish publicly that some reasonably significant element of learning has taken place. Such learning may have been achieved by reflecting upon experiences outside the formal education and training systems, in which case the term 'accreditation of prior experiential learning' (APEL) is normally applied.

#### **Accreditation of Prior Certificated Learning (APCL)**

##### **1. Definitions**

###### **1.1 Accreditation of prior certificated learning (APCL):**

Is the award of credit towards an Open University validated award in respect of previous study at HE level which the student has passed. APCL may be awarded in respect of a completed programme of study (eg HNC, CertHE, DipHE, Foundation Degree) or in respect of one or more modules or units of a programme.

###### **1.2 General credit:**

Is not programme-specific but is an objective measure of the credit weighting and Level of previous learning. Prior certificated learning undertaken in the UK Higher Education system will normally have appropriate credit weightings and levels attributed to it. As such it will attract general credit based on the academic value and level of the achievement: a student who has successfully completed a Diploma of Higher Education, for instance, will normally be entitled to claim 240 general credits, 120 at Level 4 and 120 at Level 5. General credit may be recorded on a transcript provided by another HE institution or confirmed by another institution.

###### **1.3 Specific credit:**

Is credit awarded towards the attainment of a specific programme of study leading to an award. That is, it is general credit which is judged to be sufficiently relevant to count towards the award for which the student wishes to register. It is again defined in terms of credit weighting and Level but is identified against specific module(s) or Level(s) of a programme (that is a student is effectively given credit for those modules/Levels on the basis of having achieved the equivalent of the learning outcomes). Specific credit can only be confirmed by UCS. The amount of specific credit awarded to any students cannot exceed the amount of general credit which the student has, and will in many cases be significantly less.

##### **2. Maximum permitted credit for APCL**

**2.1** The maximum permitted APCL credit available towards a final award from the Open University is identified in relation both to the specific credit which may be counted towards the award and the minimum credits studied at UCS to enable a student to be eligible for an award. The maximum credit which may be claimed is not more than 50% of the taught or training element of a programme leading to an Open University validated award.

**2.2** APL is not allowed at level 6. Therefore for those Awards with a level 6 element, the level 6 credits must be studied and achieved in full, (refer to the OU Regulations).

- 2.3** The maximum amount of APCL credit which a student may claim towards an Open University award and the minimum credit which must be studied at UCS in relation to specific awards is:

	<b>APCL Allowable (Maximum)</b>	<b>Credit which <u>must be studied</u> at UCS</b>
Bachelor's Degree with Honours	180 credits (at levels 4 and 5)	180 credits, including all 120 credits at Level 6
Ordinary Bachelor's Degree	150 credits (at levels 4 and 5)	150 credits, including all 60 credits at level 6
Foundation Degree	120 credits	120 credits, including at least 60 at Level 5
Diploma of Higher Education (DipHE)	120 credits	120 credits at level 5 or above
Certificate of Higher Education (CertHE)	60 credits	60 credits at Level 4 or above

- 2.4** These maxima may be waived in the case of a student who has successfully passed a Foundation Degree and wishes to convert it to an Ordinary Bachelor's degree or a Bachelor's degree with honours, in which case the student may be awarded up to 240 APCL credits towards the Ordinary Bachelor's degree/Bachelor's degree with honours subject to studying the remaining credits in full. (This would be a further 60 credits at level 6 for the Ordinary Bachelor's degree or 120 credits at level 6 for the Bachelor's degree with honours)
- 2.5** In certain circumstances the maxima stated in the table in 2.3 may also be waived in the case of a student who has successfully passed an Ordinary Degree and wishes to convert it to a Bachelor's degree with honours, in which case the student may be awarded up to 300 APCL credits towards the Bachelor's degree with honours subject to studying 60 Level 6 credits in full.
- 2.6** APCL awarded at Level 4 need not necessarily relate to specific modules (unless constrained by the particular requirements of an award recognised by a professional body). A programme may therefore agree to exempt a student from the whole or part of Level 4 on the basis of successful completion of 120 Level 4 credits within another programme provided that any pre-requisite requirements have been met.
- 2.7** Where a student claims APCL credit towards an undergraduate programme in respect of credits which form part of another Bachelor's degree with honours which he or she has previously been awarded, the amount of APCL credit which can be awarded should be carefully considered by the programme team and should not exceed 180 credits.

### **3. Programme specific requirements**

- 3.1** Certain modules may fall outside of the APCL regulations and are required to contribute to the Programme. Such modules will be outlined in programme specifications.

