



**Academic
Regulations for
the Award of
Foundation Degrees**

**Section D Regulations
Relating to External
Examiners**

2022/2023 Edition

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D1 Principles Underpinning the College's Responsibilities related to External Examiners for Foundation Degrees

- D1.1 The College regards the external examiner system as critical to assuring, through independent academic judgement, the confirmation of the quality and standards of its validated provision. The College requires its staff to respond promptly to the advice and feedback of its external examiners.
- D 1.2 The College is responsible for nominating and approving the appointment of external examiners for its validated awards.
- D 1.3 The College sets and keeps under review, annually, the regulations and procedures related to external examining.
- D 1.4 The College will provide external examiners with an induction following their appointment. In the case of an external examiner being new to examining, a mentor will be appointed.
- D1.5 The College will ensure that reports of external examiners are received, formally considered and, where necessary, that appropriate action is taken in response to them. The Programme Leader will send external examiners a prompt response, setting out the action to be taken following receipt of their reports. The actions will be added to the Quality Enhancement Plan whose progress is monitored at Quality Reviews.
- D 1.6 An account of the responses made to the issues raised by external examiners will be made in the annual course report.

D2 The Rights and Responsibilities of External Examiners

- D2.1 The role of external examiners approved by the College for its validated foundation degree awards is to provide commentary on the assurance that the standards of the College's validated awards are maintained and that students are treated fairly. In order to carry out these responsibilities, external examiners must;
 - a. judge students impartially on the basis of the work they submit for assessment, without being influenced by previous association with the programme, the staff of the College or any of its students;
 - b. be able to compare the performance of students with that of their peers undertaking comparable programmes of higher education elsewhere and in the light of subject benchmarks and qualification descriptors, as appropriate.

- c. be consulted on the form and content of proposed examination papers, coursework and other assessments that count towards the award, to enable them to judge whether students will be able to fulfil the aims and learning outcomes of the programme and reach the required standards. This should include approval of alternative assessments and adjustments made for students with a declared disability or a special need, in order to ensure that all students will be assessed fairly in relation to the programme specifications and regulations;
- d. be consulted about and report on any proposed changes to the approved assessment regulations;
- e. have access to all assessed work and consider samples of the work of students proposed for each category of award and for failure, in order to ensure that assessment criteria have been interpreted and applied correctly and that there is parity of assessment across the cohort;
- f. have the right to meet students and staff, and seek to exercise this right wherever practicable;
- g. ensure that assessments are conducted in accordance with the approved regulations for College validated Foundation Degrees;
- h. report to the Module Assessment Board on their findings from the moderation of student work as per e) above;
- i. attend the meetings of the Progression and Award Boards at which decisions on recommendations for progression and awards are made and ensure that those recommendations have been arrived at in accordance with the College's requirements and normal practice in UK higher education;
- j. participate as required in any review of decisions about individual students or awards taken during the examiner's period of office;
- k. report annually to the College on the overall academic standards as well as on the effectiveness of the assessments and any lessons to be drawn from them;
- l. receive a timely response to comments raised within the annual report;
- m. report to the College on any matters of serious concern arising from any assessments which put at risk the academic standards of the College's validated awards.

D3 Non-attendance at Progression and Award Board Meetings

- D3.1 A Progression and Award Board is not authorised to ratify students' progress decisions or to recommend the conferment of an award upon a student without the endorsement of the external examiners for that award.
- D 3.2 All external examiners are required to attend relevant Progression and Award Board meetings. Where unforeseen circumstances prevent attendance, the board should be informed of the non-attendance and may only endorse progress decisions and awards if it has available to it a written report from the external examiner. This should be submitted in advance to the meeting of the board of examiners so that the external examiner's comments can be formally considered and recorded.
- D 3.3 An external examiner who has been unable to attend a Progression and Award Board Meeting must indicate this in their written report and confirm that they were fully involved in the sample moderation of assessment and the external examining process.
- D 3.4 Progression and Award Board decisions may not be published until endorsement of the progress or award decision has been received from the external examiner.
- D3.5 Non-attendance by an external examiner without good cause and without prior notification will instigate a review of their appointment.

