

Academic Policy A10 External Examining

1. Purpose and Scope

Regulations regarding External Examining in relation to all Middlesex University degrees remain the responsibility of Middlesex University. This policy is intended to inform and assist SAE staff to ensure effective implementation of those regulations after the granting of Accredited Status to SAE Institute in 2010, and it replicates those Middlesex University (MDX) regulations.

Where any inconsistency or lack of clarity exists between this policy and the approved regulations, processes and procedures of Middlesex University in relation to External Examining as a result of changes made by the University, then the University provisions shall prevail.

External Examiners are central to the University's and SAE Institute's quality assurance and enhancement procedures. Their role is to act as independent moderators, and to consider student attainment overall with impartiality. External Examiners provide one of the principal means for the maintenance of nationally and internationally comparable standards.

The impartiality of External Examiners is paramount in ensuring equity for students and ensuring the fair application of University and Institute Regulations. External Examiner reports are an integral part of the University's and Institute's monitoring procedures and play a key role in maintaining academic standards, and ensuring comparability of standards with highest national and international norms in the subject. External Examiner reports are sent to MDX.

External Examiner reports are a standard agenda item at the Content Specialist Panels and Finalist Assessment Board. Where a report raises issues of serious concern, the Centre for Learning and Teaching Enhancement (CLTE) at MDX alerts the Institute, and requires a formal response to the External Examiner, which is mediated via CLTE. SAE Institute collaborates fully with the University in this situation, and will in parallel conduct its own process of investigation and remedial action, before reporting to the University.

This document describes the appointment, induction, rights and responsibilities of External Examiners for the programmes validated for SAE Institute by the University.

2. **Operational Procedures and Responsibilities**

2.1. **The University**

CLTE is responsible for approving External Examiners and promptly recompensing them for their work upon receipt of their reports. CLTE is also responsible for the University-level induction programme, shared in this case with the Institute. The External Examiner database, appointment, induction and reporting is managed by the Academic Quality Information Manager (AQIM). In addition, the AQIM prepares an annual report for consideration by ASQC.

2.2. **The Institute**

The Institute nominates External Examiners and, upon approval by CLTE, ensures the External Examiner is fully briefed about the modules and Programmes to which they are appointed and has sufficient opportunities to meet with appropriate staff. The Institute also works with the External Examiner to develop an effective working relationship with the Dean, Academic Manager, Programme Leaders and University Link Tutors. The Institute ensures that External Examiners' reports are dealt with promptly in accordance with this procedure.

2.3. **The Rights and Responsibilities of External Examiners**

The rights and responsibilities of External Examiners are detailed in the Institute's Assessment Board Policy and Regulations (A09).

2.4. **The Appointment of External Examiners**

- a) The Institute identifies a suitable External Examiner; the appointment form is completed and submitted to CLTE; the nomination is screened against the University's criteria for appointment and once approval has been granted CLTE issues a formal letter of appointment in the usual way.

- b) When a potential External Examiner is approached informally in order to ascertain her/his interest in being appointed, SAE's Chief Academic Officer or nominee shall clearly explain details of the programme and shall answer any questions that arise as fully as possible. Among the issues which shall be discussed at this stage are: the way Assessment Panels and Boards currently operate; the time involved in Board meetings and pattern of attendance; the types of assessment methods used; the likely number of candidates; the proportion of student work which will be seen; the level of involvement in moderating coursework; the period of appointment; the scale of remuneration; and the current composition of the examining team.
- c) The following criteria must be observed during consideration of proposed External Examiners:
- an External Examiner's academic/professional qualifications should be appropriate to the Programme to be examined;
 - an External Examiner should have appropriate standing, expertise and experience to maintain comparability of standards;
 - an External Examiner should have enough recent external examining or comparable related experience to indicate competence in assessing students in the Subject area(s);
 - if the appointment is to a Degree Centre where teaching and assessment takes place in a language other than English, the External Examiner must be competent both in that language and in English; reports MDXst be written in English;
 - External Examiners should be drawn from a wide variety of institutional/professional contexts and traditions in order that the programme benefits from wide-ranging external scrutiny;
 - External Examiners should not be over-extended by their external examining duties;
 - There should be an appropriate balance of expertise in the team of External Examiners;

