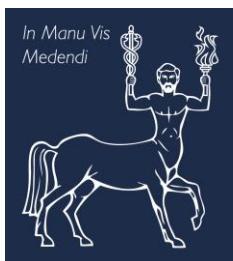




THE COLLEGE  
OF HEALTH

**GOVERNANCE  
&  
ACADEMIC REGULATIONS**

**2024/25**



# McTimoney College of Chiropractic

Part of:



THE COLLEGE  
OF HEALTH

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## **MISSION STATEMENTS**

### **The College of Health Mission**

*The College of Health is a not for profit institution whose mission is to create an active, inclusive and supportive learning environment with students at the heart of everything we do, so that they can develop their full potential as the healthcare professionals of the future.*

### **The McTimoney College of Chiropractic Mission**

*The purpose of the McTimoney College of Chiropractic is to educate and train students to be competent in the science, art and philosophy of chiropractic, in order to benefit patients.*

## **ACADEMIC GOVERNANCE PRINCIPLES**

### **Authority**

1. The primary organs of governance of the College are the Board of Directors, the Academic Council, the Management Committee and the Governance and Academic Regulations.
2. The Board of Directors is the senior authority of the College and is directly responsible for setting the mission of the College, approving the strategic plan, and overseeing its commercial activities and financial health. The Board of Directors has delegated responsibility for academic matters to the Academic Council.
3. The Academic Council, under the aegis of the Board of Directors, is the primary academic authority of the College. It is responsible for advising the Principal and guiding the implementation of the School's mission and setting its educational character. The Council's primary responsibility is to assure the protection of academic standards and quality.
4. The Management Committee is a working group responsible for implementing the strategic plan and managing the functions and activities of the College.
5. The General and Academic Regulations are the primary written authority for how the College shall be governed academically. Should a conflict arise between what is stated in the Regulations and sub-regulatory instruments, the Regulations shall prevail.
6. The Regulations shall be reviewed annually, and any amendments must be approved by the Academic Council and reported to the Board of Directors.
7. In specific cases that have exceptional circumstances, for example where to apply the Regulations would conflict with natural justice or create an obstacle to the proper operation of the College, the Academic Council may set aside the Regulations in that instance. The case must be approved by the majority of members of the Council and the Principal and Chair of Council must be in favour of the proposal. The case and the circumstances must be recorded in the minutes of the Council and an anonymised record included in a schedule to the Regulations.

### **AWARDING BODY PARTNERSHIPS**

8. The College of Health may enter into validation agreements with awarding bodies as approved by the Board of Directors from time to time. Any such agreements will be supported by appropriate due diligence processes and legal agreements.
9. Where such validation agreements are put in place any variation to these regulations that affect the duties of either party shall be noted in:
  - the responsibilities checklist;
  - Schedule A to these regulations;
  - the relevant parts of the regulations themselves.
10. Where the College operates under the degree awarding powers of another institution it shall comply with the quality assurance requirements of that institution. However, in doing so it shall seek to be consistent with its own regulations and procedures as far as is compatible in aligning with the awarding body's requirements.

## **Sources and Influences**

11. The governance infrastructure draws upon relevant and current legislation and regulations and guidance as produced typically by the OfS, the QAA and the OIA.
12. In particular, these have included the following primary sources:
  - OfS: (2018) Securing student success: Regulatory framework for higher education in England.
  - OfS: Regulatory Notices and Advice (2018)
  - QAA: The Revised Quality Code for Higher Education (2018)
  - QAA: The Existing Quality Code for Higher Education (2015)
  - QAA: Framework for Higher Education (2014)
  - The Competition and Markets Authority: Guidance to Institutions of Higher Education
  - The Equality Act 2010
  - The Office of the Independent Adjudicator: Good Practice Framework (2016).
  - The Committee of University Chairs: The Higher Education Code of Governance (2014)
  - The Institute of Directors: Corporate Governance Code (2018)
13. In addition, the governance infrastructure has taken into account good practice in the sector including the forms and approaches of other higher education institutions, the wider HE sector, regulatory bodies' good practice guides and the regulations and codes of practice of professional and accrediting bodies.
14. Given the comparatively small size of the College, the majority of academic business is handled directly by the Academic Council. This has the benefit of inclusivity, coherence and clear communication as the Council includes within its membership a high proportion of academic staff, elected students and professional support staff, as well as the Principal, Vice Principal (Academic) and COO. The Academic Council establishes sub-committees as necessary and appropriate.

## **SCHEME OF DELEGATION**

### **Introduction**

There are three key functions of effective governance:

- (1) ensuring clarity of vision, ethos and strategic direction
- (2) holding executive leaders to account for the educational performance of the organisation and its students and the performance management of staff
- (3) overseeing the financial performance of the organisation and making sure its money is well spent.

(DfE, Governance Handbook, 2017)

The College of Health's Scheme of Delegation seeks to provide clarity around the primary responsibilities of the organs of the College's governance structure and those of the Chair of the Board of Directors and the Management Committee.

The College is a small provider and as such has designed a proportionate governance structure. The comparatively small number of bodies and officers in the structure has the advantage of a facilitating close cooperation, communication and understanding. The Board of Directors is the primary authority of the College. However, it has delegated authority and responsibility for academic standards and quality to the Academic Council. This provides a separation of powers and checks and balances between the commercial pressures and the quality of the student experience, including standards of awards.

As the College grows, the governance and management structures will be developed further, but in doing so will maintain simplicity and transparency of governance and management that supports its mission and operational effectiveness.

The Scheme of Delegation will be reviewed at least annually.

### **BOARD OF DIRECTORS**

The Board of Directors retains to itself the oversight and approval of:

#### **Strategic and Financial**

- The College's mission, vision, and values statement.
- The strategic plan
- The financial strategy, financial regulations and annual budgeting
- The annual report and financial statements
- The salaries and benefits of members of the Management Committee
- Remuneration and staff benefits strategy
- Audit strategy
- Capital expenditure.
- Insurance and indemnities
- Banking arrangements
- The Scheme of Delegation and Decision Making
- The Risk Management Strategy and Corporate risk registers

#### **Appointments and Termination**

- Appointment and termination of the Chief Executive Officer and Principal,
- Appointment and termination of internal and external auditors
- Appointment and termination of independent members of the Board including the Chair.
- Decisions to make any posts redundant.

## **Academic**

- The powers, role and duties of the Academic Council
- Audit of the effectiveness of the Academic Council
- Strategies in relation to achieving degree awarding powers
- Approval of new programmes, modules
- Approval of new academic departments

## **COLLEGE MANAGEMENT COMMITTEE**

The Board of Directors has delegated authority over the day to day operation of the College to the College Management Committee and specifically:

- To monitor and approve expenditure within the overarching limits defined by the Board of Directors
- To approve the standard contractual arrangements relating to all staff
- To approve individual staff contracts of employment and employee benefit
- Approve confirmation of academic staff appointments following probation
- To approve policies and procedures affecting health and safety
- To determine the operational and ad hoc remit of staff as circumstances dictate
- To determine the delegated authority for operational management and budgets of officers of the College.

## **ACADEMIC COUNCIL**

The Board of Directors has delegated authority to the Academic Council for all matters relating to academic governance, the standards of its awards and the quality of the student learning experience and specifically the approval and oversight of the:

- Academic Regulations
- Oversight of academic risk and of academic programme development
- Establishment of academic committees and groups
- Appointment of the Chair and members of the Academic Council
- Appointment of Chairs and other members to Academic Council sub-committees and groups
- Promotion of academic staff
- Appointment<sup>1</sup> of external examiners
- Design, (re)validation, monitoring and review<sup>2</sup> of programmes and modules
- Withdrawal of programmes and modules
- Ethical requirements relating research projects
- Award of degrees and other qualifications sub-regulatory instruments governing the criteria, policies and processes for the:
  - Recruitment and admission of students;
  - Quality of the delivery of learning and teaching;
  - The conduct and integrity of assessments;
  - The conferment of awards;
  - Student discipline.

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<sup>1</sup> Where the College operates under a validation agreement it would be usual for the awarding body to appoint its own external examiners. However, where the awarding body seeks nominations from the College, the Academic Council will oversee nominations

<sup>2</sup> Where the College operates under a validation agreement it would be usual for the awarding body to take primacy in terms of quality assurance, including validation and monitoring of programmes. The Academic Council will also assure itself of the quality and rigour of programmes.

**Chair of the Board**

- Approve resolutions on behalf of Board in accordance with urgent decisions policy
- Approve expenses claims of the Chief Executive Officer and Principal
- Act as a bank signatory

**Principal**

- Approve appointments of operational staff
- Exclude, suspend or refuse to admit a student in accordance with the regulations;
- Approve returns to regulatory bodies;
- Approve purchase orders and purchase invoices over £10,000
- Appoint a panel for an appeal by an employee against dismissal
- Approve early retirement and voluntary severance cases
- Approve the creation of new, filling of vacant and extension of existing operational posts
- Approve expenses claims of members of the Management Committee
- Approve resolutions on behalf of Council in accordance with urgent decisions
- Approve leases with a total discounted cash value up to £1m with the Chair of Council
- Approve appointment of contractors for building and maintenance works for contracts of a value up to £1m
- Approve severance payments
- Approve administrative and security arrangements relating to investments and bank accounts
- Act as a signatory for leases
- Act as a bank signatory
- Approve bank signatories
- Approve any contract or arrangement whereby the College provides education to students away from College premises
- Approve any contract or arrangement whereby the College provides education to students with the assistance of persons other than the College's own staff

**Principal's Emergency Powers**

The Board of Directors has determined that the Principal shall be authorised to act in accordance with his or her own best judgement under circumstances which require immediate action and where it is not possible to call a special meeting of the Board of Directors or the College Executive Board. It is envisaged that such situations will be rare. However, the Board recognises there are a range of risks such as a terrorist attack, a catastrophic IT failure or a student presenting an immediate and serious threat to themselves and/or others which may fall into this category.

In such cases the Principal will seek to convene what members of the Board and the executive that are available to determine what action to take. Convening may take any form of communication and may be synchronous or asynchronous. In extreme situations and where it is not possible to convene an executive group the Principal may act independently on behalf of the College. Any such actions must be reported to the Chair of the Board immediately and to the Board at its next meeting.

**Chief Operating Officer**

- Approve the suspension of students from registration following non-payment of tuition fees
- Approve purchase orders and invoices for their area
- Approve expenses claims of direct reports
- Sign licence agreements and purchase orders for books, journals, equipment and software, where expenditure is within agreed budget.
- Approve salary deductions and payments to collecting bodies such as HMRC, pension schemes
- Appoint a manager to hear an appeal against formal disciplinary action under the grievance procedure

- Approve changes to Student Tuition fee status where there is a dispute (e.g. Home to Overseas)
- Approve waiving of tuition fees/ charging of repeat tuition fees where appropriate
- Act as a bank signatory

**Vice Principal (Academic)/CAO**

- Approve purchase orders and invoices for his or her area
- Approve expenses claims of direct reports
- Approve academic appointments
- Approve allocation of resources within learning and teaching
- Approve expenditure within agreed budgets and in accordance with the Financial Regulations
- Take disciplinary action against a student in accordance with the relevant regulations
- Approve overtime payments
- Approve payments to students for bursaries, scholarships or fee reductions
- Approve non-standard applications for student registration
- Act as a bank signatory

## **ACADEMIC COUNCIL SUB-COMMITTEES AND KEY GROUPS**

The following sub-committees have been established to act on its behalf of the Academic Council under delegated authority:

### **Quality Enhancement Committee**

- To oversee quality assurance measures and mechanisms
- To identify enhancements to the quality of provision.

### **Student Experience Committees**

- To provide a regular forum for communication between programme management and students regarding the student experience including the quality of programme delivery, student support and resources.
- To discuss and gather student input on current and emerging initiatives and to make proposals for development.

### **Formative Committee**

- To maintain broad oversight of the progress of students, including for example those with learning agreements.
- To maintain oversight of reasonable adjustments to assessment.

### **Internal Examination Board**

- To consider student outcomes with regard to awards, modules and progression between stages of a programme.
- To ensure broad parity of outcomes across programmes, modules and sites of delivery.
- Outcomes from the Internal Examination Board feed into the External Examination Board held with the University of Ulster.

### **Programme Development Group**

- To consider academic and operational development of programmes and modules and to make recommendations for their (re)approval to the Academic Council.

### **Appeals and Complaints Panel**

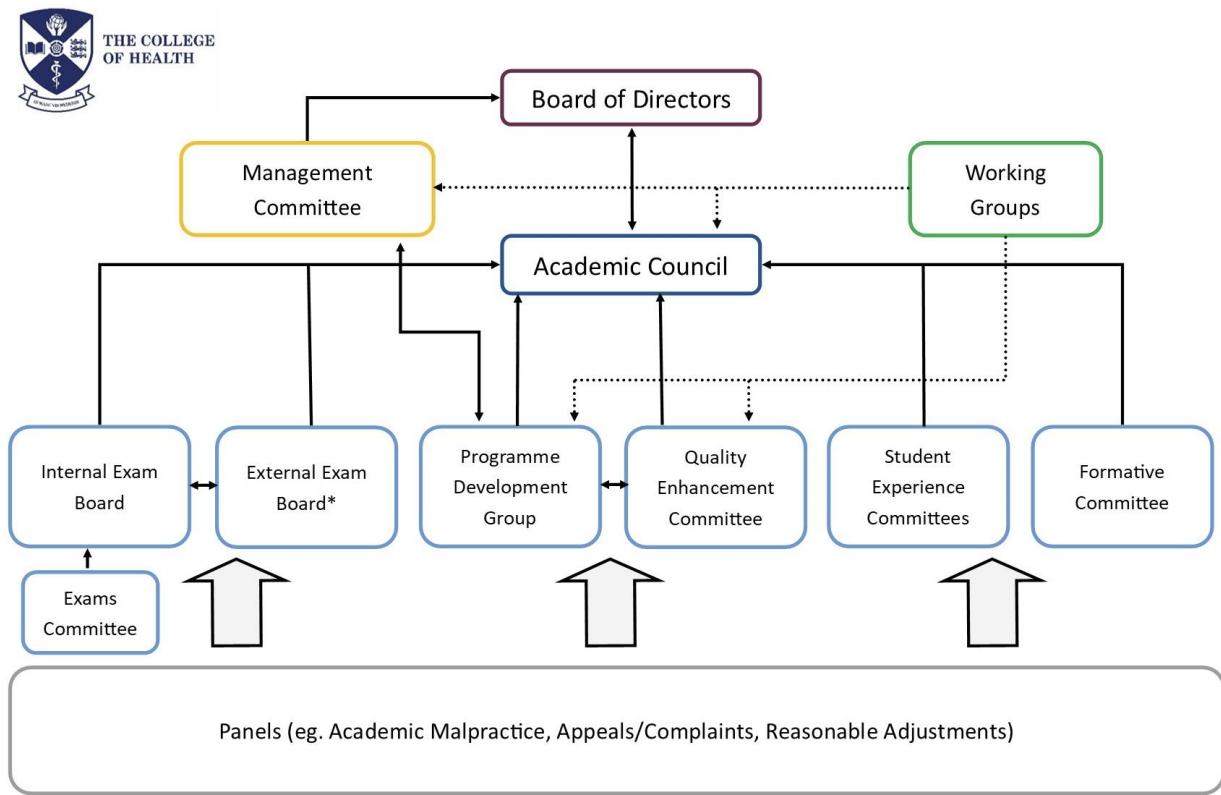
- To consider appeals against a decision of a Board, Committee or other group or of one of its officers
- To consider complaints about a perceived failing in provision or service.

### **Reasonable Adjustments Panel**

- To consider and where appropriate approve applications from students for reasonable adjustments to be made to the form and conduct of College assessments

## COLLEGE OF HEALTH COMMITTEE STRUCTURE

This diagram outlines the relationship between key College committees.



\*Joint with Ulster University

## **COMMITTEES AND TERMS OF REFERENCE**

### **BOARD OF DIRECTORS**

#### **Composition**

There shall be a Board of Directors of no more than eight members.

The Board shall comprise:

#### **Ex Officio Members**

The Chief Executive Officer (Principal & Accountable Officer)

The Chief Operating Officer

#### **External, Independent Members**

An independent member, appointed by the Board, who has significant experience of strategic and commercial leadership within higher education, or a similar environment, shall act as Chair.

#### **Co-opted Members**

In addition, two further members may be co-opted on the recommendation of the Principal

**Secretary:** The CEO shall appoint the secretary to the Board.

**Quorum:** Half the members of whom at least one shall be either the Principal or the independent member.

**Frequency:** The Board shall normally meet at least three times in each academic year.

#### **Voting and Recommendations**

It is expected that decisions of the Board will be reached by consensus and after due debate but if a vote is required then decisions shall be made on the basis of a majority of those attending and voting at a quorate meeting. In the event of an equality of votes being cast, the Chair of the meeting shall have a second or casting vote. A record of voting shall be minuted.

#### **Terms of Reference**

1. To determine the mission and strategic vision of the College of Health, its academic character, long-term academic and business plans and key performance indicators, and to ensure that these meet the interests of internal and external stakeholders and regulators.
2. To be the College of Health's principal:
  - a) financial and business authority, to ensure that proper books of account are kept, to approve the annual budget and financial statements, and to have overall responsibility for the College of Health's assets, property and estate to ensure financial viability and sustainability is maintained.
  - b) legal authority and, as such, to ensure that systems are in place for meeting all the College of Health's legal obligations, including those arising from contracts and other legal commitments made in the College of Health's name.
  - c) employing authority for all staff in the College of Health and to be responsible for establishing a human resources strategy.
3. To monitor and evaluate the performance and effectiveness of the College against its academic and business plans and approved key performance indicators to ensure financial viability and sustainability is maintained

4. To determine the College of Health's approach to risk and to establish and operate a robust risk management process.
5. To ensure the College of Health delivers 'Value for Money' in its provision of education
6. To ensure the quality assurance of all data management is maintained
7. To ensure adherence to, and oversight of, anti-corruption, fraud and anti-bribery policies
8. To delegate authority to the Principal, as chief executive, for the academic, corporate, financial, estate and human resource management of the College of Health, and to monitor the effectiveness of the College of Health's executive team.
9. To ensure the establishment and monitoring of systems of control and accountability, including financial and operational controls and risk assessment, and procedures for handling internal grievances and for managing conflicts of interest.
10. To delegate authority for the oversight of academic standards and quality to the Academic Council, which shall be appropriately constituted for the purpose, and to receive from the Academic Council regular and timely reports on:
  - the monitoring, maintenance and protection of academic standards;
  - the quality of the student experience;
  - the adequacy of the provision for the general welfare of students; and,
  - compliance with the College of Health's conditions of registration with the OfS.
11. To communicate clearly and effectively with the executive team.
12. To ensure that the requirements of relevant regulators inform the deliberations of the Board.
13. To establish processes to monitor and evaluate the performance and effectiveness of the governing body itself.

## ACADEMIC COUNCIL

The Academic Council is, under powers delegated by the Board of Directors, the academic authority of the College of Health.