### **4. Procedures for the award of APCL**

- 4.1** A student seeking APCL credit will normally be required to apply for such credit on receipt of an offer of a place on a programme. UCS will consider requests for APCL from students already on programmes, provided that the student submits the request by the end of May in the session before he or she would normally begin the module(s)/Level for which he or she is seeking credit.
- 4.2** All requests for APCL must be made in writing and addressed to the relevant Programme Leader. It is the responsibility of the student applying for APCL to make the claim and to provide necessary documentary evidence. Admissions tutors, Programme Leaders and Module Leaders are however encouraged to be pro-active in identifying APCL opportunities and advising students accordingly.
- 4.3** The value (number of credits) and Level (in terms of the FHEQ Levels) of specific credit to be awarded to a student should normally be determined by the admissions tutor (in consultation

with the module leader(s) of modules for which specific credit may be awarded and the Programme Leader/Curriculum Manager).

- 4.4** In judging specific APCL credit to be awarded, the staff concerned will wish to consider whether:
- the prior study is sufficiently recent to meet the current learning outcomes of the programme (achieved within preceding 5 years)
  - the combination of APCL and modules to be studied at UCS will together constitute a coherent programme of study which will meet the programme specification
  - the APCL is sufficiently equivalent to the learning outcomes of module(s)/Level(s) for which the student may consequently be awarded credit
  - sufficient information is available on the academic value and Level of previous study
- 4.5** Where specific (rather than general) APCL is awarded towards an Open University award which may be classified and the APCL is awarded in respect of credit to which marks are attached, these marks cannot be used in the calculation of the final grade. In such cases the final classification will need to be calculated on the basis of the marks obtained for work undertaken whilst at University Centre Somerset, part of Bridgwater & Taunton College.
- 4.6** All APCL decisions must be recorded and clearly identified in all papers considered by Award Assessment Boards and in the student transcript.

## **5. Appeals**

A student may use the UCS academic appeals procedure to appeal against a decision made on an APCL claim.

## **Accreditation of Prior Experiential Learning (APEL)**

### **1. Definitions**

#### **1.1 Accreditation of prior experiential learning (APEL)**

Is the award of credit towards an Open University award in respect of knowledge and skills acquired through life, work experience, and/or study which are not formally attested through certification by a recognised professional or academic body.

#### **1.2 Assessment of prior experiential learning:**

Is the process by which experiential learning is formally reviewed to determine that the learning has in fact occurred and that it is still current in relation to the module(s) concerned, and its equivalence in relation to HE credit weightings and levels. It is the student's learning, not his or her experience, which is being assessed.

#### **1.3 General credit:**

Is not programme-specific but is an objective measure of the credit weighting and level of previous learning.

#### **1.4 Specific credit:**

Is credit awarded towards the attainment of a specific programme of study leading to a UCS award. That is, it is general credit which is judged to be sufficiently relevant to count towards the award for which the student wishes to register. It is again defined in terms of credit weighting and level but is identified against specific module(s) or Level(s) of a programme; a student is effectively given credit for those modules/Levels on the basis of having achieved the equivalent of the learning outcomes. Specific credit can only be confirmed by UCS.

## 2. Maximum permitted credit for APEL

- 2.1 The maximum permitted APEL credit available towards a final award is identified in relation both to the specific credit which may be counted towards the award and the minimum credits studied at UCS to enable a student to be eligible for a UCS award. The maximum credit which may be claimed is not more than 50% of the taught or training element of a programme leading to an Open University validated award\*.
- 2.2 APL is not allowed at level 6. Therefore for those Awards with a level 6 element, the level 6 credits must be studied and achieved in full.
- 2.3 The maximum amount of APEL credit which a student may claim towards an award and the minimum credit which must be studied at UCS in relation to specific awards is:

	<b>APCL Allowable (Maximum)</b>	<b>Credit which <u>must be studied</u> at UCS</b>
Bachelor's Degree with Honours*	240 credits (at levels 4 and 5)	240 credits, including all 120 credits at Level 6
Ordinary Bachelor's Degree*	150 credits (at levels 4 and 5)	150 credits, including all 60 credits at level 6
Foundation Degree	120 credits	120 credits, including at least 60 at Level 5
Diploma of Higher Education (DipHE)	120 credits	120 credits at level 5 or above
Certificate of Higher Education (CertHE)	60 credits	60 credits at Level 4 or above