D4 Criteria for the Appointment of External Examiners

- D 4.1 The College will apply the latest UK (QAA) Quality Code Advice and Guidance set out for appointing external examiners and ensure that external examiners are competent to undertake their responsibilities.
- D4.2 The College will use the criteria to ensure that potential conflicts of interest are identified and resolved prior to appointing external examiners or as soon as they arise.
- D4.3 The College will appoint external examiners who can show appropriate evidence of the following:
- a. knowledge and understanding of UK sector agreed reference points for the maintenance of academic standards and assurance and enhancement of quality;
 - b. competence and experience in the fields covered by the programme of study, or parts there of;

- c. relevant academic and/or professional qualifications to at least the level of the qualification being externally examined, and/or extensive practitioner experience where appropriate;
- d. competence and experience relating to designing and operating a variety of assessment tasks appropriate to the subject and operating assessment procedures;
- e. sufficient standing, credibility and breadth of experience within the discipline to be able to command the respect of academic peers and, where appropriate, professional peers;
- f. familiarity with the standard to be expected of students to achieve the award that is to be assessed;
- g. fluency in English, and where programmes are delivered and assessed in languages other than English, fluency in the relevant language(s) (unless other secure arrangements are in place to ensure that external examiners are provided with the information to make their judgements)
- h. meeting applicable criteria set by professional, statutory or regulatory bodies;
- i. awareness of current developments in the design and delivery of relevant curricula;
- j. competence and experience relating to the enhancement of the student learning experience.

D4.4 The College will not appoint as external examiners anyone in the following categories or circumstances:

- a. A member of a governing body or committee of the College or one of its collaborative partners, or a current employee of the appointing institution.
- b. Anyone with a close professional, contractual or personal relationship with a member of staff or student involved with the programme of study.
- c. Anyone significantly involved in recent or current substantive collaborative research activities with a member of staff closely involved in the delivery, management or assessment of the programme(s) or modules in question.
- d. Former staff or student of the College unless a period of five years has elapsed and all students taught by or with the external examiner have completed their programme(s).

- e. A reciprocal arrangement involving cognate programmes at another institution.
- f. The succession of an external examiner from an institution by a colleague from the same department in the same institution.
- g. The appointment of more than one external examiner from the same department of the same institution.
- h. An External Examiner employed by, or having a professional relationship (e.g. research commitment) with a local HEI
- i. An external examiner who cannot demonstrate current HE teaching experience.

D4.5 The College will ensure that an external examiner appointment complies with the following principles for their term of office:

- a. The duration of an external examiner's appointment will normally be for four years, with an exceptional extension of one year to ensure continuity.
- b. An external examiner may be reappointed in exceptional circumstances but only after a period of five years or more has elapsed since their last appointment.
- c. External examiners normally hold no more than two external examiner appointments for taught programmes/modules at any point in time.
- d. External examiner tenure will start at the beginning of an academic year in September and be in post through a full academic cycle, which would include moderation of re-assessment activity. An exception to that practice may only be approved if the start date of a course differs from this start period. External examiners should remain available after the last assessments with which they are to be associated in order to deal with any subsequent review of decisions.

D5 Nomination of Individuals Retired from their Academic or Professional Posts

- D5.1 It is the College's expectation that external examiner nominations are submitted on behalf of individuals who hold current substantive academic or professional posts. Where exceptionally a nomination is received on behalf of someone who does not meet this expectation, the College will consider the nomination provided that a robust case can be made for the nominees continuing academic or professional currency for the duration of the proposed appointment.

D6 The Nomination Process

- D6.1 The College will organise the appraisal of external examiner nominations through the Higher Education Approval Committee. The recommendations from this committee will be reported to the HE Academic Standards and Quality Board.
- D 6.2 In making recommendations for the appointment of external examiners for a course, the committee will be seeking to ensure that the external examiners will be competent and impartial to ensure that students are fairly assessed.
- D 6.3 Nominations should be received normally three months before duties of the examiner are expected to be taken up. A nomination should be made on the appropriate college application form and include the nominee's curriculum vitae.
- D 6.4 At any stage a nomination may be rejected by the College. In addition, the College can request further details or clarification from the nominating staff, and/or nominated individual at any point.