In exercising its powers, the Academic Council shall pay due regard to complying with the terms of any validation agreement with an awarding body that enables the College to recommend the conferment of awards under the degree awarding powers of the awarding body.

### Membership

There shall be an Academic Council of no more than sixteen (16) members. The Council members shall comprise:

#### Ex Officio Members

Principal of the College (Chair)  
Vice Principal (Academic) (Vice Chair)  
Chief Operating Officer  
Director of Student Engagement  
Director of Research  
Clinic Managers  
Programme Leaders

#### Elected Members

By invitation, two student members from the registered students of the University

**Quorum:** Half the Council Members including the Chair or Vice Chair.

**Secretary:** A Council Secretary, appointed by the Principal, will minute the meetings on behalf of the Council but will not take part in the voting of the Council.

**Frequency:** The Academic Council shall normally meet at least three times in each academic year.

### Reserved Business

The student members of the Academic Council shall not be entitled to receive papers, participate in or be present for discussions relating to the admission or academic assessment and examination of individual students or affecting the appointment, promotion or personal affairs of a member of staff of the College.

The Chair of the Council shall decide whether a matter falls within the terms of the above proviso. The decision shall be final and neither the Chair of Academic Council nor Council is bound to give any reason for the decision.

### Terms of Reference

1. The Academic Council shall be the academic authority of the College of Health and shall take such measures and act in such a manner as shall best promote the academic and professional work of the College and safeguard the integrity and standards of its awards and those of any awarding body.
2. When consulted by the Board of Directors or, by delegation from the Board of Directors by the Principal the Academic Council shall advise the Board of Directors of the College generally on matters

of an academic and professional educational character. In so doing its advice shall be informed by recognised and accepted academic and professional standards both of relevant professional bodies and of UK higher education.

3. The Academic Council shall give advice or make recommendations to the Board on the following in relation to the College:

- (a) The educational character and objectives;
- (b) The academic strategy;
- (c) The introduction and closure of programmes;
- (d) Strategy for risk and change management;
- (e) Establishment and closure of sites of delivery;
- (f) Collaborative provision or partnership arrangements;
- (g) Agreements with other validating, accrediting or awarding bodies;
- (h) Awards, titles, and conferment of awards;
- (i) Procedures for the suspension and expulsion of students on academic grounds;
- (j) An institution-wide critical review and report for the purpose of seeking degree awarding powers and their renewal;
- (k) To establish policy and to approve regulations as appropriate governing the admission of students; and
- (l) To ensure that the College continues to foster an ethos of inclusive practice and operates in accordance with the Equality Act 2010 and that all aspects of provision are available to individuals with protected characteristics, where reasonable.

4. The Academic Council shall have the following additional powers and functions in relation to the College:

- (a) To establish policy, approve regulations and determine quality assurance and enhancement procedures, as appropriate, governing the content and teaching of higher education programmes of study, including:
  - (i) Programme design,
  - (ii) Mode of study,
  - (iii) Evaluation and approval,
  - (iv) Amendment,
  - (v) Annual monitoring,
  - (vi) Periodic review, and
  - (vii) Closure of programmes of study.
- (b) To establish policy, approve regulations and determine quality management procedures, as appropriate, for the design and conduct of assessment at a standard appropriate to the award or award element, including:
  - (i) Composition, duties and procedures of assessment/examining boards,
  - (ii) The appointment and duties of internal and external examiners,
  - (iii) The submission and marking of summative assignments,
  - (iv) Aggregation of marks,
  - (v) Progression,
  - (vi) Final awards and classification,
  - (vii) Academic misconduct and academic malpractice.
- (c) To establish procedures for the award and conferment of qualifications and honorary academic titles;

- (d) To establish regulations and procedures governing student academic appeals and complaints;
- (e) To maintain oversight over operational practice in the implementation of academic policy, academic regulations and quality management procedures, and to report with recommendations, as appropriate to the Board of Directors of the College, including by reviewing:
  - (i) Reports of quality and standards, drawing upon the range of quality instruments and mechanisms from which a judgement shall be drawn as to the confidence the College may have in the academic standards of its awards, and identifying any areas for attention; including:
    - (i) A summary report on the outcomes and action plans from annual programme monitoring; and
    - (ii) A summary report on the findings and action plans from external examiners;
  - (ii) Reports on the character of the academic community of the College of Health, including research and scholarship activity and any notable staff development and enhancement; and,
  - (iii) Reports on student recruitment, admissions and induction; and,
  - (iv) Reports on the operation and monitoring of student services; and,
  - (v) Reports on applications for complaints, concessions and appeals;
- (f) To maintain oversight of relationships with Professional, Statutory and Regulatory bodies
- (g) By exercising a discretionary power, to institute of its own volition an academic audit of any aspect of its services or academic provision or any aspect of the student experience. Such audits shall aim to address issue(s) that raise institution-wide interest/ concern, involve institution-wide policies, or matters arising out of, for example, the Quality Assurance Agency's UK Quality Code for higher education. Where an audit has been conducted the academic council shall report its findings to the Board of Directors and shall advise on any appropriate action;
- (h) To establish committees of the Academic Council on such terms as it sees fit.

#### **Relationship with the Board of Directors**

5. The Board of Directors, or by delegation from the Board of Directors the Principal, shall in their discretion, consult the Academic Council on matters of an academic and professional educational character, and specifically shall consult on those matters where the Academic Council by these Regulations has a stated responsibility for giving advice.
6. The Board of Directors, or by delegation from the Board of Directors the Principal, shall seek the prior approval of the Academic Council where, under these Regulations, the Academic Council is required to give its approval.
7. The Board of Directors, or by delegation from the Board of Directors the Principal, shall provide such assistance to the Academic Council as is required for the Academic Council to carry out its responsibilities for exercising a broad oversight over academic operations including the

implementation of academic policies, academic regulations and academic procedures, and the Board of Directors shall take due account of reports from the Academic Council on its findings and consequential recommendations.

#### **Voting and Recommendations**

8. It is expected that decisions of the Academic Council will be reached by consensus and after due debate but if a vote is required then decisions shall be made on the basis of a majority of those attending and voting at a quorate meeting. In the event of an equality of votes being cast, the Chair of the meeting shall have a second or casting vote. A record of voting shall be minuted.

## QUALITY ENHANCEMENT COMMITTEE

### Membership

There shall be a Quality Enhancement Committee which reports to Academic Council. The Committee shall comprise:

#### Ex Officio Members

Vice Principal (Academic) (Chair)  
Academic Quality Manager  
Programme Leaders (or their nominees)  
Student Support Manager  
Programme Support Coordinator(s)  
Student Experience Coordinator

#### Attending Members

Any other person approved by the Chair

**Quorum:** Half the Committee.

**Secretary:** A Secretary, appointed by the Chair, will minute the meetings on behalf of the Committee.

**Frequency:** The Committee shall normally meet at least four times in each academic year.

### Terms of Reference

1. On behalf of Academic Council, the Committee will oversee quality assurance measures and mechanisms and, as appropriate, identify enhancement to the quality of provision.
2. The Committee will therefore:
  - (a) Maintain oversight of operational practice in the implementation of academic policy, academic regulations and quality management procedures, and report to Academic Council with recommendations as appropriate.
  - (b) Maintain oversight of the planning of, and preparation for, activities which have the potential to enhance the academic reputation of the College, such as the NSS.
  - (c) Consider the outcomes of internal or external surveys regarding the student experience and, as appropriate, identify actions in response.
  - (d) Identify and oversee the implementation of measures designed to enhance the student experience.
  - (e) Consider reports on quality and standards for each programme, drawing upon the range of quality instruments and mechanisms from which a judgement shall be drawn as to the confidence the College may have in the academic standards of its awards, and provide a summary of this for Academic Council<sup>3</sup>.

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<sup>3</sup> see item (e) of Academic Council Terms of Reference

Such instruments and mechanisms that may be considered in each report may include, and are not limited to, the following:

- (i) Quantitative data (eg. on participation, continuation, attainment and progression into further study/employment)
- (ii) Outcomes from Student Experience Committees
- (iii) Outcomes from other forms of student feedback (eg. focus groups, surveys and/or the NSS)
- (iv) External Examiner reports and responses

## **EXTERNAL EXAMINATION BOARD**

**There shall be an External Examination Board, joint with Ulster University.**

### **Membership**

#### Appointed Members

A Chair is appointed by the Academic Council

#### Ex Officio Members

The Principal  
The Vice Principal (Academic)  
Programme Leaders for represented programmes  
Examinations Officer

Head of School (Ulster University)  
Faculty Partnership Manager (Ulster University)  
External Examiners for represented programmes

#### Attending Members

Any other person approved by the Chair

**Quorum:** Half of the membership

**Secretary:** A Secretary nominated by the Vice Principal (Academic) will minute the meetings.

**Frequency:** External Examination Boards shall meet at least three times each calendar year

### **Terms of Reference**

1. To scrutinise and, if satisfied, endorse recommendations made to it in respect of students' fulfilment of assessment requirements and to pass the recommendations to the Academic Council and to such validating or accrediting bodies as are appropriate.
2. To confirm arrangements for conferment of awards or to student progression.
3. To monitor the conduct of assessment procedures and the academic standards of the programmes.
4. To report to a validating body any key matters pertaining to the conferment of awards or to student progression.
5. To confirm arrangements for student appeals.

### **Authority**

6. Examination Boards are responsible to and report to the Academic Council and to the University Senate.

### **Voting and Recommendations**

7. It is expected that decisions of the Examination Boards will normally be reached by consensus and after due debate but if a vote is required then decisions shall be made on the basis of a majority of those attending and voting at a quorate meeting. In the event of an equality of votes being cast, the Chair shall have a casting vote.

## **INTERNAL EXAMINATION BOARD**

**There shall be an Internal Examination Board.**

### **Membership**

#### Appointed Members (Voting)

A Chair is appointed by the Academic Council.

#### Ex Officio Members (Voting)

Programme Leaders

#### Ex Officio Members (Non-Voting)

The Principal

The Vice Principal (Academic)

Examinations Officer

#### Attending Members (Non-Voting)

Any other person approved by the Chair

**Quorum:** Half of the membership

**Secretary:** A Secretary nominated by the Vice Principal (Academic) will minute the meetings but will not take part in the voting of the Board.

**Frequency:** Internal Examination Boards shall meet at least three times each calendar year

### **Terms of Reference**

1. To scrutinise and, if satisfied, endorse recommendations made to it in respect of students' fulfilment of assessment requirements and to pass the recommendations to the Academic Council and to such validating or accrediting bodies as are appropriate, including external examination boards.
2. To monitor the conduct of assessment procedures and the academic standards of the programmes.
3. To maintain an overview of student outcomes over time, by programme, and to highlight potential emerging trends for further investigation as necessary.

### **Authority**

4. Examination Boards are responsible to and report to the Academic Council.

### **Voting and Recommendations**

5. It is expected that decisions of the Examination Boards will normally be reached by consensus and after due debate but if a vote is required then decisions shall be made on the basis of a majority of those attending and voting at a quorate meeting. In the event of an equality of votes being cast, the Chair shall have a casting vote.

## **EXAMINATIONS COMMITTEE**

**There shall be an Examinations Committee**

### **Membership**

#### Appointed Members

A Chair is appointed by the Vice Principal (Academic)

#### Ex Officio Members

Programme Leader(s)

Examinations Officer (or nominee)

#### Attending Members

Any other person approved by the Chair

**Quorum:** Representatives of the programmes being considered at any meeting

**Secretary:** A Secretary nominated by the Vice Principal (Academic) will minute the meeting.

**Frequency:** Examination Committees shall typically meet on a weekly basis, depending on business.

### **Terms of Reference**

1. To scrutinise and approve any examination papers or other assessment items as appropriate prior to their use.
2. To scrutinise and, if satisfied, endorse recommendations made to it in respect of students' fulfilment of assessment requirements by examiners.
3. To pass the recommendations to the Internal Examination Board.
4. To monitor the conduct of assessment procedures and the academic standards of the programmes.
5. To highlight any relevant emerging trends for further investigation as necessary.

### **Authority**

6. The Committee reports to the Internal Examination Board.

### **Voting and Recommendations**

7. It is expected that decisions of the Committee will be reached by consensus and after due debate.

## **PROGRAMME DEVELOPMENT GROUP**

1. When new provision, or substantive changes to existing provision, are undergoing consideration, a Programme Development Group will be established.
2. The Programme Development Group will comprise the Programme Leader and relevant faculty. Support staff will be coopted as appropriate for key meetings.
3. The Programme Development Group will:
  - Ensure that proposed programmes meet the Principles for Programme Development as described below.
  - Maintain oversight of the proposed provision to ensure successful progress to the point of validation/approval.
  - Ensure that consideration has been given to ensure the successful operation of the programme, both academically and administratively, following validation/approval.

### **Principles for Programme Development**

4. The process of approval or re-approval of programmes or modules for inclusion in the College's portfolio must ensure that any programme that is finally approved meets the following criteria:
  - a. It aligns to the College's Mission Statement, Strategic Plan and Academic Development Plan;
  - b. It is educationally sound and will provide a learning opportunity that will give all students a fair and reasonable opportunity to achieve the intended learning outcomes for successful completion;
  - c. It is set at the standard appropriate to the level of the award;
  - d. It can be resourced effectively and sufficiently to provide students with the facilities they need to succeed;
  - e. It does not duplicate or otherwise undermine existing provision, unless it is proposed that it replaces that provision;
  - f. Where it is a replacement, the case for withdrawing the superseded programme is clear and defensible, appropriate agreements and safeguards are put in place for affected students (where relevant) and that the case and the protections are approved by the Academic Council;
  - g. It is guided by the Quality Assurance Agency's UK Quality Code for Higher Education. In particular it is expected that programmes leading to an award of, or facilitated by, the College will be mapped to the FHEQ and subject benchmark statements (where one, or a comparable one, exists);
  - h. The programme approval process considers the potential impact on students with protected characteristics (Equality Act 2010) to ensure that programme design, content and assessment methods are inclusive; unless to do so would contravene the competency standards imposed by regulatory bodies;
  - i. It takes into account relevant external reference points including, where appropriate, the requirements of relevant professional and statutory bodies, information from employers and careers associations, and the views of students.
5. In addition to discipline related subject knowledge and skills approved programmes will seek to:
  - Stimulate an enquiring and creative approach,
  - Promote independent judgement and critical self-awareness.
  - Enhance potential contributions to the professions and society,
  - Encourage continuing professional career development.

## **Programme Approval Procedures (including Re-approval)**

### **Approval by an Awarding Body Partner**

6. Where the College requires the approval of an awarding body partner the College will conform to the requirements of the awarding body partner. Wherever possible, and in agreement with the awarding body partner the College shall seek to streamline and align its procedures to achieve efficient, effective and robust procedures.
7. The College's own processes will apply in full where awards are not validated/approved by an awarding body. These are described under 'Programme Planning and Approval Process'.

### **Suspension or Withdrawal of Approval of a Programme or Module**

8. The Academic Council may decide, and accordingly advise the Board of Directors, that the academic approval of a programme of study (either award or non-award) or module should be suspended or withdrawn where there is evidence that it:
  - No longer satisfies the minimum acceptable academic standards; or,
  - Has not been reapproved within the time limit specified in the Academic Council's approval; or,
  - Has breached the parameters agreed by the Academic Council for delivery of the programme/module, leading to significant detriment to the student experience or harm to the College's reputation; or,
  - Has ceased to provide students with a fair and reasonable chance of achieving the standard required for successfully completing the programme.
9. In the event of a programme approval being suspended for more than one calendar year, the approval of the programme shall be withdrawn.
10. Before making a decision on whether to suspend or withdraw academic approval of a programme or module, the Academic Council will consider the advice of relevant parties such as the programme or module leader. The Academic Council must also be satisfied that the standards of the awards directly affected by suspension or withdrawal and the interests and rights of the students registered on the programme, will be reasonably safeguarded.
11. The VP (Academic), on behalf of the College, be responsible for ensuring that the requirements of relevant awarding body partners are complied with.

## RESEARCH AND ETHICS COMMITTEE

### Membership

#### Appointed Members

The Director of Research (Chair)

One member of the Academic Council, nominated by the Council

Two members of academic staff

One lay member.

**Quorum:** Half the members, one of whom must be the Chair or a member of the Academic Council.

**Secretary:** A Secretary nominated by the Vice Principal (Academic) will minute the meetings but will not take part in the voting of the Committee.

**Frequency:** The Research and Ethics Committee will meet at least annually, whether or not individual project proposals are presented for scrutiny.

### Terms of Reference

1. To be responsible for the development of the College's strategic approach to research, to produce and review annually the College's Research Policy, and to advise the Academic Council accordingly.
2. To monitor and review the effectiveness of research modules within the College's provision.
3. To consider, coordinate and drive opportunities for the development of research at the College.
4. To provide advice and guidance to staff and students wishing to develop research proposals within the College.
5. To monitor the general ethical issues relating to research, which involve human participants as subjects, or are based in ethically sensitive contexts or environments, or require the use of ethically sensitive material.
6. To review the ethical implications of individual project proposals, as referred to the Committee, and to authorise or reject proposals, or require additional measures to be taken as a condition of authorisation.
7. To ensure that staff and students are advised on the ethical considerations that may arise in research, clinic and relevant aspect of programme delivery.
8. At the discretion of the committee, to refer proposals or issues for external expert opinion.

**Authority**

9. The Ethics Committee reports to the Academic Council, at least annually, on ethical issues which have arisen or on recommendations for the enhancement of practice and procedures.

**Voting and Decisions**

10. It is expected that decisions of the Ethics Committee will normally be reached by consensus and after due debate but if a vote is required then decisions shall be made on the basis of a majority of those attending and voting at a quorate meeting. In the event of an equality of votes being cast, the Chair shall have a casting vote.

## **FORMATIVE COMMITTEE**

There shall be a Formative Committee, which shall be responsible for monitoring of student progress and support, the consideration of individual cases and the agreement of reasonable adjustments.

### **Membership**

Vice Principal (Academic) (Chair)  
Programme Leaders  
Dir. of Student Engagement  
Student Support Manager  
Programme Support Coordinators  
Examinations Officer  
Finance Officer

**Quorum:** The quorum shall be five members, to include at least one of the Chair or a nominated deputy.

**Secretary:** A secretary nominated by the Vice Principal (Academic) will minute the meetings but will not take part in any voting of the committee.

**Frequency :** At least three times per academic year.

### **Terms of Reference**

1. To monitor student progress and to determine appropriate approaches in individual cases. subject to the overarching regulations of the College with regards to the standard of the award and fairness.
2. To maintain oversight of applications for reasonable adjustments to the method of assessment.
3. To maintain oversight of student learning agreements.
4. To maintain oversight of submissions for Leave of Absence or Withdrawal.
5. To convene relevant groups, sub-committees or other workstreams that enable individual student issues to be considered.
6. To report on key decisions to the Academic Council, and in particular any cases where an application has been rejected.
7. To review policy and make recommendations for updating and enhancement where appropriate.