- External Examiners should be impartial in judgement and should not have previous close involvement with the institution that might compromise objectivity;
 - All External Examiners are usually appointed from September to August, normally for 4 years, subject to annual review. An extension of appointment may be requested for one year only as an exceptional matter.
- d) CLTE screens nominations for appointment against the criteria set out above.
- e) Within two weeks of approval CLTE issues an appointment/extension letter to ensure that all appointments have been made by the end of July preceding September start of term of office.
- f) External Examiners are formally appointed on behalf of the University by the Head of CLTE. The Head of CLTE reserves the right to reject nominations. No appointment of an external assessor or auditor is valid unless the Head of CLTE indicates the University's formal approval of the nomination.
- g) CLTE holds a central database that holds all the information pertaining to the appointment of External Examiners. The information recorded includes: name, address, institution, Subject/Programme, dates of tenure, collaborative type, plus other personal data. This allows CLTE to monitor the gender composition and geographical and institutional spread of the University's External Examiners in order to advise about the implications of their proposals. (Names of examiners are not deleted from the database when their term of office is over but made 'not current', in this way new nominations can be queried to ensure that the University does not appoint examiners from an institution that has been a source of examiners to a Subject/Programme during the last 5 years.)
- h) Normally the University expects that all External Examiners fully meet the criteria set out in the Criteria for the Approval and Appointment of External Examiners. Where an institution nominates an External Examiner who does not fully meet these criteria each case will be judged on its case by case merits. To deal with such instances the University sets out associated criteria as detailed in Guidance 7(iii). Confirmation of approval will be granted following fulfilment of the associated criteria.

- i) In accordance with University guidelines, one of the External Examiners shall be identified as Chief External Examiner; a second contract shall be issued to cover these additional duties.
- j) The Chief External Examiner is responsible for maintaining an overview of the local or regional External Examiner operation covering all Degree Centres, acting in a moderating capacity. S/he attends the Assessment Board and has prior access to the website where sample assignments from all Centres are uploaded; s/he also sees the forms completed by all local and regional External Examiners confirming that they have had adequate access to student work and agree the module grades proposed at their Assessment Panels.
- k) The Chief External Examiner also sees annual reports submitted by local and regional External Examiners and comments on these in an overview report to CLTE.

2.5. **Induction of External Examiners**

- a) UK-based External Examiners for the SAE programmes are offered the same external examining induction as for other University UK programmes. However, for External Examiners not based in the UK an alternative induction that does not require attendance at the University is offered. An induction pack is also provided by the Institute that covers operational aspects that are specific to the validated SAE programmes. The Institute is responsible for ensuring that the External Examiner is fully conversant with University and Institute procedures. Induction information can be found at the following website:
<http://www.mdx.ac.uk/aboutus/fpr/CLTE/induct.asp>.
- b) Since External Examiners on the SAE programmes are involved in several procedures that do not apply to other University programmes, they are given a specific induction covering the following points:
 - details of the group of External Examiners currently appointed;
 - details of the Assessment Panel and Assessment Board stages;
 - Content Specialist Panel and Finalist Assessment Board operation;
 - respective duties of local External Examiners and the Chief External Examiner;
 - communication between External Examiners;

- procedures for viewing sample assignments;
- other details of the programmes and their regulations.

2.6. External Examiner Reports

a) All External Examiners are required to submit an annual report to the Head of CLTE within 4 weeks of the last Finalist Assessment Board of the academic year. Reports should be about 2 sides of A4, and address the following areas using the template supplied:

- Programme/Subject design, content and standards;
- student performance (please avoid reference by name to individual students);
- assessments: structure, design and marking;
- effectiveness and quality of feedback to students;
- Assessment Boards; role of the External Examiner;
- recommendations or actions;
- good practice.

b) Reports are public documents and should be considered at Boards of Study.

c) All External Examiner reports form a part of the quality/annual monitoring of Programmes. Reports are scrutinised, and any action taken in response to a report goes forward as an agenda item to the subsequent Assessment Board meetings.

d) Once the report is received CLTE requests a response to all recommendations (and other significant issues identified by CLTE), to be sent to CLTE. The response is forwarded to the External Examiner after consideration by CLTE.

e) In the event that the Institute does not respond to an External Examiner's report recommendations within 3 months, this will be reported to the next ASQC.

f) Upon submitting her/his annual report to the Head of CLTE, an External Examiner should, if the report refers to necessary actions or serious issues requiring immediate attention, expect to:

- be informed by the Head of CLTE, within three weeks, that the report has been received and that the Institute has been asked to respond to the issues raised;
 - receive a letter from the Head of CLTE, within three months of submitting her/his annual report which has been acknowledged to refer to serious issues requiring immediate attention, explaining what actions have been taken or are planned to address these issues;
 - receive, within six weeks, payment for duties completed to the satisfaction of the University, and out of pocket expenses.
- g) In addition, relevant staff will be expected to respond to all recommendations (necessary and advisable) raised in the reports by including an action plan in their Quality/Annual Monitoring Reports explaining what steps have been implemented. The Institute will also produce an overview on External Examiners' reports in its Annual Monitoring Report, highlighting the key issues and stating what action has been taken. Quality Monitoring templates and guidance are set out in Section 8. CLTE keeps a record of the most important issues arising from the reports and an overview of generic issues is compiled and presented to ASQC in the autumn.
- h) External Examiners who submit an inadequate report are asked to resubmit their report following the guidelines on the University's Report Cover sheet. Payment of fees is withheld until a satisfactory report is received. (Details of the fees are available from CLTE or the CLTE website:
<http://www.intra.mdx.ac.uk/service/qaas/examiners/index.htm>.)
- i) In the event that an External Examiner does not submit a report 4 weeks after the final Assessment Board the following actions will be taken:
- within six weeks of the Assessment Board the AQIM will write to the External Examiner requesting submission of the report within 14 days;
 - if a report is still not submitted within one month, the Head of CLTE will contact the External Examiner in writing requesting submission within 14 days; thereafter if a report is still not submitted, such instances will be noted at ASQC and the Head of CLTE may have to terminate the contract.

2.7. Compliance with the Procedure

- a) In the event that an external examiner feels that, despite reasonable requests, the Institute is failing, for no justified reason, to comply with the letter or spirit of this procedure, s/he shall be able to refer her/his concerns to the Head of CLTE separately from the normal annual report. The Head of CLTE shall make inquiry into the matters raised, and report back to the examiner at the earliest practicable moment. Additionally, the Head of CLTE shall make an annual report to the ASQC of the University of any action necessitated under this sub-paragraph.
- b) External examiners employed by the University are expected to undertake all the duties and responsibilities required of them to the best of their abilities. In particular, they are expected to:
- respect the confidentiality of Assessment Panel and Board meetings and of materials which they assess - in particular, of projects and dissertation work, details of which shall not be disclosed to any third party without prior permission;
 - comment by the deadline specified on draft examination papers or other proposed forms of assessment referred to her/him;
 - attend all Content Specialist Panel and Finalist Assessment Boards at which their attendance is required;
 - submit within four weeks of the convening of end of year Assessment Boards annual reports which address, substantively and appropriately, issues identified in the notes of guidance, issued by CLTE, for the preparation of external examiners' reports.
- c) In the event that an external examiner or the University considers that early retirement is advisable 3 months' notice will normally be required by either party. Examples of circumstances in which an external examiner might retire early are:
- inability to fully meet the requirements and responsibilities of the external examiner's role due to a change in the external examiner's personal or professional circumstances;

- unexpected conflict of interest which could affect impartiality of judgement and/or compromise objectivity.
- d) The University reserves the right to terminate the contract for Service of any external examiner if, in the opinion of the Head of CLTE, there has been any breach of confidentiality on the part of the examiner, or if the performance of the examiner, in the context of this procedure, is deemed to be in any respect significantly inadequate. In such a case the Head of CLTE writes to the examiner.

2.8. **Data Protection, Freedom of Information and Copyright**

- a) The University will use personal data submitted by the external examiner for the payment of fees and expenses, and for other necessary communication in connection with the external examiner's contract. Where required for these purposes, this data will be shared with other departments of the University.
- b) In accordance with the University's Data Protection Policy which is based upon the Data Protection Act 1998, staff members must not disclose external examiners' personal data, including contact details, to any person or body outside the University without the consent of the external examiner.
- c) An external examiner's report will be made available to University staff and/or collaborative programme partners as part of the quality/annual monitoring procedure.
- d) External examiners' reports may be circulated as part of an internal or external audit. All reasonable efforts will be made to anonymise the reports, if the external examiner makes a written request for this.
- e) Marks, comments and opinions expressed by an external examiner about individual students during the assessment process may be disclosed to the student concerned, if the student makes a Subject Access Request under the Data Protection Act.
- f) An external examiner is entitled to make a Subject Access Request under the Data Protection Act to see memoranda, emails and other communications relating to their appointment, including opinions expressed in a professional capacity about their appointment.

- g) The University will consider any reasonable request from external examiners to anonymise their reports. Such a request should be made in writing and submitted with the report.
- h) Copyright in all external examiners' reports will be owned by the University. Examiners will not be permitted to retain their moral rights (under the Copyright Act) in the reports as the University may choose to anonymise the reports, as appropriate.

3. **Status of this Document**

This document draws together policy and procedural statements as set out in the University's Learning and Quality Enhancement Handbook, tailored to the specific situation of the Institute operating with accredited status. It will be revised as necessary alongside any subsequent revisions of the University handbook.

4. **Policy History**

Last Review: March 2015

Policy Review Date: 1 December 2017