D7 Approval of External Examiners

- D7.1 A formal appointment of an external examiner may only be made once their nomination had been discussed at the Higher Education Approval Committee. The presentation of all appointments will be made to HE Academic Standards and Quality Board. These will be noted at Academic Board.

D8 Requests for Extension of Approval of External Examiners

- D8.1 The nomination process is also used for applications to extend the period of approval of existing external examiners or to extend their duties to other related programmes such as a new pathway or a top-up award. Requests for extension of period of approval may only be considered in extenuating circumstances, in which case a clear rationale for the request must be provided using the appropriate nomination form.

- D 8.2 The term of office of an existing external examiner may be extended, in extenuating circumstances, up to a maximum of 12 months beyond the expiry of the original appointment of 4 years.

D9 Notification of Decisions

- D9.1 New College Durham will send a letter of offer and terms and conditions of employment only once an external examiner nomination is approved by the HE Approval Committee.
- D9.2 The College will supply all newly appointed external examiners with relevant briefing material to enable them to undertake their duties.
- D9.3 All external examiners will undergo an induction to the College to provide clarification of the College's expectations, reporting lines and the relationship between examiners and the College and an introduction to the academic regulations pertinent to their role.

D10 Payment of Fees

- D10.1 The payment of fees to an external examiner is made in accordance with the published 'External Examiners Fees Schedule'. The level of fee remission will be reviewed regularly.

D11 Termination of Approval of External Examiners

- D11.1 If a School wishes to terminate the appointment of an external examiner, the College must approve the termination and be informed in advance of the grounds for termination. A reasonable minimum period of notice should apply.
- D11.2 The College reserves the right to terminate approval of external examiners who do not produce reports in the required time scale or to an appropriate standard. Other circumstances that may constitute grounds for termination include;
- a. repeated failure to attend a Progression and Award Board without good reason, or prior notification;
 - b. new conflict of interest due to change of their position subsequent to the appointment;
 - c. discontinuation of the programme;
 - d. non-submission of the annual report;
 - e. Inability/unwillingness to fulfil duties.

If possible, termination should occur at a natural point in the assessment cycle, such as after the last meeting of the board of examiners at the end of the academic year.

D12 External Examiner Reports to Professional, Statutory and Regulatory Bodies (PSRB)

D12.1 An external examiner having responsibility for a programme which is subject to the external requirements of a PSRB will be expected to provide such reports to the PSRB as required.

D13 External Examiners' Reports

D13.1 External examiners are required to submit an annual report to the HE Development and Quality Unit (HEDQU), and which provides informative comment and recommendations upon whether or not;

- a. the course is maintaining the threshold academic standards set for the award in accordance with the frameworks for higher education qualifications and applicable subject benchmark statements;
- b. the assessment process measures student achievement rigorously and fairly against the intended outcomes of the programme(s) and is conducted in line with the institution's policies and regulations;
- c. the academic standards and the achievements of students are comparable with those in other UK higher education institutions of which the external examiners have experience;

And which also provides comment and recommendation on any:

- d. good practice and innovation relating to learning, teaching and assessment observed by the external examiners;
- e. opportunities to enhance the quality of the learning opportunities provided to students.

D13.2 It is expected that such reports will be received no later than six weeks following the Progression and Award Board at which awards are confirmed. The College standard template for the submission of reports must be used by external examiners.

- D13.3 The purpose of the report is to enable the Higher Education Academic Standards & Quality Board to judge whether the programme is meeting its stated objectives and to require that the teaching team make any necessary improvements, either immediately or at the next revalidation. Programme teams are required to give detailed written feedback to external examiners on action taken in response to their reports.
- D13.4 Where an external examiner's report raises issues which call into question the quality of the programme or the standards of the award, the College requires an immediate account from the Programme Leader of the measures being put in place to consider the issues and identify and rectify deficiencies.