### **Authority**

8. The Formative Committee is responsible to and reports to the Academic Council

### **Voting and Recommendations**

9. It is expected that decisions of the committee will normally be reached by consensus and after due debate. However, if a resolution cannot be achieved by consensus a decision shall be made based on a majority of those attending and voting at a quorate meeting. In the event of an equality of votes being cast, the Chair shall have a casting vote.

## **STUDENT EXPERIENCE COMMITTEE**

There shall be a Student Experience Committee (SEC) for each credit-bearing programme, constituted appropriate to delivery mode and site.

### **Membership**

#### **Ex Officio**

Programme Leader (Chair) (or nominee)  
Programme Support Officer

#### **Appointed Members**

Elected Student Representative(s)

The SEC Secretary will normally be the appropriate Programme Support Officer. However, meetings may appropriately be minuted by any member.

**Quorum:** At least one of the Programme Leader or Deputy Programme Leader, and at least half of the student representatives.

**Frequency:** The SEC shall hold meetings at least once per semester.

### **Terms of reference**

#### **Aim**

1. The aim of the SEC is to provide a regular forum for communication between programme management and students regarding the student experience including the quality of programme delivery, student support and resources. The forum will also be used to discuss and gather student input on current and emerging initiatives and to make proposals for development.

#### **Objectives**

2. The SEC shall seek to liaise with students to:

- (a) Discuss any matters of interest or concern that fall within the programme management's responsibility and to make proposals for their resolution or development;
- (b) Report any matters that fall outside the programme management's powers to the Programme Board with recommendations for action;
- (c) Report back to the student body and relevant staff, as appropriate, on the actions taken and issues raised;
- (d) To note and report to the programme board on:
  - i) The strengths of the student experience that are considered best practice or otherwise important to safeguard;
  - ii) The matters raised and the actions taken or proposed at each SEC meeting;
  - iii) Recommendations for development.

## **Functioning**

3. The minutes of the meeting will specify attendees and will normally take the form of a tabulated action plan containing information on the issue raised, the response, the person tasked to take action and the timescale for doing so. The minutes shall be sent to the Academic Council.

## **STUDENT APPEALS AND COMPLAINTS PANEL**

There shall be a Student Appeals and Complaints Panel of no fewer than three members.

The Student Appeals and Complaints Panel shall comprise:

### **Membership**

#### Appointed Members

Three members of academic staff who have not had previous contact with the case during the investigation process. The Student Appeals and Complaints Panel shall be chaired by the Vice Principal (Academic), or delegate.

**Quorum:** Three members.

**Secretary:** A Secretary nominated by the Vice Principal (Academic) will minute the meetings but will not take part in the voting of the Panel.

**Frequency:** The Student Appeals and Complaints Panel shall meet as required.

### **Terms of Reference**

1. To hear and determine all applications from students regarding complaints and academic appeals from students, as expeditiously as is reasonably possible, having regard to the circumstances of each case and the requirements of natural justice and fairness.
2. To consider all applications to extend the period within which a complaint or an academic appeal may be heard, where under any regulation or procedure a complaint or an appeal is required to be made to the Student Appeals and Complaints Panel within a specified period.
3. To consider all applications for the Complaints or Academic Appeals Panel to intervene in or alter the workings, or procedures of a lower committee or panel, where it is felt that those workings or procedures contravene the principles of natural justice, reasonableness or fairness, when applied to the specific case referred to in the application.

### **Authority**

4. The Student Appeals and Complaints Panel is responsible to and reports to the Academic Council.

### **Voting and Decisions**

5. It is expected that decisions of the Student Appeals and Complaints Panel will normally be reached by consensus and after due debate but if a vote is required then decisions shall be made on the basis of a majority of those attending and voting at a quorate meeting. In the event of an equality of votes being cast, the Chair shall have a casting vote.
6. Decisions of the Student Appeals and Complaints Panel in all cases, except those determined by a Board of Examiners, shall override all other decisions made by lower committees and panels and be introduced with immediate effect. In the case of a decision determined by a Board of Examiners, the Board of Examiners shall be invited to review its decision in the light of the recommendation of the Student Appeals and Complaints Panel and to report back to the Student Appeals and Complaints Panel.

## **ACADEMIC MALPRACTICE PANEL**

There shall be an Academic Malpractice Panel.

### **Membership**

The Panel shall comprise:

- A Chair, appointed from an approved pool of senior academics;
- The module leader (or nominee) from the module to which the alleged offence relates
- An academic member of staff who does not teach on the module to which the alleged offence relates.

**Quorum:** The Panel shall be quorate if at least three members are present, one of which must be the Chair.

**Secretary:** The Panel will be serviced by a secretary appointed by the Vice Principal (Academic).

**Frequency :** The Panel shall meet as required.

### **Terms of Reference**

1. The Academic Malpractice Panel shall be responsible to the Academic Council for:
  - (a) Investigating and hearing cases of alleged academic malpractice;
  - (b) Determining whether the case is proven or not;
  - (c) Where the case is proven, determining the seriousness of the offence, taking into account any evidence in mitigation, and assigning a penalty in accordance with the regulations;
  - (d) Reporting its findings to the student and to the relevant board of examiners.
2. A record of malpractice cases shall be maintained and an annual report shall be presented to the Academic Council summarising the cases, outcomes and penalties and identifying any trends and providing any recommendations where appropriate.

### **Authority**

3. The Academic Malpractice Panel reports to the Academic Council.
4. The Panel shall report its decisions to the Board of Examiners for information and to be taken into account in determining the results of students.

### **Voting**

5. It is expected that decisions of the Panel will be reached by consensus and after due deliberation. However, if a resolution cannot be achieved by consensus a decision shall be made on the basis of a majority of those attending and voting at a quorate meeting. In the event of an equality of votes being cast, the Chair shall have a casting vote.

## **ACADEMIC REGULATIONS**

### **AWARDS**

#### **Section 1: Awards Introduction**

1. The College may make awards as approved by the Academic Council. Awards must be consistent with the terms of any grant to the College of degree awarding powers by the Office for Students, or the terms of accreditation of an awarding body, or under the terms of agreement with a partner institution.
2. Awards may be made in two broad categories:
  - a) publicly recognised awards;
  - b) professional awards;

#### **Publicly Recognised Awards**

3. Publicly recognised awards may only be made at levels consistent, and fully in accordance, with those set out in the QAA 'Framework for Higher Education Qualifications of UK Degree-Awarding Bodies ("FHEQ")', as currently applying in England. Awards must be designated at Level 7 (Masters), Level 6 (Honours), Level 5 (Intermediate/Diploma), or Level 4 (Certificate).
4. Awards designated at one level of the Qualifications Frameworks may include stages at the previous levels of the framework to facilitate academic and intellectual progression, as permitted by FHEQ.
5. The level of a programme or part of a programme may be designated at Level 3 where the purpose of that programme or part of a programme is to facilitate students to progress to studying a programme at Level 4.

#### **Professional Awards**

6. Professional awards may be made in relation to programmes of study that are designed specifically to meet the needs of employers or the professions where those awards are not able to meet the prescriptions of the FHEQ or otherwise to be mapped to it.
7. Professional awards may carry the name of the College or the name of the professional body or employer.
8. The nomenclature and terminology used in certificating or describing professional awards must seek to avoid any confusion with publicly recognised awards.

#### **Award Titles**

9. Awards instituted by the College must carry titles approved by the Academic Council and titles may only be changed with the approval of the Academic Council.
10. Where appropriate, award titles are also subject to the regulations of awarding/validating or other professional bodies.
11. Titles of College awards must state the field of study and may additionally state, consistently with any rules approved by the Academic Council, the scope of the programme of study leading to the award. In doing so titles of awards must be clear and accurate and reflect the programme level,

outcomes, and content. The title will convey to stakeholders the level of knowledge, understanding and skills to be expected from someone holding the award.

12. Awards instituted by the College which include the designation ‘Graduate’ must be restricted to programmes of study requiring graduate entry, or its equivalent, and the learning outcomes of which at least match relevant parts of the descriptor at Level 6 (Honours) in the FHEQ.
13. Awards instituted by the College which include the designation ‘Postgraduate’ must be restricted to programmes of study requiring graduate entry, or its equivalent, and the learning outcomes of which at least match relevant parts of the descriptor at Level 7 (Masters) in the FHEQ.

#### **Title Forms**

14. The form of an award title may differ depending on whether it is an honours degree, foundation degree, diploma or certificate and whether it is undergraduate, graduate or postgraduate. However, the common structure shall be the qualification title e.g. bachelor’s degree (with or without honours), followed by the discipline e.g. BSc (Hons) Biomedical Sciences.
15. Whether the title of a degree is designated as being in the Arts, Sciences or in another general field or in a specific discipline shall be determined and approved as part of the validation and approval of the relevant programme of studies.
16. Undergraduate certificates and diplomas of higher education may, as determined by the College Programme Approval and Review Panel have the subject discipline included as a suffix in parenthesis e.g. Certificate of Higher Education (Biomedical Sciences).
17. The titles of a graduate and postgraduate diplomas or master’s degree may, where this is approved as part of the validation of the programme, include the designation of a specialist area in parenthesis provided the proposed specialist area is germane to the discipline and complements the programme’s learning outcomes e.g. Graduate Diploma in Biomedical Sciences (Neuroanatomy). However graduate and postgraduate certificates shall not carry a supplementary specialism because they do not attract sufficient credits for this to be meaningful.

#### **Combination Degrees**

18. A joint honours degree shall state both discipline areas conjoined by “and”, e.g., BSc (Hons) Psychology and Biochemistry.
19. A bachelor’s degree with a major and minor combination shall state both discipline areas with the major leading and the minor following conjoined by “with”, e.g., BSc (Hons) Psychology with Biochemistry.

#### **Foundation Degrees**

20. Foundation degrees shall be prefaced with the title Foundation Degree and suffixed by the discipline e.g. Foundation Degree in Psychology. No specialist subject area may be included in the title.

#### **Graduate and Postgraduate Certificates and Diplomas**

21. The title of a certificate or diploma prefaced with postgraduate may be employed where the programme is validated and approved as being at Level 7 (Masters). The title of a diploma or certificate prefaced with graduate may be employed where the programme is validated and approved as being at Level 6 (Honours).

### **Undergraduate Certificates and Diplomas**

22. All undergraduate certificates and diplomas shall be designated certificate or diploma, without prefix. There shall be two types of certificate and diploma at this level: a Certificate or Diploma in Higher Education, to which shall be appended in parenthesis a relevant, broad field of study from those set out at Schedule B of the Regulations, and a certificate or diploma in a named discipline.
23. The titles of certificate and diploma in higher education apply to an award where a student successfully completes the first 120 or 240 credits, as appropriate but terminates the programme of study before becoming eligible for a further award.
24. The title of certificate or diploma in a named subject discipline may be authorised for a programme of study which is specifically designed and approved as leading to an award so titled.

### **Professional and Statutory Body Award Titles**

25. All awards accredited by professional and statutory bodies shall carry the titles designated by those bodies. Where no title is prescribed the form of the title shall follow the rules set out above.

### **Aegrotat Awards**

26. Aegrotat awards may be recommended only for the following qualifications:
  - (a) Certificate of Higher Education;
  - (b) Diploma of Higher Education;
  - (c) Advanced Diploma
  - (d) Ordinary degree;
  - (e) Honours degree;
  - (f) Master's degree.
27. Aegrotat awards will not be awarded with a classification.
28. An Aegrotat award may be recommended when the Examination Board does not have sufficient evidence of the student's performance to recommend the award for which the student was a candidate but is satisfied that but for the illness or other valid cause the student would have reached the standard required.
29. The Examination Board must offer a student the opportunity either to accept the Aegrotat award or re-sit as if for the first time the assessment modules for which there is insufficient evidence of performance on which a judgement could be made.
30. If the student fails the assessments, then he/she may not claim the Aegrotat award.

### **Posthumous Awards**

31. The Academic Council may at its discretion posthumously award any of the awards conferred by the College.
32. The award may be accepted on the student's behalf by a parent, spouse or other appropriate individual.
33. The award certificate will not refer to its having been conferred posthumously.

## **External and Non-Award Programmes**

34. The College may, as approved by the Academic Council, and subject to appropriate agreement, offer programmes leading to the qualifications of other awarding authorities, with titles as determined by those authorities. Approved programmes may be recognised by more than one awarding body for the award of credit or qualifications. Ultimate responsibility for the standards of such awards remains with the relevant awarding authority. The College will be responsible for meeting the standards prescribed by the awarding authority. The College is responsible for the quality of the learning experience of the students it registers on these award programmes.
35. The College may, as approved by the Academic Council, offer short-course awards of no fewer than fifteen credits and no more than sixty credits.

## **Certificates of Attendance and Completion**

36. The College may award certificates of attendance and completion for programmes which have been designed to provide a specified learning experience but which do not otherwise require an assessment and do not lead to an award.
37. Awards approved by the Academic Council to be made by the College, and by the College under agreement with an external awarding authority, must be listed in Schedules A and B of these Regulations.

## **Section 2: Conferment of Awards**

### **Awards available at the College**

38. Where appropriate authority is vested in the College awards may be conferred on students who have completed approved studies leading to the stated awards. Schedule A and B to these Regulations shall specify the authority vested in the College and the awards approved under the authority which may be conferred.
39. Where a student fails at a higher level or stage of a programme of study, he or she may be conferred with an interim exit award. An interim award should only be conferred if the student has demonstrated the achievement of the specified learning outcomes for that award.
40. Where the College has a delegated power to confer awards on behalf of an awarding body or partner, each authority making the delegation, and the awards approved to be conferred under that authority, shall be specified in Schedule B.

### **Conditions of awards**

41. An award of College or an award under delegated authority may be conferred when the following conditions are met:
  - (a) The candidate is a registered student of the College or was registered at the time of assessment for an award;
  - (b) The candidate has paid all programme fees due;
  - (c) Confirmation is provided by the Vice Principal (Academic) that the candidate has completed an approved programme of studies leading to an award;
  - (d) An award has been recommended by the appropriate board of examiners in accordance with the regulations and the result of the award has been approved by the Academic Council;

- (e) The recommendation of the award has been approved by the chair of the relevant board of examiners and by the external examiners;
- (f) In respect of awards conferred under delegated authority, such other requirements as may be specified by the awarding body have been met.

#### **Procedure for conferment: certification**

42. An award certificate shall record:

- (a) The name of College;
- (b) The full name of the student;
- (c) The award;
- (d) The title of the programme of studies as approved by the Academic Council;
- (e) The class of award or other indication of performance, as prescribed under regulations;
- (f) A designation, where appropriate, that the award was approved under the regulations for aegrotat awards;
- (g) The date of conferment;
- (h) The signature of the Principal.

43. Where an award is conferred under delegated authority, the content of the certificate must contain whatever is specified in an agreement with the awarding body.

44. Any award listed in Schedule B and, subject to agreement with the awarding body, an award in Schedule C may be conferred and an award certificate accepted on the student's behalf by an appropriate person as agreed with the Vice Principal (Academic).

#### **Transcripts**

45. A transcript will be issued to all students on completion of an award of the College, including an interim award associated with an approved part of a programme where the full programme has not been successfully completed. The transcript provided will satisfy, as far as reasonably possible, the information requirements of the Joint European Commission-Council of Europe- UNESCO Diploma Supplement.

46. For programmes leading to the awards of other awarding bodies transcripts will also be provided in the same form as for award programmes of the College unless the terms of agreement with the awarding body provide otherwise.

#### **Section 3: Rescinding an Award**

47. The Academic Council may rescind an award if:

- (1) it is established that the relevant authorised body within the College made its decision based on misleading or incorrect evidence; or
- (2) it is established that academic misconduct took place.

48. If a student elects to complete a programme of study at an interim stage and has conferred upon him or her an interim/exit award, but subsequently elects to re-register and continue with that programme of study and is successful in achieving a higher award, the Academic Council shall rescind the lower award.

49. In the case of clause 1(1) above where the award is an approved academic qualification the chair of the board of examiners shall prepare a report for the Academic Council setting out the circumstances under which the decision was made, the nature of any misleading or incorrect evidence, the recommendation of the board and any other issues or remedy that the board considers should be addressed by the Academic Council.
50. In the case of clause 1(2) above, the secretary to the Academic Malpractice Panel shall report the circumstances of the case and the determination of the Panel to the Academic Council.
51. In the case of clause 2 above, the Vice Principal (Academic) shall report to the Academic Council all cases of candidates who have achieved a higher award within a programme in which they had previously had conferred a lower award.
52. In all cases where the Academic Council agree to rescind an award the following actions shall apply:
  - (1) the Vice Principal (Academic), on behalf of the Principal, shall write to the person concerned informing him or her of the Academic Council's decision and requiring the return of any documentation or artefacts relevant to the award;
  - (2) the College's record of the award shall be amended to show that it has been rescinded, together with the reasons for doing so;
  - (3) In the case of an award for the completion of an academic programme, where an award has been made for a previous stage in that programme, the student's transcript shall be amended to delete reference to the previous award.
53. There shall be no right of appeal against the decision of the Academic Council in the respect of rescinding awards provided that such decisions are in line with the regulations described above.

## **PROGRAMME PLANNING AND APPROVAL PROCESS**

1. The College maintains a commitment to ensuring that all awards are strategically implemented, are fit for purpose and are comparable in standard to those elsewhere in HE.

### **Principles for Programme Development**

2. The process of approval or re-approval of programmes or modules for inclusion in the College's portfolio must ensure that any programme that is finally approved meets the following criteria:
  - a. It aligns to the College's Mission Statement, Strategic Plan and Academic Development Plan;
  - b. It is educationally sound and will provide a learning opportunity that will give all students a fair and reasonable opportunity to achieve the intended learning outcomes for successful completion;
  - c. It is set at the standard appropriate to the level of the award;
  - d. It can be resourced effectively and sufficiently to provide students with the facilities they need to succeed;
  - e. It does not duplicate or otherwise undermine existing provision, unless it is proposed that it replaces that provision;
  - f. Where it is a replacement, the case for withdrawing the superseded programme is clear and defensible, appropriate agreements and safeguards are put in place for affected students (where relevant) and that the case and the protections are approved by the Academic Council;
  - g. It is guided by the Quality Assurance Agency's UK Quality Code for Higher Education. In particular it is expected that programmes leading to an award of, or facilitated by, the College will be mapped to the FHEQ and subject benchmark statements (where one, or a comparable one, exists);
  - h. The programme approval process considers the potential impact on students with protected characteristics (Equality Act 2010) to ensure that programme design, content and assessment methods are inclusive; unless to do so would contravene the competency standards imposed by regulatory bodies;
  - i. It takes into account relevant external reference points including, where appropriate, the requirements of relevant professional and statutory bodies, information from employers and careers associations, and the views of students.
3. In addition to discipline related subject knowledge and skills approved programmes will seek to:
  - Stimulate an enquiring and creative approach,
  - Promote independent judgement and critical self-awareness.
  - Enhance potential contributions to the professions and society,
  - Encourage continuing professional career development.
4. Strategic implementation begins with approval for both new awards and significant change to existing awards. Approval to develop new awards must be agreed by the Board of Directors; approval to make significant or substantive changes to existing awards must be agreed by Academic Council.
5. The overarching principle is to ensure that the academic standards and quality of all College awards, wherever delivered, are appropriate and fit for purpose. The College has established standard criteria for the approval of programmes (see Appendix 1, Checklist for Approval of Provision).
6. The process is designed to take into account all relevant external requirements, such as those emanating from the OfS or from Professional, Statutory and Regulatory Bodies (PSRBs)

7. There are other key principles that underpin the approval process. These are that the process of approval should be:

- student-focused
- appropriately externally influenced
- holistic
- efficient, effective and flexible
- transparent

#### Student-focused

8. Planning and development of provision is integral in ensuring a high quality student experience. The process is designed to ensure that the end result is beneficial to students, not only in terms of provision but also in relation to ensuring that the documentation produced at the outcome is of value to students.
9. The main outcome of the process is therefore centred on the development of the Programme Specification and the Programme Handbook. Consultation with students and, where appropriate, recent graduates is encouraged.