*\*With reference to Section 22.3 of The OU Academic Regulations: 'A student may be awarded recognition for prior learning (certified, experiential or uncertified), towards the requirements of a named award up to two-thirds\*\* of the total credit requirements for that award.'*

*\*\*However up to two-thirds of RPL is only permitted for full, three-year Bachelor's degrees (360 credits) or full Masters degrees (a minimum of 180 credits) and not sub-awards, where the usual maximum is 50%.*

*NB. Refer to section 22.7 of The OU Academic Regulations for information on Direct Entry Via Stage Exemption.*

- 2.4 APEL awarded at Level 4 need not necessarily relate to specific modules (unless constrained by the particular requirements of an award recognised by a professional body). A programme may therefore agree to exempt a student from the whole or part of Level 4 on the basis of general Level 4 APEL credits provided that any Level 5 pre-requisite requirements have been met.

## 3. Programme specific requirements

- 3.1 Certain modules may fall outside of the APEL regulations and are required to contribute to the Programme. Such modules will be outlined in the programme specifications.

## 4. Making an APEL claim

- 4.1 A student seeking APEL credit will normally be required to apply for such credit on receipt of an offer of a place on a programme. UCS will consider requests for APEL from students already on programmes, provided that the student submits the request at least six months before the beginning of the session before s/he would normally begin the module(s)/Level against which s/he is seeking credit.

- 4.2** APEL should normally be claimed against a specific module or modules. A student may not be awarded APEL in respect of a part module, except where a module incorporates both a theoretical and professional practice element, and those elements are separately assessed. In such cases the programme team may agree to consider APEL claims against one of the two elements.
- 4.3** All programmes are required to identify the processes by which an APEL claim should be submitted and will be assessed, bearing in mind the statements below about UCS's expectations, and to publicise those procedures widely.
- 4.4** All requests for APEL must be made in writing and addressed to the Programme Leader. Applicants will be provided with information on the procedures adopted by the programme in question for the submission and assessment of APEL claims. It is the responsibility of a student to make a claim. Admissions tutors, Programme Leaders and Module Leaders are however encouraged to be pro-active in identifying APEL opportunities and advising students accordingly.
- 4.5** The learning derived from experience or study must be identified in order to be assessed. Identification must be made by the student, on the basis of systematic reflection on the experience or study and the provision of clear and evidenced statements about that learning. The form of evidence acceptable will be determined by the programme, but may include any combination of: a reflective account, the presentation of a portfolio, a viva voce examination, production of an artefact or performance, or a piece of written work or practical task. The evidence needs to demonstrate current understanding and skills.
- 4.6** A variety of ways of assisting students in the development of an APEL claim may be adopted, including class or group work, tutorials, specific manuals or study packs, or the development of specific APEL modules. The approach chosen will inevitably reflect the nature of the programme, the timing of the claim and the number of students for whom APEL may be appropriate.
- 5. Assessment of APEL claims**
- 5.1** Assessment of APEL claims is the responsibility of relevant academic staff (including the module leader(s)), who may employ any reasonable procedure to arrive at an academic judgement about the evidence submitted and the value and level of credit to be awarded. Staff may make use of both internal and external expertise as appropriate in making such judgements. Where students have been assisted to develop a claim, those involved in providing that assistance should not be the sole assessors of the claim.
- 5.2** The assessment of credit must be undertaken and recorded in such a way that it can be reviewed by the relevant external examiner, who shall have access to the evidence base, and comments from staff in relation to the internal assessment of credit.
- 5.3** In judging specific APEL credit to be awarded, staff will wish to consider whether
- the combination of APEL and modules to be studied at UCS will together constitute a coherent programme of study which will meet the programme specification
  - the learning which is being claimed is sufficiently equivalent to the learning outcomes of module(s)/Level(s) for which the student is seeking credit
  - there is sufficient evidence of the learning achieved 70
  - the learning is sufficiently current
- 5.4** If the judgement is that APEL credit cannot be awarded, the student will be required to take the module(s) concerned in the usual way
- 5.5** Where specific (rather than general) APEL is awarded towards an Open University award which may be classified, the APEL must be awarded in respect of specific modules.

**5.6** All APEL decisions must be recorded and clearly identified in all papers considered by Award Assessment Boards and in the student transcript.

**6. Appeals**

A student may use the UCS HE Academic Appeals Policy and Procedure to appeal against a decision made on an APEL claim.

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