#### Appropriately externally influenced

10. A minimum of one external academic adviser is nominated to support the planning and development of the proposed programme. The External Adviser advises proposers in developing the programme and will comment on draft programme documentation throughout the process.
11. An External Reviewer is nominated and attends the final validation meeting to provide independent advice to the College on the quality and standards of the programme, comparability across the sector and lends externality to the decision regarding whether or not to recommend approval with any conditions or recommendations.

#### Holistic: from inception to delivery

12. In summary, the approval of new awards is predicated on a consultancy model culminating in a validation event. This approach ensures that the Programme Team develop provision in conjunction with participants from both inside and outside of the College as appropriate.
13. Attention is focussed on the design element of approving or reapproving provision. This is achieved through an iterative staged process, overseen by the Academic Quality Manager, that encourages full and open discussion on a broad range of matters relating to the delivery of a successful and appropriate learning experience for all students.
14. To encourage an holistic, 'joined-up' approach, key staff are informed of developments from an early point and discussions will therefore be started as soon as provision is approved by the Board of Directors (or Academic Council in the event of a significant change).
15. Similarly, consultation with relevant external advisers, including employer or other professional representatives, takes place throughout the process.

### Efficient, effective and flexible

16. The process is designed so that approval can be achieved at a steady rate over a number of months but also enables rapid approval where required, subject to the satisfaction of Quality Enhancement Committee that all appropriate quality assurance and enhancement undertakings have been fulfilled. The Academic Quality Manager will coordinate development, offering advice on both the process and on matters pertaining to quality assurance and enhancement as appropriate. The Academic Quality Manager will also be responsible for organising the final approval meeting and for working with the Programme Team in finalising and circulating the documentation.
17. Formal recorded evidence is required to demonstrate that the Programme Planning and Approval Process has been carried out in a robust manner. The External Adviser(s) will therefore provide a short report outlining their engagement in the development process. The Academic Quality Manager will produce a summary report from the validation meeting indicating the outcomes and any actions required prior to formal approval being granted by Academic Council.

### Transparent

18. The process has been designed to be transparent to those internal and external to the College and to students.

### **Role of the Quality Enhancement Committee and Academic Council**

19. The Quality Enhancement Committee receive the validation report and recommend the approval (as appropriate) of awards/significant changes to Academic Council.
20. Academic Council has the formal responsibility for approval/re- approval of programmes.
21. Formal approval of provision is gained at the point at which Academic Council approves the report from the final validation meeting and agrees that any conditions have been met.
22. At the point of approval, the Programme Specification, Programme Handbook and module specifications will be complete.

### **Outline of Programme Planning and Approval Process**

23. The Programme Planning and Approval Process comprises the following stages:

- Stage 1: Programme proposal considered and approved by the Board of Directors
- Stage 2: Initial preliminary discussions with Academic Quality Manager regarding timing of process (see Intention to Approve form)
- Stage 3: Development of programme proposal and documentation
- Stage 4: Consultation with internal staff, External Adviser(s), current students and graduates as applicable
- Stage 5: Preparation of final documentation
- Stage 6: Final validation meeting
- Stage 7: Response by proposer to any actions arising from final validation meeting
- Stage 8: Report to Quality Enhancement Committee and recommendation made to Academic Council as applicable
- Stage 9: Approval considered by Academic Council

24. From Stage 2, discussions are held with the Academic Quality Manager who completes, in conjunction with the proposer, the 'Intention to Approve' form.
25. The programme development process is centred on the formulation of a Programme Handbook and associated Programme Specification (including module specifications). These are drafted through an iterative process involving internal and external participants. The Programme Handbook is written primarily for a student audience.

#### **Stage 1: Submission of programme proposal to the Board of Directors**

26. Proposers initiate the process for a new programme (or significant change to existing provision) through consultation with the Management Committee (Principal, COO and CAO). At this stage, the proposal is developed as necessary for the approval of the Board of Directors.
27. The Initial Programme Proposal form is completed for sign-off by the Board of Directors. In cases of significant change, only relevant sections are required.

#### **Stage 2: Initial preliminary discussions with the Academic Quality Manager**

28. Once BoD approval has been obtained, the proposer will be asked to complete an 'Intention to Approve' form outlining the nature of the provision, indicating any involvement of PSRBs (for instance any external accreditation requirements) and nominating at least one External Adviser and one External Reviewer. The former will assist with programme development and the latter will be directly involved in the final validation meeting.
29. The completed form is sent to the VP (Academic) who will formally approve the External Adviser(s)/Reviewer.
30. Expertise of external advisers/reviewers is evaluated in relation to the level and nature of the programme as well as subject relevance and experience of HE and/or target profession.
31. The following criteria should be considered when identifying potential academic external advisers and panel members (including External Reviewers) for programme approvals/re-approvals and periodic reviews:
32. The External Adviser should have:
  - relevant subject knowledge and experience,
  - relevant experience of HE teaching, normally at the equivalent level to the proposed programme
  - relevant professional experience
33. The External Reviewer should have similar experience but may substitute relevant professional experience for that of HE teaching. This is because, by the point of formal validation/approval, the proposal will have taken into account External Advisers' expertise in this regard.
34. External advisers or reviewers should not normally have had any other professional relationship with the College in the last three years.
35. The Academic Quality Manager will confirm appointment with external advisers/reviewers with information about their role, requirements and fee arrangements.

36. From this point the proposer takes responsibility for communications and liaison with External Adviser(s) to develop the proposed programme.
37. The Academic Quality Manager will communicate and liaise with the External Reviewer regarding the date and arrangements for the final validation meeting.

#### **Stage 3: Development of programme proposal and documentation**

38. Programme planning and design should be an iterative process that takes a collegiate approach to curriculum development.
39. The Programme Specification, including an award map should be drawn up with consideration of a range of guidance, including external and internal reference points (FHEQ, benchmark statements, PSRB requirements, professional guidance, etc) through discussion with internal and external participants. Such reference points will be important in shaping the aims, learning outcomes and structure of the programme.
40. As the Programme Specification takes shape, work will normally commence on the Programme Handbook and on the module specifications. The Handbook should be produced to suit the students for whom the provision is intended. Existing handbooks for other programmes can usefully be used as a guide, but care should be taken to avoid including irrelevant information.

#### **Stage 4: Consultation with internal and external advisers**

41. Throughout the consultation and redrafting process, proposers and participants should refer to the standard criteria for the approval of programmes listed in Appendix 1.
42. Proposers are responsible for liaising with the internal advisors, which should include students, and designated external adviser(s) appointed to advise them on the programme development. How the external adviser will be used should involve consideration of where and when discussions are best conducted through correspondence, online or face-to-face meetings.
43. Once the documentation is nearing its final version, the External Adviser(s) should be asked to complete a report confirming their engagement in the process and summarising any issues raised and resolved. A template is provided for this purpose (see External Adviser Report Form). The completed report will be included with the final draft documentation at the final validation meeting.
44. Receipt of the report prompts payment of the External Adviser fees and any related expenses.

#### **Stage 5: Production of Final Draft Documentation**

45. The following documentation is required in electronic format for the final validation meeting and should be submitted to the Academic Quality Manager by the agreed date:
  - Initial Programme Approval form (as approved by BoD)
  - Programme Specification/Award Map
  - Module Specifications
  - Draft Programme Handbook
  - Staff CVs (for all staff who will be teaching on the programme)
  - Confirmation of resource availability (using the Resource Confirmation form)
  - Any variation to existing strategies or structures (eg. to the Learning and Teaching strategy).
  - Report from External Adviser(s)

- Any reports or comments from other stakeholders, such as students/graduates, employers, etc

46. The resource confirmation statement covers staffing, specialist and other learning resources. It is signed by the COO.

47. Proposers should carry out internal scrutiny of all documentation at this stage, including proof-reading and editing to appropriate standards. The Proposer is responsible for ensuring all documentation is complete, accurate and consistent.

#### **Stage 6: Final validation meeting**

48. The Academic Quality Manager is responsible for making all arrangements for the final validation meeting and for liaising with the External Reviewer and all other participants in the process.

49. The Academic Quality Manager is also responsible for producing the report of the meeting and for following up on actions with the Proposer as necessary.

50. The purpose of the final validation meeting is to:

- confirm the programme is consistent with external and internal reference points/policies etc.
- confirm that the necessary resources are in place (or will be in place) for the programme to commence
- discuss any outstanding matters identified and determine actions to resolve these as appropriate (these may be conditions for validation, or recommendations to be considered).make a formal recommendation to the Quality Enhancement Committee on the approval of the programme.

51. Where approval of programmes involves a PSRB, consideration will be given to the most appropriate sequencing of events (including whether a conjoined event is feasible and/or desirable).

52. The final validation meeting will be chaired by the Chief Academic Officer or nominee.

53. Other participants in the final validation meeting will normally be:

- Proposer for the programme
- Other key members of staff responsible for delivering the proposed programme
- A senior colleague from another programme/award (typically a Programme Leader or Deputy Programme Leader)
- External Reviewer
- A Student Representative (identified by the Academic Quality Manager)
- PSRB/Patient representative/s (as appropriate)
- Academic Quality Manager
- A minute taker, nominated by the Academic Quality Manager.

54. Documentation will be normally be made available to all participants at least one week in advance of the meeting.

55. Participants will be asked to focus on aspects of the documentation as follows and to provide comments in advance of the meeting by email to the Academic Quality Manager on perceived strengths of the proposal and matters for discussion:

- External Reviewer: alignment with external benchmarks (particularly FHEQ, subject benchmark statements, etc.) and currency of curriculum, appropriateness of learning opportunities and resources
- Member of staff from another award: extent to which proposal meets internal policy requirements (eg. personal tutoring, diversity and inclusion, etc.)
- Student Representative: the student journey (arrangements for induction through to graduation), academic support arrangements, access to resources; arrangements for student representation/feedback.
- Academic Quality Manager Officer: consistency with College regulations and programme structures (eg. L&T Strategy), appropriateness of documentation, clarity, accuracy and consistency.

56. The Academic Quality Manager will draw up an indicative draft agenda for the final approval meeting in advance, based on comments received from participants, together with any matters raised in the report of the External Adviser(s).
57. Where appropriate, the schedule for the meeting may include a resource tour
58. A typical schedule for an approval meeting might be as follows:
  - informal introductions
  - resource tour with programme leader (if applicable)
  - meeting of all participants to discuss matters identified for agenda
  - meeting with any specific groups of staff to discuss specific issues (determined in advance)
  - conclusions, including recommendation for approval and actions required.
59. The Chair is responsible for ascertaining that the agenda covers all issues that participants wish to discuss. It may be necessary in certain circumstances to update/add to the agenda at the start of the meeting. The Chair and the Academic Quality Manager should ensure that the meeting explicitly covers the formal requirements confirming academic standards and quality matters and reaches clear conclusions and outcomes, including identification of good/useful practice, commendations, actions (either conditions or recommendations), including where necessary any specific arrangements for confirming responses to these (see below).
60. The outcomes of the final approval meeting will be either:
  - Recommendation to Quality Enhancement Committee that the programme be approved (subject to any conditions/recommendations, or
  - Recommendation to Quality Enhancement Committee that a further approval meeting is held (with advice provided on matters to be addressed/developed and suggested timing for further meeting).
61. Where conditions are set for the Programme Team/Department/School, it must be possible for these to be resolved prior to the programme being formally approved and before it commences. Other issues raised which may be broader or more long-term can be included, but should be listed as recommendations e.g. where monitoring or further development is required once the programme has started being delivered, issues relating to staff development, monitoring, external accreditation, etc.
62. The Academic Quality Manager will produce a short report of the meeting normally within two weeks covering:

- participants in development and approval process
- background to proposal (nature/purpose of programme and planned start date etc.)
- list of documents provided for final approval meeting
- summary of key matters discussed at final approval meeting
- confirmation that academic standards and quality of learning opportunities, including resources are appropriate, and that (subject to any actions) the team is ready to deliver the programme
- action plan for Programme Team
- any longer-term recommendations for consideration by the Programme Team
- date for completion of conditions and submission of final documentation to Academic Quality Manager.

63. Separately the Proposer will be provided with details of any minor amendments/ corrections/clarifications required of the documentation. This may be in the form of an appendix to the report.

#### **Stage 7: Response by Programme Team to actions from final approval meeting**

64. Following the final approval meeting, the Programme Team will be asked to address the actions as set out in the action plan from the report of the meeting, and provide final updated documentation, normally within a period of four weeks from the date of the meeting.

65. The completed action plan (noting the response of the Proposer and, as appropriate references to where it is evidenced) is then incorporated, by the Academic Quality Manager, into the final version of the report recommending approval.

#### **Stage 8: Report to Quality Enhancement Committee**

66. The final report (incorporating the completed action plan) should be agreed with the Chair of the final approval meeting to confirm the Programme Team has satisfactorily addressed all actions.

67. The report will be provided to Quality Enhancement Committee to confirm the recommendation for approval of the programme. Quality Enhancement Committee will recommend approval of the programme to Academic Council provided that the committee is satisfied that the approval process has been carried out robustly, there has been appropriate independent externality and all matters for action have been satisfactorily addressed.

#### **Stage 9: Confirmation at Academic Council**

68. Recommendations will be made to the next Academic Council meeting following the Quality Enhancement Committee meeting.

#### **Approval of new delivery venues for existing provision (site and resources)**

69. The agreed delivery venues for new provision are confirmed through the programme approval process in conjunction with assurances that appropriate resources, including specialist and learning resources, are in place to support the provision..

70. Should a new venue (either additional or alternative) be proposed for the delivery of existing provision, assurances will be sought that this is appropriate both from a resources and student experience perspective.

71. In cases where the proposal involves the off-site delivery of existing awards or modules, a Significant Change form is completed, detailing rationale and costings for the initiative will be required.
72. Following approval of the proposal, due diligence and, as necessary, a site and resources visit will be undertaken.

#### **Approval of provision involving Professional, Statutory or Regulatory Bodies (PSRBs)**

73. Due to the variety of approaches to validation/approval, accreditation and monitoring, it is not appropriate to have a one-size fits all policy with regard to including specific PSRB requirements within this process. In all cases therefore, there will need to be some discussion to negotiate a means of approval with the PSRB that fits with the process without causing undue burden to any party.

#### **Module and Programme Amendments**

74. The College's approach to managing Module and Programme Amendments is underpinned by a commitment to proportionality based on the perceived level of risk, the impact on the programme as approved, and the associated level of externality required to inform and confirm that any revision remains comparable with the sector in terms of academic standards.
75. The majority of changes to existing provision can be approved through the Quality Enhancement Committee with the degree of external input varying according to the types of changes that may occur.
76. In cases where significant changes to provision are required, (for example to more than 50% of any one level of the programme, or more than 25% of a programme in total) the Programme Planning and Approval process as outlined within this document will typically apply.
77. Many changes to modules will comprise routine updates which would be expected as part of the oversight of programme operation and, as such, do not constitute a formal module amendment (unless classed as significant change by an accrediting body/PSRB).
78. Examples typically include:
  - Updating bibliographies with new editions, texts, moving from physical to online resources,
  - Minor changes to taught content without affecting learning outcomes,
  - Changes to formative assessment elements
  - Changes of staffing.
79. Other potential types of changes are outlined in the table in Appendix 2. A combination of changes raises the level of scrutiny that must be undertaken to assure the quality of the programme. The table links such changes with the information required for approval, or the nature of the process to be followed.
80. Category 1 includes minor module amendments that do not impact the award are Category 1, requiring assurance that there is no broad impact on the programme as a whole. Such changes typically include changes to module title, to module learning outcomes or to module assessment.
81. Category 2 changes are those that do not affect programme/award learning outcomes and typically include changes to mode of delivery or assessment balance.

82. Category 3 changes are those which impact on the overall programme structure and content, its learning outcomes, or the alignment with its current title. This category therefore comprises significant change to a programme or award. There are two levels of this type of change, again based on the number and impact of these types of changes.

Simultaneous and cumulative change

83. Where there are, over time, a number of minor changes to individual modules or a combination of small changes to a programme, the overall impact of this on the original validated programme will be considered. As detailed in Appendix 2, such a combination of changes may require movement to the next category of approval in order to reflect and manage such impact.

84. In all cases, proposed changes should be discussed with the Academic Quality Manager to ensure that appropriate information and process is agreed from the outset.

85. Changes will be discussed and agreed by the Academic Quality Manager before being presented to the Quality Enhancement Committee.

86. Decisions relating to proposed amendment proposals will be one of the following broad recommendations:

- to approve the proposal as presented;
- to approve the proposal, subject to conditions and/or recommendations that the Committee considers to be necessary. Conditions will be explicit, time-limited and must be fulfilled. Recommendations should reflect matters of less concern to the Committee; however, the proposer must still provide a written response and, in the case of deferral of action, on a recommendation, should state a reason;
- to refuse approval, providing reasons for this decision.

87. Once approved by Quality Enhancement Committee, a recommendation for full and formal approval will be made to the Academic Council.

88. Updated documentation will be retained by the Academic Quality Manager. As appropriate, changes will be made to registry systems.

## **Appendix 1: Standard Checklist for Approval of Provision**

There are a range of external and internal reference points that must be taken into account in the design and development of any award. In particular the award must have taken account of the [OfS sector recognised standards](#) and the [OfS conditions of registration related to quality and standards](#).

It is also beneficial to ensure that programmes compare with [the UK Quality Code for Higher Education](#) published by the QAA. The standard criteria set out below have been informed by the Quality Code.

There are a range of further national reference points published by the QAA, including [subject benchmark statements](#), or by professional, statutory and regulatory bodies that are relevant to specific awards.

### Design principles

- a) Is there a clear rationale and target market for the award?
- b) Has there been appropriate market research and consultation with potential stakeholders, including employers, to inform the design of the award?
- c) Have issues of demand, recruitment, admissions and career/employment opportunities for students been addressed?
- d) Does the award design take account of employability, diversity and inclusion and sustainability?

### Academic Level

- a) Has the level of the award been informed by the appropriate benchmarks to establish the threshold standards?
- b) Is the level of the intended learning outcomes for the award and for any named stages/exit awards in the award clearly defined and benchmarked to the FHEQ and any other relevant level descriptors?
- c) Has appropriate attention been given to the setting of threshold standards, and where appropriate the requirements of PSRBs?

### Progression

- a) Does the curriculum promote progression so that the demands on the learner in intellectual challenge, skills, knowledge, conceptualisation and learning autonomy increase through the levels?
- b) Are there clear arrangements for personal academic tutoring?

### Flexibility

- a) Has the range of requirements of learners likely to enter the award been considered in terms of academic support, curriculum structure and content?
- b) Are there options within the award, and are there any implications of this?

### Coherence

- a) Is the overall coherence and intellectual integrity of the award clear?
- b) Have the academic and practical elements, opportunities for personal development and the academic outcomes been fully considered?
- c) Is the breadth and depth of the subject material to be included in the award appropriate?

### Integrity

- a) Are the expectations provided to students and others, about the intended learning outcomes, learning, teaching and assessment methods of the award, realistic and deliverable?
- b) Is the award likely to produce graduates with the appropriate capabilities and qualities for success on graduation?
- c) Are the regulations for the award in line with existing Academic Regulations, or is a change/addition to these proposed?

### Resources

- a) Are the staff appropriately qualified and experienced to manage and deliver the award?
- b) Are the learning resources (including any specialist resources) available to ensure the successful delivery of the award?

### Documentation

- a) Is the programme specification accurate and current, and of a publishable standard?
- b) Are the module specifications accurate, complete and current?
- c) Is the Programme Handbook accurate, current and consistent with the programme specification?

### Quality Assurance

- a) Are the arrangements for the operation of the award clear and appropriate?
- b) Have the arrangements for student engagement in the quality assurance and enhancement of the award been considered (eg. for student representation, feedback and evaluation of modules)?
- c) Are arrangements for external examiners in place?

**Appendix 2: Table showing categories of amendments and advice on process**

Category 1 Module Amendments	Category 2 Minor Programme Amendments	Category 3 Significant Programme Amendments	
		Category 3a	Category 3b
Changing the title of a module (PS must also be amended)	The addition of modules adding up to 20% or less of the overall award.	The addition of modules adding up to 50% of any <b>level</b> of the programme, and no more than 25% of a programme in total.	A change to the title of a programme and/or associated award
Modifying the learning outcomes of a module for up to 20% of the overall award.	Changing the mode of attendance (PT/FT) or the nature of delivery (online/blended learning)	Any combination of changes covered by the Category 2	A change of programme location to another campus, including multi-site delivery
Changing summative assessment for up to 20% of the overall award.	Changing the assessment balance of the programme, including addition or removal of examinations	Significant changes to entry requirements (ie. beyond wording)	Changes to the methodology of assessment of the programme such that the overall learning outcomes of the programme are fundamentally different
Changes to the learning and learning hours, or to contact time, for a module	Addition of an optional module	Addition or removal of a mandatory module, including changing the status of module from optional to mandatory	Change to the accreditation of an award
Changing or adding pre-requisites for a module.	Any range of amendments from category one comprising less than 25% of the total award.	Any range of amendments affecting more than 50% of any <b>level</b> of the award or between 25% and 50% of the total award	Any range of amendments affecting more than 50% of the total award
Change to any compulsory professional requirements needed to pass the module			Change to the accreditation of a programme
Action required	Action required	Action required	Action required
Completion of Minor Amendment to Modules (Cat 1) form  Comments from External Examiner by correspondence where relevant.  Approved by Quality Enhancement Committee	Completion of Minor Amendments to Programmes (Cat 2/3) form including confirmation that students have been consulted where appropriate.  Comments from External Examiner by correspondence.	Completion of Minor Amendments to Programmes (Cat 2/3) form including confirmation that students have been consulted where appropriate.  Comments from External Examiner by correspondence.	Discuss with VP (Academic) to establish appropriate mechanisms of change.  Changes may require the agreement of other bodies, up to and including the Board of Directors  Programme re-approval will usually be required, including obtaining independent external advice.

## ADMISSIONS POLICY

### Introduction

1. This policy sets out the College's approach to admissions onto its programmes, including its policies, its criteria for admission, its admissions procedure, and provisions for applicant complaints and appeals.
2. The College is committed to delivering a fair admissions system that admits students who are able to benefit from their selected programme of study irrespective of their background. In so doing, the College is committed to the five key principles of Fair Admissions as outlined in the Schwartz report: transparency, minimising barriers to entry, selecting for merit, potential and diversity, professionalism and using assessment methods that are reliable and valid.

### Policies

3. The College's admissions policies and procedures must be clear, fair, lawful and have due regard to the legitimate interests of prospective students.
4. Applicants with learning difficulties and/or disabilities will be encouraged to disclose these at admission so that reasonable adjustments may be agreed to support the student's learning and assessment appropriately.
5. Non-EEA and Switzerland citizens will need to meet any particular requirements stipulated by UK Visas and Immigration to be eligible for a Tier 4 visa.
6. The criteria to be applied in the selection process for a programme must be specified in advance of the consideration of candidates and have received formal approval from the Academic Council. These criteria are set out below in this policy.
7. Subject to the published admission requirements and the availability of places, the decision as to whether an applicant shall be offered a place and admitted to a programme of study rests with the Programme Leader, or by delegation with the Head of Admissions (or their nominee).
8. The Principal, in liaison with the Board of Directors, shall determine the maximum or minimum intake to each programme or individual modules, providing that an applicant may not be denied admission to any core modules which contribute to the programme of study for which they are registered.
9. An individual verification of the academic qualifications obtained prior to entry may be undertaken, either during the admission process or following enrolment but before registration as a student. As part of this verification, applicants may be required to provide certification to verify their academic qualifications.

### Criteria for admission

10. The categories of entry criteria for admission to the College's programme are as follows:
  - Minimum general entry requirements;
  - For students whose first language is not English, there are English language requirements;
  - Programme-specific requirements;
  - Discretionary criteria where there is competition for places.

11. There may be additional admission requirements for Tier 4 international students (non-EEA and Switzerland citizens), in accordance with the UK Visas and Immigration regulations valid at the point of application.

*Minimum general entry requirements*

12. Applicants must normally be at least 18 years of age on admission to the College. For the purpose of this policy, the date of admission is defined as the 1<sup>st</sup> of October in the relevant academic year.

*English Language Requirement for International Students*

13. Applicants for the College's programme whose first language is not English will be required to demonstrate their ability to understand and express themselves in English reading, writing, listening and speaking to derive full benefit from and succeed in passing the programme.

14. Applicants from outside the United Kingdom can provide evidence on their English language capabilities as outlined below:

- If the student is a national of a Majority English Speaking Country (as defined at <https://www.gov.uk/tier-4-general-visa/knowledge-of-english>); or,
- If the student has been taught and assessed in the English language throughout their educational career.

15. Applicants who do not meet these criteria may be required to demonstrate that they possess recognised English language qualification such as:

- IELTS Academic (6.5 overall with a minimum of 6.0 in each component);
- Cambridge Certificate in Advanced English/ Cambridge Certification of Proficiency in English (191 overall with a minimum of 176 in each component);
- GCSE in English as a first language, or Cambridge GCE O level (English), or Cambridge GCE A level (any of which must be grade C or above);
- International Baccalaureate (standard/higher), English (grade 7 [standard]; grade 5 [higher]);
- PTE Academic (75 overall with a minimum of 62 in each component);
- TOEFL (109 overall; 24/30 in reading and writing; 20/30 in speaking and listening).

16. Scores are valid for a maximum period of two years prior to the date of registration.

17. Any student in respect of whom it becomes apparent that their ability in the English language is not at the required level for successful completion of the programme, may be required by the Programme Leader to take an English language proficiency test. If the result of the test reveals that the student's standard of English is below that required for admission, the student may be required to take action, at their own cost, to remedy the deficiency, within timescales agreed by the Programme Leader, or otherwise to leave the programme.

*Programme-specific requirements*

18. The College does not set minimum grade thresholds for entry into its programme. Instead, the College looks at every applicant's academic achievement in the context of their background (their College background, their family background, and any disadvantages they may have had). Aside from academic attainment (which is viewed in the context of the candidate's background), the College will consider a candidate's general cognitive abilities, their passions, mindsets and behaviours, and their interpersonal skills in determining whether to offer the candidate a place on the programme. These criteria are based on the abilities required to achieve the

programme's learning outcomes and succeed on the programme and are confirmed by the Academic Council.

### **Enrolment and Registration**

19. An applicant will be deemed to be enrolled at the College on acceptance of an offer.
20. An applicant will be deemed to have registered once they have accepted an offer and met the matriculation requirements in relation to that offer.
21. Applicants may be permitted to be enrol and commence a programme conditional on results on qualifying awards being published. However, they do so at their own risk and may be required to withdraw if the results are unsatisfactory.
22. An applicant may not register until all matriculation requirements have been met.
23. An applicant is required to attend the induction to their programme and be in attendance at the start of and throughout the programme. In exceptional circumstances, with the permission of the Principal, an applicant may be permitted to join a programme up to two weeks after it has commenced but not thereafter.

### **Admission with Credit**

24. Prior certificated and experiential learning of students admitted and registered on a programme may be accredited against modules on that programme of study and exemptions are granted, provided that any such accreditation and exemption are consistent with the terms governing the programme and award. Further details on recognition of prior learning are given in the College's Recognition of Prior Learning Policy.

### **Admissions procedure**

25. The College will review applications based on the candidate's reference, their academic achievement in the context of their background, and personal statement.
26. All candidates who are offered a place to study at the College will receive an offer letter detailing the terms and conditions of the offer. This will include details of individual requirements that need to be fulfilled before the candidate can be admitted to the College. Offer letters will be sent out either by post or as an email attachment. The College's Terms and Conditions can also be found on the College website.
27. Applicants are responsible for providing evidence that they have met the terms and conditions of their offer. This evidence could include for example, certificates and degree transcripts once these become available.

### **Data Protection**

28. Applicants personal data of will be handled in line with the College's Data Protection Policy.

### **Misrepresentation or Fraudulent Information within an Application**

29. In cases where an application is discovered during the admissions process to contain misrepresentation or fraudulent information, the Head of Admissions will have the authority to reject an application or revoke an offer of admission. If such evidence of fraudulent information in the application of a candidate is discovered after the registration of that candidate, the case

shall be considered by the Vice Principal (Academic), who will have the authority to terminate the student's registration.

#### **Published Information**

30. The Chief Operating Officer will maintain the prospectus for the College listing all approved programmes and their modules of study. The prospectus will also provide general information on costs, fees, relevant policies and site information. The prospectus shall be provided in electronic form.

#### **Candidates with Disabilities and/or Learning Difficulties**

31. In selecting students, equitable consideration will be given to all candidates. Applicants shall be invited to disclose any learning needs or disability. On being made an offer a student with a disability or learning need shall be invited to discuss the support required to complete the programme with a trained and specially designated member of staff to:
  - Ensure that the student is fully aware of the demands of the programme;
  - Identify any resources or arrangements that the student requires;
  - Determine whether the College can reasonably provide these.
32. Where reasonable adjustments have been agreed with a candidate who has accepted an offer of a place on the programme, the College will provide the student with a clear record of the adjustments to be made in the form of a learning support agreement. The learning support agreement shall set out as a minimum:
  - A clear, precise and accurate listing of adjustments to be provided by the College;
  - An agreed clear contact point for the student during their studies;
  - A clear statement as to the expectations of the College that the student will keep the College informed as to any alterations in their disability and resulting effects on their study.
33. Further details on the College's approach to reasonable adjustments can be found in the College's Disability Policy.

#### **Candidates Convicted of a Criminal Offence**

34. The College acknowledges the role of education in rehabilitation, and also acknowledges that a criminal record may not debar an applicant from admission unless the nature and seriousness of the offence in question is incompatible with:
  - The programme applied for; or
  - Participation in an academic and social setting; or
  - The College's responsibility for a safe and neutral environment for students and staff.
35. An applicant for admission to the College who has received a police caution or been convicted of a criminal offence must declare the police caution or conviction in their application.
36. An applicant who receives a police caution or is convicted of a criminal offence after applying to the College, whether before or after registration, must declare the police caution or conviction immediately.
37. The College reserves the right to withdraw or amend any offer of admission, or to prevent the enrolment and registration of, or to terminate the registration of any applicant that it discovers has withheld information about a police caution or conviction.

38. Where an applicant has a police caution or a criminal conviction the College may ask the applicant's permission to seek further references from an individual or body it considers appropriate. In certain circumstances, this may include a police check on the applicant's criminal record. A refusal of permission to the College may prevent further consideration of the application, or termination of registration.

### **Applicants Wishing to Reapply**

39. Applicants who are unsuccessful may apply again in a subsequent year. Applications will be considered against the standard programme entry criteria for that year of entry. The new application should demonstrate an improvement from the previous application. We may draw upon all information from previous applications when assessing suitability for the programme.

### **Complaints and Appeals**

40. Applicants may choose to challenge the College's admissions processes and decisions under the College's Applicant Complaints and Appeals Procedure on the following grounds:
  - An applicant may raise a *complaint* regarding a specific procedural error, irregularity, or maladministration in the College's admissions process.
  - An applicant may *appeal* an admissions decision, or the wording/terms/conditions of an offer, or a pre-entry fee status decision, on the grounds that the decision/offer was not made fairly on the basis of the evidence originally submitted.
41. Applicants may not appeal against admissions decisions based on the academic judgment of the College staff about their suitability for entry to a particular programme.
42. An admissions appeal shall not be considered where the applicant does not meet the criteria specified for entry to the programme of study. Further, the College will not review an admissions decision simply because an applicant disagrees with or wishes to challenge the admissions criteria set by the College.
43. Further details on how and on what grounds an applicant may make a complaint or appeal can be found in the College's Applicant Complaints and Appeals Procedure.

### **Monitoring and Review**

44. An annual report on admissions detailing the number of students admitted by academic achievement and protected characteristics shall be presented to the Academic Council annually.
45. The College's Admissions Policy will be reviewed annually and amended as appropriate by the Academic Council.

### **Equality, Diversity and Inclusion (EDI)**

46. This policy has been reviewed to consider any specific equality, diversity or inclusion implications.
47. As noted above, the College is committed to delivering an admissions system that meets the five key principles of Fair Admissions as outlined in the Schwartz report: transparency, minimising barriers to entry, selecting for merit, potential and diversity, professionalism and using assessment methods that are reliable and valid.

48. The College also encourages applications from a diverse population in line with the targets set out in the Access & Participation Plan.
49. Specifically, students with a disability or other learning need are encouraged to disclose this information in order to ensure that their needs can be met appropriately throughout the admissions process.
50. Any applicant who feels that implementation of the policy has been unjust has the opportunity to seek appeal.

## **POLICY FOR RECOGNITION OF PRIOR LEARNING**

### **Introduction and overarching principles**

The College recognises the value of learning wherever it occurs, either to meet programme entry requirements or to achieve credit towards specific awards.

Accreditation of prior learning (APL) is only possible in cases where such learning evidentially meets the relevant entry requirements for programmes offered by the College.

Processes for assessing claims for prior learning will be transparent, rigorous and fair.

### **Definitions**

The following definitions are adapted from the QAA Guidelines on Accreditation of Prior Learning.

*Recognition of Prior Learning (RPL):* a process that acknowledges and establishes that some reasonably substantial and significant element of learning has taken place and can be assessed to have done so. RPL is typically used to determine appropriate entry to a programme .

*Accreditation of Prior Learning (APL):* APL is the term used to encapsulate the range of activities and approaches used formally to acknowledge and establish publicly that some reasonably substantial and significant element of learning has taken place.

*Accreditation of Prior Certificated Learning (APCL):* a process through which previously assessed and certificated learning is considered, and if appropriate, recognised for academic purposes.

*Accreditation of Prior Experiential Learning (APEL):* a process through which learning achieved outside education or training systems is assessed and, if appropriate, recognised for academic purposes. It is recognised that the process of APEL is more resource intensive than that for APCL. APEL will usually involve an applicant consulting an adviser on the production and submission of an APEL claim and building up a portfolio of evidence. An assessor, the member of staff who will exercise academic judgement in assessing an APEL claim, will then consider the portfolio.

References to prior learning in this policy refer broadly to all of these means of accrediting prior learning unless otherwise specified.

### **Principles and key elements**

1. Credit is given for learning, and not for experience alone, and only where the level, standard and content are relevant to a particular programme.

2. The award of credit is a matter of consistent application of academic judgement and must result from a transparent and demonstrably rigorous and fair decision making process.
3. Credit will normally only be given for whole modules and may not be counted twice for the same level of an award. Applicants may not receive credit for more than two-thirds of the total credit of an award.
4. Credit awarded through APL will count towards the attainment of the award but will not typically count towards the classification of the award.
5. APL will take specific account of accrediting body requirements and will be reported to the College's awarding/validating HE provider as appropriate.
6. It is the responsibility of the applicant to prepare their application and submit adequate documentation. Applicants will be advised and supported in making an application that includes element(s) of prior learning but will be given no guarantee of entry until the process is complete.
7. The role of the member of staff who advises a student on the production and submission of an APL claim will be separate and distinct from the role of the member of staff who exercises academic judgement in assessing the claim.
8. All staff associated with the support, guidance and assessment of claims for the accreditation of prior learning will have undertaken appropriate training.
9. Where a submission of APL has demonstrated learning equivalent to that of an existing programme, the credits and level allocated for the submission will be the same. Where additional evidence is required, for instance through a portfolio, this should be sufficient in length, depth and level, and also be authentic and sufficiently recent.
10. Candidates may be offered the opportunity to complete further work based on their past experience that may help to demonstrate their learning.
11. Just as students on programmes may progress without having demonstrated that they have met every learning outcome in each module, neither should students applying through APL be expected to do the same. In other words, students seeking APL should be awarded credit for modules on a comparable basis to existing students.
12. The College may charge an appropriate fee for the processing of APL claims, particularly where portfolio evidence is required. Applicants will be advised whether a fee will be charged.
13. The following process will typically apply:

#### Application

14. Applications for credit should be routed through the normal admissions process (either through UCAS or directly to the College).

#### Advice and Guidance

15. Applicants will be advised on the requirements to demonstrate APL in line with the principles outlined above.

16. Applicants may be asked to submit for assessment, any, or a mixture of, the following:

- copies of transcripts, syllabi and references
- a portfolio of evidence
- discussion of APL elements via an interview
- a practical exercise
- a specific piece of work or special assignment

17. Where certification is supplied, assessment of the claim may take place at once. If certificates, transcripts, references, etc are required the student will be advised and, where necessary, will be given advice on the requirements and submission of further evidence.

#### Review of the claim

18. Evidence will be considered by an appropriate member of academic staff who will determine the academic credit that would, in their view, be appropriate with regard to the programme.

19. In assessing the documentation, the level, standard, content, relevance and currency of the prior learning should be taken into account.

20. In terms of portfolio claims, the following should be taken into account:

- Authenticity (it is the applicant's own learning/experience)
- Relevance (the learning represents appropriate knowledge and/or skills)
- Sufficiency (there is an appropriate level of evidence in terms of quality and quantity)
- Reliability (the applicant could, in all likelihood, repeat the assessment and achieve a similar outcome)

#### Decisions

21. Decisions are typically taken using precedent (ie. previous experience of students with similar qualifications, where available) to determine whether the prior learning is acceptable. Decisions should therefore be clear and transparent, so as to be of future use in determining outcomes.

22. Decisions should also be clear and transparent to applicants, external examiners and the awarding/validating HE provider.

23. Decisions are therefore made as follows:

- approved
- not approved
- insufficient evidence

24. Where the claim is not approved, or where there is deemed to be insufficient evidence, applicants shall be given an explanation of the decision.

25. If there is insufficient evidence, applicants may resubmit their claim within an appropriate time.

26. Appeals against such decisions may only be made on the grounds that there has been

procedural irregularity.

**Recording of outcomes**

27. Where applications are successful, decisions will be recorded and retained on the student file.

## **FITNESS TO STUDY POLICY**

### General Principles

1. The College seeks to assist all its students to achieve academic success. However, it is recognised that, due to changes affecting personal circumstances, the worsening of an existing health, mental health or disability related issue or the development of a new condition, students' ability to progress may be undermined.
2. 'Fitness to Study' is defined as the ability to positively and proactively engage with academic study and the College learning community, which includes academic participation and progress, as well as respectful engagement with College colleagues. This is not to be confused with fitness to practise.
3. This policy is intended to be preventative and supportive, not punitive and should be reserved for situations when a student's fitness to study is deemed to be a cause for concern and for urgent intervention.
4. Examples of when a student's fitness to study may be a cause for concern include, but are not limited to, the following:
  - i) A student's behaviour or health difficulties are, or are at risk of, impacting upon the health, safety or wellbeing of themselves or others;
  - ii) A student's behaviour or health difficulties are, or are at risk of, adversely affecting the teaching, learning, or experience of other students;
  - iii) A student's behaviour would usually invoke the Student Discipline Policy but there are concerns of an underlying physical or mental health difficulty;
  - iv) A student's failure to engage or progress academically may be attributable to an underlying physical or mental health difficulty.
5. This policy should not be used to address routine cases where a student has failed to engage or progress academically. These should be considered under the Academic Progress Monitoring Policy.
6. In an emergency, or in cases where a student's health or behaviour pose a risk of harm to either themselves or others, it may be necessary to invoke the Mental Health and Wellbeing Policy, the Principal's Emergency Powers, or the Student Discipline Policy.
7. The application of the Fitness to Study Policy will be guided by the following principles:
  - Fair and proportionate action in relation to vulnerable individuals;
  - Consideration of relevant professional advice;
  - Safeguarding the academic community from threat or harm;
  - Support student achievement through holistic consideration of challenges and support available;
  - Compliance with legal duties and responsibilities including but not limited to the Human Rights Act 1998; the Equality Act 2010; the Counter-Terrorism and Security Act 2015 S.31; General Data Protection Regulations and Data Protection Act 2018.

## Procedure

8. The Fitness to Study procedure has an informal and a formal stage, however, the formal stage may be invoked directly, depending on the nature or seriousness of the concern:

- i) Stage 1: Informal Review
- ii) Stage 2: Fitness to Study Panel

### Stage 1 – Informal Review

9. Where an academic or a professional member of staff has concerns about a student's fitness to study, they should, in the first instance, notify the personal tutor who should attempt to resolve any issues informally with the student. The personal tutor should discuss the identified concern with the student, making reference to this policy, explore possible solutions, and signpost or refer the student to appropriate support services offered by the College.
10. In all instances the personal tutor should monitor progress following the informal discussion and if concerns persist refer the student's case to the Programme Leader and the Vice Principal (Academic), or nominee, and recommend progression to Stage 2.
11. At this point, the Vice Principal (Academic), or nominee, will enter the student on the *At Risk Register* to enable the tracking of progress and resolution, and intervene, as appropriate.

### Stage 2 – Fitness to Study Panel

12. Where concerns remain after the informal review, or if the concerns are grave, the Vice Principal (Academic), or nominee, shall call a Fitness to Study Panel to review the case and to determine appropriate outcomes.
13. The Fitness to Study Panel shall comprise:
  - i) The Vice Principal (Academic), or nominee (Chair)
  - ii) The Programme Leader, or nominee
  - iii) The student's personal tutor, unless there are issues of conflict
  - iv) A Secretary
14. The student will be invited to attend the Panel and may be accompanied by a friend or relative. Legal representation would not, normally, be permitted.
15. The purpose of the meeting is to discuss, collaboratively, with the student their situation, how their health is hindering their progression, the effect it is having on others within the College, and to identify what support can be put in place to enable the student to continue with their studies.
16. The student should be notified of the meeting in writing and be given a minimum of five working days' notice of the meeting. The student will be informed in advance:
  - a. Of the nature of the concerns;
  - b. Of the purpose of the meeting;

- c. That the meeting may proceed in their absence.
- d. Their right to bring a friend, relative or a student association representative;
- e. Whether the student needs to provide any information or documentation including, if appropriate, medical evidence;
- f. Who will be in attendance.

17. The Fitness to Study Panel may call for additional independent evidence, i.e. from witnesses or from relevant medical professionals. In all instances, the student will be given access to all such evidence a minimum of two working days in advance of the Fitness to Study Panel meeting.

18. Medical evidence submitted for consideration by the Fitness to Study Panel must be current and identify:

- i) The nature and extent of any medical condition, and the prognosis;
- ii) The extent to which it may affect their fitness to study and engage in college life;
- iii) Ongoing medical treatment plan;
- iv) Recommendation for special provisions that the college might consider to support the student.

19. The Fitness to Study Panel meeting may progress if the student does not attend. However, the spirit of the policy is that the meeting is a constructive approach to assisting the student to continue with their studies successfully.

20. The Fitness to Study Panel may conclude, in agreement with the student wherever possible, that:

- i) No further action is necessary;
- ii) An action plan will be agreed with the student detailing:
  - a) Support to be put in place;
  - b) Formal expectations;
  - c) Timescales for achievement and review;
  - d) Consequences of failing to meet agreed expectations;
- iii) That it is appropriate for the student to change to another mode of study;
- iv) That the student should take an interruption of studies, if appropriate and within time limits for suspension and completion of the programme;
- v) That it is necessary to refer to other college policies, such as the student discipline policy, the mental health and wellbeing policy;
- vi) That it is necessary to refer to the programme regulations of the student's programme, for example where there are concerns regarding fitness to practise;
- vii) That it is necessary to permanently withdraw the student from the college. This course of action would, normally, be reserved for exceptional circumstances: (a) where there is evidence of serious risk to the student or others in the college community; or (b) where previous attempts to support the student through the fitness to Study Procedure have not been successful and there is objective and authoritative evidence that the student is physically or mentally unable to continue their studies.

21. The student shall be provided with a letter recording the details and outcome of the meeting within five working days. The letter shall include an invitation to a meeting with the Vice

Principal (Academic), or nominee, to discuss the outcome of the Fitness to Study Panel. The student may be accompanied to this meeting by a friend, a relative. The student should be asked to confirm their agreement with the proposed course of action in writing and informed of their right to appeal if they are not in agreement.

22. In the case of suspension of registration, the student will be referred to the Return to Study procedure and be given a named College contact for the duration of their suspension.
23. Where temporary suspension is agreed, relevant student support services shall be notified and available to advise the student on any impact this suspension may have on funding, Tier 4 Visa or work placement, as appropriate to the student's individual circumstances.

#### Appeals

24. Where a student does not agree with the outcome of the Fitness to Study Panel, they shall have the right to appeal the decision to the Academic Appeals Board as set out in the College's Appeals and Complaints Policy.

#### Return to Study

25. In all instances of an agreed interruption of study or the suspension of registration by the College, the student must confirm in writing their intention to return, at least four weeks in advance of the intended return date. The student must confirm that they are fit to return and provide medical or other evidence, as appropriate to their individual circumstances to demonstrate their fitness to study. The evidence must be objective and authoritative, usually from an independent qualified professional such as a registered health practitioner, or a law enforcement professional who has enough knowledge of the student's circumstances to make an informed statement on their fitness to return to study.
26. Prior to the student's re-entry and registration, the Fitness to Study Panel will re-convene to review the evidence in order to ensure that the student is sufficiently well and able to continue with their studies, and to ensure that appropriate support mechanisms are put in place. Where applicable, the College reserves the right to re-examine key practical and clinical assessment elements to ensure that there has not been degradation of essential skills and to protect patient safety.
27. The final decision agreeing re-entry and registration to the College will be communicated on the recommendation of the Fitness to Study Panel meeting by the CAO or nominee to the student within five working days from the date of the meeting.

#### Monitoring, Evaluation and Review

28. The Vice Principal (Academic), or nominee, shall provide an annual report to the Academic Council, summarising cases that have been considered by the Fitness to Study Panel and the action taken in relation to each, and a commentary on the effectiveness or otherwise of the procedures and any recommendations for change.

## STUDENTS' FITNESS TO PRACTISE POLICY & PROCEDURE

### CONTEXT

1. The College is responsible for confirming that students meet the outcomes of that programme of study. In addition, to ensure that they are also complying with the requirements of their professional body, the College must be satisfied that students, in respect of their health and conduct, do not constitute a risk to patients or professional clients and meet the requirements for professional fitness to practise.
2. In accepting the offer of a place at the College, students are committed to strict compliance with policies, rules, regulations and procedures of both the College and, as relevant, the University of Ulster.
3. Graduates of human chiropractic programmes are also bound by the student fitness to practise requirements of the General Chiropractic Council. They define student fitness to practise as being able to meet the requirements of an education and training programme so that a student can demonstrate that they are fit to be entered onto the GCC register. Factors include clinical and academic work, professional behaviour and overall health<sup>4</sup>.
4. Students are reminded that the regulations defined apply equally offsite and especially in settings into which students may be placed as part of their programme of study.
5. This policy and procedure has been drafted in line with good practice as identified by Office of the Independent Adjudicator. It relates specifically to matters of student health and welfare, student discipline, academic conduct (eg. plagiarism) and attendance.

### Fairness

6. The College recognises that it is important for the procedure to be fair to all parties, robust and efficient. In all proceedings a student shall be presumed to be innocent of any allegation until proven otherwise on the balance of probabilities.
7. The College recognises that there is a balance to be struck between ensuring an appropriate outcome swiftly, ensuring that justice can be done and that students have adequate opportunity to gather evidence and respond to complaints. These procedures are therefore designed to be appropriately flexible but with the aim that the outcome is delivered within no more than 90 calendar days<sup>5</sup> from the student being notified that there is a concern.
8. Notwithstanding the above, where students have a health issue, or where there is any other sound reason for doing so, time periods may be adapted. Where such a decision is necessary, the student will be kept informed.
9. Confidentiality shall be maintained in all proceedings, unless the Principal of the College (or nominee) or a senior member of the University deems it necessary to direct otherwise.

### DEFINITION OF FITNESS TO PRACTISE

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<sup>4</sup> See [Student FtP Guidance for students 2018.pdf \(gcc-uk.org\)](https://www.gcc-uk.org/Student_FtP_Guidance_for_students_2018.pdf)

<sup>5</sup> For the avoidance of doubt, all references to days in this procedure refer to calendar days unless otherwise specified.

10. The essence of Fitness to Practise is that students must have the necessary health and character to demonstrate that they have the capability to practise safely and effectively. Generally this will be demonstrated by how they behave towards patients, other students, staff and others as well as how they act during their education and training programme and in their personal life.
11. The following circumstances therefore form, in principle, a *prima facie*<sup>6</sup> case against a student:
  - a. exploiting the vulnerability of a patient or client to establish a sexual relationship;
  - b. offences against the vulnerable, including children, the elderly and the mentally incapacitated;
  - c. chronic drug or alcohol abuse;
  - d. acting in a violent manner on or away from learning and teaching premises;
  - e. conviction of a criminal offence;
  - f. intimidation of fellow students, patients or clients on any grounds, including religious or other beliefs;
  - g. failure to rectify behaviour that has been subject to any disciplinary actions under the College's regulations;
  - h. repeated inappropriate behaviour towards others;
  - i. falsification of patient or other professional records;
  - j. severe and relapsing illness or mental illness;
  - k. being a carrier of a serious communicable disease;
  - l. practising any mobilisation or adjustment technique outside learning and teaching premises;
  - m. practising any mobilisation or adjustment technique on College premises that is unauthorised or, if authorised, without supervision;
  - n. any other action that brings, or has the potential to bring, the College or the wider profession into disrepute.
12. This should not be regarded as an exhaustive list and the College may investigate any circumstances which they reasonably believe may call into question a student's fitness to practise.
13. In terms of health, the College recognises its duties under the Equality Act 2010 to make reasonable adjustments for students in relation to any practice other than a competence standard. A competence standard is defined in the Equality Act as 'an academic, medical or other standard applied for the purpose of determining whether a person has a particular level of competence or ability'. In any case, where appropriate reasonable adjustments will be made to ensure that students can achieve both academic and profession-based standards.

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<sup>6</sup> That is to say that there would be a basis for a case to be investigated further.

## PROCEDURE

14. Any concerns that a student enrolled on a programme coming under the scope of these regulations which may render that student not fit to practise should be disclosed to the Principal in writing. The person making such disclosure must identify themselves to the Principal. The Principal will not consider any disclosures which are raised anonymously.
15. In exceptional circumstances the Principal may permit the identity of the person making the disclosure to remain confidential provided that this is consistent with the rules of natural justice.
16. Where a written disclosure is eligible for consideration, the Principal shall, in conjunction with senior managers as appropriate, decide whether:
  - there is a *prima facie* case for further investigation
  - whether it is likely that the matter is a fitness to practise issue (rather than, for example, a student disciplinary issue or an academic misconduct issue).
17. Where it is decided that the matter disclosed shall be managed through the Fitness to Practise Procedure there shall be an Initial Investigation.

### The Initial Investigation

18. The primary role of the Initial Investigation is to determine whether there remains a *prima facie* case to hold a Fitness to Practise Hearing.
19. The Initial Investigation will be carried out by a senior member of the College, nominated by the Principal (or nominee) and will be formally recorded. The main aim is to inform the student of the matter and to provide an opportunity for them to place, on the record, their perspective.
20. The student will be given details of the complaint against them prior to the meeting.
21. The student will be given the opportunity to be accompanied by a friend, colleague or student representative for support. The accompanying person may, for example, help the student prepare for the meeting and take notes during it. They may not speak at the meeting unless invited to do so.
22. The student must inform the College, in advance of the meeting, whether they will attend the hearing, whether they will be accompanied and, if so, in what capacity that person will be joining (eg. friend or student representative).
23. The Panel has the right to refuse attendance, in advance, for that named person.
24. Within 14 days of the Initial Investigation meeting, the student will be provided with a written outcome. Available outcomes will be:
  - a. to dismiss the matter;
  - b. for the student to agree an undertaking (typically with regard to future behaviour) which will be kept on file.

- c. to refer the matter to a Fitness to Practise Panel;
- d. exceptionally, to adjourn the matter (for example where external authorities have an interest in proceedings).

25. In the case of (d) above, where the justice system is involved, the College will normally wait for the outcome of those proceedings before continuing the Fitness to Practise procedure. The College reserves the right to take proportionate temporary action including suspension of all or some activities whilst proceedings continue, for example to protect other students, staff members and patients.

26. Where a student is acquitted of a criminal offence, or where a criminal investigation is dropped, the College may still take action under disciplinary and/or fitness to practise procedures.

27. Similarly, if the student is convicted of a criminal offence, the role of the Fitness to Practise Panel will be to determine whether what the student has done impacts upon their fitness to practise.

28. Students are able to appeal a decision by writing to the Principal. Such an appeal must be submitted within 5 days of the decision being provided and can only be lodged on the following grounds:

- that there has been a procedural irregularity which has influenced the outcome;
- that there is evidence which has come to light following the meeting that is relevant to the case. In appeals based on these grounds, the appellant must be able to demonstrate to the satisfaction of the Principal that this evidence was not available prior to the meeting;
- that the decision taken was inherently unreasonable. Appellants should note that an appeal is not a 'second chance' to hear a case so an appeal on these grounds must clearly demonstrate how the decision could not be sustained by the facts of the case as determined by the Initial Investigation.

29. Appeals must clearly state on which of the above grounds the claim is being made.

30. The Principal can disallow an appeal if it:

- does not meet at least one of the grounds above
- is based wholly on factors which were known (or reasonably ought to have been known) when the meeting was held
- fails to include any evidence supporting the ground(s) on which it is made
- is deemed to be either frivolous or vexatious.

31. A successful appeal will result in either revisiting the outcomes of the Initial Investigation or holding a fresh Initial Investigation.

## **THE FITNESS TO PRACTISE PANEL**

32. As noted above, an Initial Investigation may result in the matter being progressed to a Fitness to Practise Panel. Where such a decision is made, the Panel will be convened as soon as practicably possible but in any case within 28 days of the outcome of the Initial Investigation being provided to the student.

33. The only exceptions to this will be where an appeal has been lodged against the outcomes of the Initial Investigation or the student can provide good reason why a delay should be considered.
34. The Panel will first decide whether or not it would be contrary to the interests of the College, its students or its employees to permit the student to attend the College. In appropriate cases the Chair of the Panel is entitled to recommend that the student be suspended from such facilities of the College and for such period as is considered appropriate in the circumstances pending the conclusion of proceedings. Where it is deemed that the student should not attend on site the meeting can either be held remotely or, exceptionally, in their absence.

#### **Membership and participation**

35. There will normally be at least three members of a Fitness to Practise Panel.

36. The Panel will typically comprise:

- a senior member of the College (Chair)
- two other members of staff
- as appropriate, a lay member who may be a patient.

37. The Hearing will be formally recorded.

#### **Preparations**

38. The student will be notified of the time and place of the Hearing at least 14 days in advance. They will also be provided with the following:

- a summary of the Initial Investigation meeting
- a copy or link to the Fitness to Practise Policy and Procedures
- the proposed membership of the Panel.

39. Should the membership of the Panel need to be changed for any reason after this point, the student will be informed at the earliest opportunity.

40. Any party wishing to call witnesses, including the student, must notify the Panel, via a named contact, of their intention no fewer than 5 days before the hearing.

41. Any papers, including any evidence to be used will be supplied to the Panel and to the student no fewer than 5 days before the Hearing. The student must submit any evidence they wish to present at least **2 working days** prior to the Hearing.

42. The student will be given the opportunity to be accompanied by a friend, colleague or student representative for support. The accompanying person may, for example, help the student prepare for the Hearing and take notes during it. They may not speak at the Hearing unless invited to do so.

43. The student must inform the College, in advance of the Hearing, whether they will attend, whether they will be accompanied and, if so, in what capacity that person will be joining (eg. friend or student representative). The Panel has the right to refuse attendance, in advance, for that named person.

44. The Chair has discretion to delay the date of the Hearing at the request of the student or of the College for such period as they consider to be reasonable in the circumstances.

#### **Managing the hearing**

45. The outcomes of the Hearing will be decided on the evidence before them. Decisions will be fair and reasonable and will be determined on the balance of probabilities.
46. The Chair may make such decisions as necessary to maintain order, including postponing or adjourning proceedings. They may make this decision on the advisement of any Panel member.
47. The Chair shall have discretion to declare inadmissible any matter introduced by the College, by the student, or by any witness if it is deemed not relevant to the case.
48. The Panel will initially review evidence from the student, the complainant or any other information provided it has been shared prior to the Hearing (see paragraph 40).
49. The student is entitled to make statements to clarify their position, to ask questions of anyone called as a witness or to call witnesses of their own (provided that the Panel has been notified of these in advance).
50. The Panel is entitled to question the student and any witness or to call witnesses of their own (provided that the student has been notified of these in advance).
51. After the issue has been reviewed, the Panel will consider potential outcomes on their own. They may choose whether to invite the student to hear the outcome in person, or whether this should follow. In the case of the latter, the decision should be provided to the student within **2 full working days** of the Hearing.
52. The Panel may, following due consideration, decide to:
  - a. dismiss the matter.
  - b. require the student to agree a formal undertaking (typically with regard to future behaviour) which will be kept on file.
  - c. impose a relevant and proportionate penalty, short of dismissal from the College.
  - d. dismiss the student from the College.
  - e. exceptionally, adjourn the matter (for example where it comes to light that external authorities have an interest in proceedings<sup>7</sup>).
53. Any of the outcomes above will, where relevant, be reported to the appropriate professional body.

#### **Appealing a decision of the Fitness to Practise Panel**

54. The student may appeal the outcome of the Hearing by writing to the Principal within 5 days of receiving the outcome.
55. Appeals may only be lodged on the following grounds:
  - that there has been a procedural irregularity which has influenced the outcome;

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<sup>7</sup> See paragraphs 25-27 for more detail.

- that there is evidence which has come to light following the Hearing that is relevant to the case. In appeals based on these grounds, the appellant must be able to demonstrate to the satisfaction of the Principal that this evidence was not available prior to the Hearing;
- that the decision taken was inherently unreasonable. Appellants should note that an appeal is not a 'second chance' to hear a case so an appeal on these grounds must clearly demonstrate how the decision could not be sustained by the facts of the case as determined by the Panel.

56. Appeals must clearly state on which of the above grounds the claim is being made.

57. The Principal can disallow an appeal if it:

- does not meet at least one of the grounds above
- is based wholly on factors which were known (or reasonably ought to have been known) when the Hearing was held
- fails to include any evidence supporting the ground(s) on which it is made
- is deemed to be either frivolous or vexatious.

58. A successful appeal will result in a decision of the Panel being amended, the Panel being reconstituted to reconsider their decision or the matter being dismissed.

59. No outcome will be implemented until such time that the appeal period has lapsed, or in the case of a lodged appeal, until such time that the appeal has been heard or dismissed.

#### Records

60. Summary records of Fitness to Practise proceedings and outcomes will be reported to the Academic Council.

61. A record of proceedings started against any student will be kept with the student record for the normal duration of that record (as pertaining to data management regulations). This will be the practice even where a student is completely exonerated, in case of later dispute.

## CHANGES TO REGISTRATION STATUS

### Request to Suspend Registration

1. A student shall have the right to apply to suspend their registration from a programme of study. The maximum period of suspension of registration shall be one academic year.
2. Students who absent themselves from the College without approval may be subject to the Academic Progress and Discipline Regulations.
3. Suspension of registration is defined as a period of approved absence from the programme of study where a date for re-entering the programme at an appropriate point has been approved by the programme leader.
4. Reasons for granting suspension of registration may include:
  - (a) Ill-health of a serious or extended nature;
  - (b) Financial hardship where the student is unable to meet their fee payments or otherwise needs to return to employment;
  - (c) Maternity and paternity leave or parental duties of a similarly demanding kind;
  - (d) Significant compassionate grounds;
  - (e) Changes of a significant nature to the employment commitment of part-time students.
5. Permission to interrupt or extend the period of suspension of registration will not be granted if the length of the student's programme of study will thereby exceed the maximum period for completion of the programme specified in the General Academic Regulations.
6. Applications to suspend registration shall not be considered where the taught part of the semester, stage or programme has been completed but where an imminent and related examination or assessment period remains to be undertaken. In such cases the student should apply for an extension of submission deadline, deferral or concession, as appropriate.
7. A student may make an application for a suspension of registration to take effect retrospectively where there is objective and authoritative evidence of significant impairment and where the suspension of registration includes an arrangement to repeat the programme from the point at which the suspension of registration takes effect. In such cases any examinations or assessments taken during the period covered by the suspension of registration shall be void.

### Marks and Grades

8. A student who suspends registration shall carry forward all assessment results that the student had obtained prior to the commencement of the period of their suspension of registration.
9. A student who is permitted to suspend registration for reasons which may have also adversely affected the student's performance in a previous examination or assessment, but which is not covered by the period of the suspension of registration, may make a concession application to the board of examiners in accordance with Mitigating Circumstances regulations.

10. A student may take any examinations or assessments whether first sits or resits only after returning to the programme.
11. A student who has failed a module or stage of a programme and wishes to interrupt their studies and who has not been granted a concession or an appeal must carry forward the failed marks. On returning to the programme any examinations or assessments which are resat shall be capped at the pass mark.
12. Where a programme is amended during the course of a student's suspension of registration the student shall be required to return to follow the amended programme and shall be treated as under the regulations of the amended programme for the remainder of their studies. Where a conflict arises, for example because of a change in weighting in the assessment diet, the board of examiners shall be asked to resolve the matter in consultation, if appropriate, with the relevant professional body.

#### Applications for Suspension of Registration

13. Students are advised to discuss a possible application for suspension of registration with their Personal Tutor or Programme Leader. In doing so they should seek advice on the likely impact of suspension of registration in relation to such matters as repeating or recovering learning and assessment opportunities, appropriate times for re-entering the programme, the impact of changes in the syllabus, curriculum and assessment instruments of the programme, ability to complete the programme in the timescales specified in the Academic Regulations and any financial matters.
14. An application for a suspension of registration must be made on the appropriate form (available on the VLE). The student must complete the form and append to it, where appropriate, objective and authoritative evidence that supports the grounds upon which the application is being made. The student must present the form for consideration to the programme leader.
15. The Programme Leader must record their decision on the form together with:
  - (a) The grounds upon which the suspension of registration was granted;
  - (b) The dates specifying the period of the suspension of registration;
  - (c) Any issues that had been noted that might affect the programme of study to which the student intends to return;
  - (d) Any conditions for re-entering the programme;
  - (e) The fees, if any, to be charged;
  - (f) Any action to be taken or applications to be made in relation to examinations or assessments.
16. Registry, or a nominee, will write to the student confirming the decision and, where a suspension is granted, setting out the details referred to in 15 above.
17. The form must be passed to the Vice Principal (Academic) so that the student's record may be updated and relevant validating/awarding bodies can be kept informed.

18. A record of those who have suspended registration will be maintained and reviewed through Formative Committee on behalf of Academic Council.

### Re-entry

19. Students will normally be charged the fees pro rata for any part of the programme that is repeated. However, there will be discretion to waive fees where there are considered reasons for doing so.
20. Where the period of suspension of registration has been granted for more than six months, the student should confirm in writing their intention to return at least four weeks in advance of the intended return date. As appropriate, the student must also confirm that they are fit to return and provide medical or other evidence.

### Appeals

21. A student shall have 15 working days in which to lodge an appeal, where an application to suspend registration is:
  - (a) Refused; or
  - (b) The length of the period of the suspension of registration applied for is changed; or
  - (c) The conditions specified to re-enter the programme are in dispute; or
  - (d) Permission to re-enter is refused because of failure to meet the conditions specified.
22. Appeals shall be lodged in writing and shall be considered by the Vice Principal (Academic), or nominee. There is no prescribed form for the appeal.
23. The Vice Principal (Academic) shall consider the report of the application and receive any submissions from the student.
24. The Vice Principal (Academic) shall, within 15 working days, determine whether the appeal shall be upheld and if so what the period and/or conditions of the suspension of registration shall be.
25. The decision of the Vice Principal (Academic) shall be final and no further submissions shall be considered.

### **Termination of Registration**

#### Introduction

1. The College reserves the right to terminate the registration of any student on academic grounds, the loss of immigration status and the right to study in the UK or where the student is in debt to the College.

#### Termination of Registration of a Student on Academic Grounds

2. In the case of serious or persistent failure to meet academic requirements during a programme of study, the programme leader may issue to a student a written warning of failure to meet academic requirements and the intention to terminate their registration;
3. The letter must state:
  - (1) The grounds on which termination of registration will be invoked;

- (2) The action the student should take to redeem academic progress and avoid the termination of registration;
- (3) The period within which that action must be taken;
- (4) The date upon which termination of registration will be enacted.

4. If the student fails to redeem, within the period specified, their academic progress in accordance with the requirements specified in the written warning, the programme leader must confirm in writing to the student and the Vice Principal (Academic) that the student's registration has been terminated. On receipt of the letter the Vice Principal (Academic), or nominee, will revoke all rights, privileges and facilities accorded to students of the College and inform other relevant departments including Finance, Library, IT, Student Records, Examinations and Assessment, and, if appropriate Visa Compliance.

5. Where a student fails to satisfy the Board of Examiners of the minimum assessment requirements for progression between stages of a programme, the termination of the students registration shall, subject to applications under the rules for mitigating circumstances or appeal, follow as a consequence of the Board of Examiners confirmation of that failure. In such cases the Vice Principal (Academic), or nominee, shall write to the student confirming termination of their registration, updating the student's record accordingly, and informing such other relevant departments as set out above.

#### Termination of Registration Because of Loss of Immigration Status and the Right to Study in the UK

6. Where a student fails to meet either academic progress requirements, or attendance requirements or otherwise loses or jeopardises their immigration status and right to study in the UK, the College shall terminate the student's registration.

7. Where it is confirmed that the student's Tier 4 visa status has been compromised the Vice Principal (Academic), or nominee, shall write to the student confirming the termination of their registration and shall amend the student record accordingly and inform such other external parties as required by legislation.

#### Termination of Registration Because of Debt to the College

8. The College reserves the right to suspend or terminate the registration of any student who is in debt to the College.

9. The registration of any student who is in debt to the College may be suspended or terminated by the Vice Principal (Academic) provided that the Vice Principal (Academic) has received confirmation that:

- (1) The student has been informed in writing by the Chief Operating Officer, or nominee, of the payment due to the College and has been given reasonable notice of the date by which payment was due; and
- (2) The student has been informed in writing that failure to pay the outstanding debt would lead to the Vice Principal (Academic) being advised of grounds for suspension or termination of registration of the student; and
- (3) The student has failed to pay by the due date the sum due.

10. In cases where the Vice Principal (Academic) suspends or terminates the registration of a student in debt, the student will be notified in writing by the Vice Principal (Academic), or nominee, within five working days of the decision being taken.

Right of Appeal

11. A student has the right to appeal a decision taken under these regulations under the College's Appeals and Complaints Policy.
12. It should be noted that, where a student's registration is terminated on academic grounds in the course of an academic session, they will not normally be entitled to any refund of fees paid for the terms up to, and including, the term in which the decision to terminate registration was made.

## **PERSONAL TUTOR POLICY**

1. The College's Personal Tutor Policy seeks to provide good academic and pastoral practice.

### The role of a Personal tutor

2. The role of a Personal Tutor is to provide the first line of enquiry and offer support to a student concerning any aspect of a student's academic experience and review and encourage a student's academic progress.
3. The role of the Personal Tutor is not to advise on non-academic issues. However, a Personal Tutor may direct the student to the relevant College support for specialist advice. Specific academic issues should be referred to a senior member of the programme team.

### Allocation of Personal tutors

4. All College students on credit-bearing programmes will be assigned a named Personal Tutor.
5. The number of personal tutees allocated to academic staff may vary.
6. Where possible, personal tutors will be selected from the teaching team which delivers the programme on which the student is enrolled.
7. Where programme leaders are assigned as personal tutors and a conflict of interests arises, for example in deciding on appeals or deferrals, a different Personal Tutor may be assigned to the student.

### The Role of the Personal Tutor

8. The core elements of the Personal Tutor role are to:
  - (a) Provide general support and assist students with their academic development;
  - (b) Provide general advice on a student's academic progress and for identify any problems and initiate action where a general lack of progress is indicated. Where a Personal Tutor believes that a student is at risk of failing a module, the Programme Leader shall be notified;
  - (c) Provide advice about the programme, such as (but not limited to) module selection, the credit system, deferring assessments, extensions of time to complete assessments. Specific academic advice relating to modules should be directed to module leaders;
  - (d) Provide general procedural information for specific matters including formal complaints procedures, academic malpractice procedures, and disciplinary procedures, (and any other formal procedures specified in the general academic regulations). However, advice on individual cases should not be given by personal tutors, but should be referred on to a senior member of staff from the programme team;
  - (e) Identify students who may benefit from student support services and refer them appropriately to the relevant student services;
  - (f) Direct students to other sources of specialised academic, professional, or pastoral support.

(g) Provide references on request.

**Arrangement of Meetings**

9. Personal Tutors and students are encouraged to use technology to communicate with each other and if desired to hold their meetings.
10. Personal tutors should aim to make formal contact with each tutee at least twice per year. The first point of contact should be an introductory meeting and subsequent contact should be for the purposes of reviewing progress. In some programmes, particularly at undergraduate level, progress may usefully be reviewed more often.
11. Personal tutors should offer tutees the opportunity to book one-to-one meetings, with reasonable notice. This will be made clear to students during induction. Personal tutors should aim to meet their tutees within one week of a meeting request.

## ACADEMIC PROGRESS MONITORING

### Principles and Powers

1. The College seeks to assist all its students to achieve academic success. It is recognised that to be successful students must engage as active partners in the learning opportunities provided by the College, and failure to do so is likely to undermine the student's ability to progress. Consequently, the focus of the College approach to academic progress monitoring are intended to be supportive, not punitive.
2. Where concerns emerge that a student's failure to engage or progress academically may be attributable to an underlying physical or mental health difficulty, the Fitness to Study Policy should be invoked. In other cases, it is most likely that the Attendance & Engagement policy and process will inform action.
3. Failure to engage may take the form of, but is not limited to, the following:
  - (a) Non-attendance in class;
  - (b) Failure to prepare for classes or other learning events;
  - (c) Failure to participate or engage appropriately in class or other learning events;
  - (d) Failure to undertake sufficient independent study or the practice of skills;
  - (e) Failure to undertake or perform formative assessments.
4. The College will seek to assist students to maintain engagement with their programme of study through feedback and guidance provided by the mechanisms set out below:
  - (a) Monitoring of attendance;
  - (b) Feedback on learning activities and formative and summative assessment;
  - (c) Academic and pastoral support through the personal tutor, student support or through other staff as appropriate;
  - (d) Oversight of students' preparedness and engagement in learning activities;
  - (e) Guidance on LOA, etc. where appropriate.

### Recognising risks to progression

5. Where a member of staff considers that there is a significant risk to the likelihood of student progression, due to a lack of attendance or engagement, they should raise this with the student directly.
6. Factors which identify potential risks are raised through Formative Committee, which will also identify actions to be taken by appropriate staff to support students as appropriate.

## **POLICY FOR ATTENDANCE AND ENGAGEMENT AT ACADEMIC SESSIONS**

### **Context**

1. The General Chiropractic Council sets educational standards for all chiropractic students, wherever they study in the UK. These standards are encompassed, for example, in guidance on being fit to practise<sup>8</sup>. Fundamental to such standards is the expectation that students of chiropractic exhibit professional behaviour.
2. The College is committed to ensuring that all students receive the best opportunities to learn and become excellent practitioners. The nature of the programme, with a focus on the collective learning and practicing of technique, means that in the majority of cases the best opportunities to learn are when students attend classes in person and are collectively engaged.
3. Students with higher levels of engagement, particularly in relation to attendance, perform at a higher level and are far more likely to successfully complete academic awards.
4. The expectation is therefore that all students attend, and engage fully in, every academic session.

### **UK Visas and Immigration (UKVI)**

5. In line with UKVI guidance, this policy applies to all international students, including visiting students, studying under the sponsorship of the College on a Student or Tier 4 visa.
6. The College is obliged to inform the UKVI where monitoring shows such students have limited attendance or unexplained absence.

### **Student Loans Company (SLC)**

7. Students who are funded by the SLC are entitled only to receive funding when they are in full attendance.
8. The College is obliged to inform the SLC where monitoring shows that students have limited attendance or unexplained absence.

### **Attendance Monitoring**

9. The College monitors attendance at the beginning and end of each academic session. Students are not permitted to register the attendance of any other student. Attempts to deceive measures to monitor attendance may affect student fitness for practise.
10. Student attendance is considered (alongside other factors related to student progress) through regular Formative Committee meetings. Students who have either a number of unauthorised absences, or a general pattern of absence, are followed up with a view to establishing whether there are valid and ongoing issues affecting attendance which require support, and/or whether a lack of attendance is likely to result in an inability to complete their Programme.
11. Where a student is absent for an extended period of time, the College will contact them to ascertain whether there are unknown support needs. Should the student fail to respond to repeated efforts to contact them, the College will write to the student to notify them that unless they re-engage to discuss the issue they will be withdrawn from the Programme. Students will

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<sup>8</sup> [Student FtP Guidance for students 2018.pdf \(gcc-uk.org\)](https://www.gcc-uk.org/Student_FtP_Guidance_for_students_2018.pdf)

be given a period of no less than seven actual days to respond before steps are taken to withdraw them from the Programme.

12. Notwithstanding the above, the College reserves the right to instigate Fitness to Practise procedures where the level of attendance and/or engagement is considered to be detrimental to a student's progress and/or where students have failed to engage with the support and guidance offered. Such procedures may lead to the withdrawal of a student from the Programme.
13. A flowchart outlining the steps taken to address absence, is attached. As noted elsewhere in this Policy, practice will vary for students subject to UKVI and in cases where there is unexplained and/or lengthy non-engagement with the College.

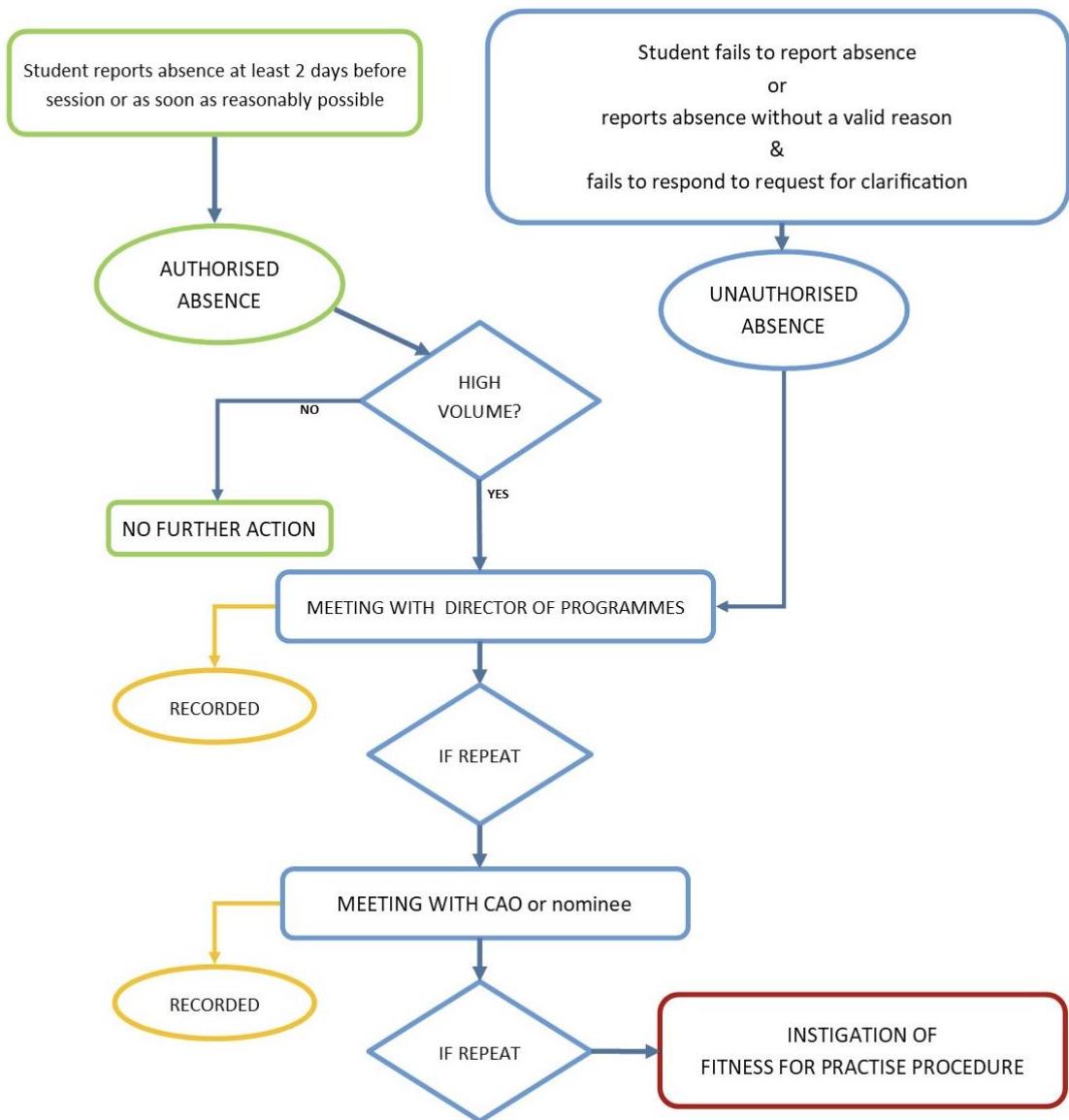
#### **Inability to attend**

14. The College recognises that there may be a range of circumstances which impact upon the ability of a student to attend. As for any professional environment, students are expected to notify the College, via the Programme Office<sup>29</sup>, if they have an unavoidable need to be absent.
15. In most cases, this notification should be two days prior to the session concerned, although the College does recognise that this may not always be possible. In any event, students should notify the College at the earliest opportunity.
16. Unavoidable absences, also known as 'authorised absences' (see flowchart below) will be recorded as such in ongoing monitoring of student progress. Where absences are not explained, or where students should reasonably be considered able to attend regardless, these will be recorded as unauthorised absences.
17. The College is also committed to supporting students who are experiencing difficulties in attendance or completing their studies. Such support will not normally include excusing the requirement to attend for any extended period of time. Where these issues are ongoing, and will directly affect assessment, students will be encouraged to complete applications for mitigating circumstances.
18. Students must make their own arrangements to catch-up with classes or other learning activities missed through absence. The College normally records all teaching sessions and students are therefore able to catch up on content following such sessions using the posted recordings (of either the session missed or a previous iteration covering the same or similar content).
19. The College does not normally permit students to attend or engage in face-to-face sessions remotely. Students attending a live session remotely are not able to participate on the same basis and are therefore unable to obtain the benefit of such delivery. In addition, a combination of face-to-face and remote learning and teaching can be disruptive to lecturers and to other students, breaking the flow of sessions and creating significant pedagogic challenges.

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<sup>9</sup> [programmesupport@mctimoney-college.ac.uk](mailto:programmesupport@mctimoney-college.ac.uk)

## Attendance and Engagement: Absence



## **STUDENT DISCIPLINE POLICY**

1. The College is committed to providing a learning and teaching environment in which all students can achieve their full potential and in which they can study safely and without being adversely affected by the conduct of other students. Every student, therefore, has a duty to the College, its staff students and representatives to maintain appropriate standards of behaviour and to refrain from causing damage, in any way, to its property or reputation, or to impede or harm the effective operation of the College or its staff. Any breach of these duties will constitute a disciplinary offence.

### **Disciplinary Offences**

2. A failure to maintain an appropriate standard of behaviour will be treated as a disciplinary offence.
3. Disciplinary offences include:
  - (a) Criminal offences;
  - (b) Matters which endanger the health or safety of others;
  - (c) Matters which may bring the college into disrepute;
  - (d) Matters which interfere with the effective operation of the college;
  - (e) Insulting and disrespectful treatment of staff, students or visitors;
  - (f) Behaviour which disrupts other students' study;
4. Examples include but are not limited to:
  - (a) Discriminatory conduct and behaviour, including racial or sexual harassment;
  - (b) Violent, indecent, disorderly, threatening or offensive behaviour or language (whether expressed orally, in writing or electronically);
  - (c) Vocal or active incitement of violence in order to promote political, religious, philosophical or other beliefs including views which undermine the rule of law, individual liberty and democracy;
  - (d) Fraud, deceit, falsification of documents, deception or dishonesty in relation to the college or its staff
  - (e) Disregard of safety regulations;
  - (f) Damage to or misappropriation of college property;
  - (g) Serious incapacity through alcohol or illegal drugs;
  - (h) Disruption of examinations and assessments or disregard of examination or assessment rules;
  - (i) Behaviour incompatible with relevant codes of professional conduct;
  - (j) Failure to comply with library and information services regulations;
  - (k) Disruption of college hearings;
  - (l) Making false, frivolous, malicious or vexatious complaints;
  - (m) Doing, or failing to do, anything which thereby causes the college to be in breach of a statutory obligation.

### **The Procedure to be Followed**

5. Disciplinary offences will be subject to the procedures set out in this policy except for the following:

- (a) Any allegation of academic malpractice in examinations and assessment must be made and investigated in accordance with the College's Academic Malpractice Regulations.
- (b) Where a student wishes to complain of a disciplinary offence committed by another student they should do so in accordance with the Student Complaints Policy and Procedure.
- (c) Where the College believes that a criminal offence may have been committed it may at any time refer the matter to the police instead of, or in addition to, the initiation of disciplinary proceedings.

### Disciplinary Procedure

#### *Initial Allegation*

- 6. An allegation that a student has committed a disciplinary offence shall be made to the relevant programme leader, or nominee, who will undertake a preliminary investigation, as soon as possible and normally within 10 working days, to determine whether there is a case to answer. If the programme leader determines that there is a case to answer they will require the student to attend a meeting, normally within a further 5 working days. The programme leader will set out the allegation in writing to the student at least three working days before the hearing and invite the student to provide evidence to rebut the allegation. Where the student submits evidence in advance of the hearing which conclusively rebuts the allegation the programme leader may cancel the hearing and dismiss the case.
- 7. At the meeting the programme leader will review the allegation in the light of the evidence and hear any representations from the student. The student may be accompanied at the meeting by a friend or representative unconnected with the allegation. The hearing will be recorded and the recording may be made available in any later proceedings.

#### Decision

- 8. The programme leader may decide that the:
  - (a) Matter should not be the subject of further action; or
  - (b) Student be admonished orally but without record; or
  - (c) Student be given a written warning that any further disciplinary offence may result in the application of a penalty. The written warning will form part of the student's record; or
  - (d) Matter is sufficiently serious to warrant review by the Vice Principal (Academic), or nominee.
- 9. The programme leader shall inform the student of their decision in writing within three working days of the hearing.
- 10. If under 8(c) the student refuses to accept the written warning the case shall be referred to the Vice Principal (Academic). The Vice Principal (Academic) shall have the right to waive the warning and impose such other penalty as they see fit.
- 11. Where the case is referred to the Vice Principal (Academic) the programme leader shall, within 5 working days, provide the Vice Principal (Academic) with a report on the case and the evidence that has been made available to date. The Vice Principal (Academic), or nominee, shall consider the report and may call for such other information or evidence as they see fit. The Vice Principal (Academic), or nominee, shall write to the student within ten working days of receiving the

programme leader's report to invite them to make representations, to review any further evidence called for by the Vice Principal (Academic), or nominee, and to invite them to a hearing. Where the student declines or fails to respond or to attend the hearing the case shall be reviewed on the papers.

12. Where the student elects to attend a hearing the protocol on hearings shall apply. The student shall have the right to review the evidence provided in the case at least two days prior to the hearing. The student may be accompanied at the hearing by a friend or colleague unconnected with the case. The programme leader will present the case on behalf of the College.
13. The Vice Principal (Academic), or nominee, shall inform the student of their decision within three working days of the hearing. The Vice Principal (Academic), or nominee, may determine:
  - (a) That the allegation is unfounded and dismiss the case; or,
  - (b) That there is insufficient evidence and dismiss the case; or,
  - (c) That there is sufficient evidence to support the allegation and to apply one or more of the following penalties:
    - (i) Administer an oral reprimand;
    - (ii) Administer a written warning;
    - (iii) Require the student to write an approved apology to any wronged party.
    - (iv) Administer a suspension of specified privileges for a specified period that does not exceed one semester (this may include suspension from the college library, computing facilities, particular premises, placements);
    - (v) Require the student to make good in whole or in part, the cost of any damage caused;
    - (vi) Terminate the occupancy of college managed living accommodation;
    - (vii) Exclude the student from all or specified parts of the college;
    - (viii) Expel the student from the college (see 22 below);
    - (ix) Report the matter to the student's professional body.

#### Appeal against Decision

14. The student shall have the right to appeal the decision of the Vice Principal (Academic) under the College's Appeals and Complaints Policy.

#### Exclusion

15. A student may be excluded by the Vice Principal (Academic) or programme leader:
  - (a) Pending the outcome of proceedings under this procedure; and/or
  - (b) Where a criminal charge has been brought against the student or they are the subject of a police investigation.
16. Exclusion may be total or partial.
17. Total exclusion bars the student from the programme and from College premises and activities. It may be qualified by allowing the student to attend for specific purposes such as assessment.
18. Partial exclusion bars the student from specified classes or activities or from parts of the premises.

19. An exclusion order may place a ban or restriction on contact with a named person or persons.
20. Exclusion will only be ordered where it is necessary in order to protect a member of the College or to prevent serious disruption to the effective running of the College. Normally an exclusion order will not be made without the student concerned having an opportunity to make representations. Where in cases of extreme emergency they have not had that opportunity, they will be entitled to make representations within the next 5 working days of making the exclusion order.
21. Where a student is excluded, they will be given written reasons for the suspension.

Effect of Expulsion

22. Where a student is expelled from the College they will not be entitled to:
  - (a) Any refund of fees already paid but will remain liable to pay any fees which are still outstanding and
  - (b) Be admitted to any other college programme.

## **ASSESSMENT REGULATIONS**

### **BACHELOR'S AND INTEGRATED MASTER'S AWARDS**

1. These regulations apply to students of the College registered on a Bachelor's or an Integrated Master's degree programme.

#### Definitions: Assessment Elements and Assessment Components

2. The assessment for a module may comprise one or more than one assessment instrument (e.g. an unseen examination, and/or an oral presentation and/or a coursework essay).
3. **Assessment Element:** an assessment *element* is an assessment instrument the result of which is aggregated with the result(s) of other assessment instruments to give the final module result. The student is deemed to have passed the module if the overall mark is a pass, irrespective of whether or not an individual assessment element has been failed.

*Example 1: A module comprises two, equally weighted assessment elements: an unseen examination and a presentation. A student scores 50% in the unseen examination and 30% in the presentation. The aggregated mark is 40%, therefore the student has passed the module.*

4. **Assessment Component:** an assessment *component* is an assessment instrument that as well as being aggregated with other assessment instruments must be passed in its own right.

*Example 2: A module comprises two, equally weighted assessment components: an unseen examination and a presentation. A student scores 50% in the unseen examination and 30% in the presentation. The aggregated mark is 40%, however both components must be passed, therefore the student has failed the module and must resit the presentation.*

5. Condonation of assessment components: where the assessment of a module comprises more than one assessment component all assessment components must be within 5 marks of the pass mark, i.e. for Bachelor's awards and Integrated Master's marks at levels 4, 5 and 6 - 35%. For Integrated Masters marks at Level 7 – 45%.

#### Level and Credit Requirements for Integrated Master's Awards

6. Integrated Master's Degree

An Integrated Master's degree will comprise 480 credits; 120 credits at each of Level 4, Level 5, Level 6 and Level 7.

7. Bachelor's Honours Degree

A Bachelor's degree will comprise 360 credits; 120 credits at each of Level 4, Level 5 and Level 6.

8. Bachelor's Ordinary Degree

A Bachelor's Ordinary degree will comprise 300 credits where 120 credits will be at Level 4, 120 credits at Level 5 and at least 60 credits at Level 6.

9. Higher Education Diploma

A Higher Education Diploma will comprise 240 credits where 120 credits will be at Level 4 and 120 credits will be at Level 5.

10. Higher education Certificate

A Higher Education Certificate will comprise 120 credits of modules at Level 4 or above.

Pass Mark

11. The pass mark shall be:

- (a) 40% for each module component, module, and award of a Bachelor's degree;
- (b) 50% for each module or module component of an Integrated Master's degree at Level 7.

12. Where condonation is applied a student must have achieved a mark in the assessment to be condoned within 5 percentage points of the pass mark (35% to 39% for undergraduate awards and 45-49% for Level 7 of the Integrated Master's)

Conditions for the Award

13. Integrated Master's Degree

Candidates shall be awarded an Integrated Master's Degree where they have

- (a) Completed an approved programme of study amounting to at least 480 credits as prescribed in regulation 6 above; and
- (b) Obtained a mark of at least 40% in each assessment component and module at Levels 4, 5 and 6; and
- (c) Obtained a mark of 50% in each assessment component and module at Level 7.

14. Bachelor's with Honours Degree

Candidates shall be awarded a bachelor's degree (honours) where they have

- (a) Completed an approved programme of study amounting to at least 360 credits as prescribed in paragraph 7 above; and
- (b) Obtained a mark of at least 40% in each assessment to include all assessment components of each module.

15. Ordinary Degree

Candidates shall be awarded an Ordinary Bachelor's Degree where they exit from an undergraduate degree programme having:

- (a) completed at least 300 credits but fewer than 360 credits of a bachelor's degree programme; of which a minimum of 120 credits are at Level 5 or above and a minimum of 60 credits are at Level 6.

- (b) Obtained a mark of at least 40% in each assessment to include all assessment components of modules amounting to at least 300 credits.

16. Conditions for the award of a Diploma in Higher Education

Candidates shall be awarded a Diploma in Higher Education (DipHE) where they have:

- (a) completed an approved programme of study containing modules amounting to at least 240 credits as prescribed in regulation 9 above; and
- (b) Obtained a mark of at least 40% in each assessment component of each module.

17. Conditions for the award of a Certificate in Higher Education

Candidates shall be awarded a Certificate in Higher Education (CertHE) where they have:

- (1) completed an approved programme of study containing modules amounting to at least 120 credits as prescribed in regulation 10 above; and
- (2) obtained a mark of at least 40% in each assessment component of each module.

Weightings of Stages in an Award

18. Calculation of Overall Percentage Mark for an Integrated Master's:

- (1) Level 4 of the degree must be passed but shall not count towards the weighting of the final classification.
- (2) The student's overall percentage mark for an integrated Master's degree will be calculated according to the credit weightings of each module undertaken at Levels 5, 6 and 7. Modules taken at Level 5 shall be weighted at 20% of the overall degree, modules taken at Level 6 shall be weighted at 30% of the overall degree and modules taken at Level 7 shall be weighted at 50% of the degree. This ratio (0/2/3/5) shall apply irrespective of the total number of credits in the award.
- (3) To be eligible for the award of the degree all assessment components must be passed at the 50% grade boundary or be eligible for condonation.

19. Calculation of Overall Percentage Mark for a Bachelor's Degree with Honours:

- (1) Level 4 of the degree must be passed but shall not count towards the weighting of the final classification.
- (2) The student's overall percentage mark for an undergraduate degree will be calculated according to the credit weightings of each module undertaken at Levels 5 and 6. Modules taken at Level 5 shall be weighted at 40% of the overall degree and modules taken at Level 6 shall be weighted at 60% of the overall degree. This ratio (0/4/6) shall apply irrespective of the total number of credits in the award.

20. Calculation of Overall Percentage Mark for a Diploma in Higher Education

A student's overall percentage mark for the Diploma will be calculated according to the credit weightings of each module. The results of Levels 4 and 5 shall be weighted 40:60 in the calculation of the overall mark.

21. Calculation of Overall Aggregate Mark for a Certificate in Higher Education

A student's overall aggregate mark for the Certificate will be calculated according to the credit weightings of each module.

Classification Calculations and Decisions

22. Where the overall marks of students are **0.5% or less** below a degree classification boundary, the marks will be rounded up automatically to the higher classification.

23. Students who receive **2.5% or less** below a degree classification boundary and have **50% or more of the credits at their highest level** that are in the higher degree classification boundary will be eligible for promotion to the higher classification.

24. For Integrated Master's degree candidates, Level 5 modules shall contribute 20%, Level 6 modules shall contribute 30% and Level 7 modules shall contribute 50% towards the degree classification.

25. For students who are admitted with advanced standing (APL/APEL), only Level 5 and 6 modules shall be included in the final Honours degree result. Level 5 modules will only be included where a minimum of 60 credits at that Level has been achieved.

26. Students awarded an honours degree will be awarded the highest classification for which they are eligible.

27. Ordinary degrees and Certificates and Diplomas of Higher Education will not be classified but the student's aggregated final mark will be indicated.

28. First class honours

A student who obtains:

- (i) a pass in all modules, and
- (ii) an overall aggregate mark of at least 70%;

is eligible for a first-class honours degree.

29. Second class honours upper division

A student who obtains:

- (i) a pass in all modules, and
- (ii) an overall aggregate mark of at least 60%;

is eligible for a second-class honours degree upper division.

30. Second class honours lower division

A student who obtains:

- (i) a pass in all modules, and
- (ii) an overall aggregate mark of at least 50%;

is eligible for a second-class honours degree lower division.

31. Third class honours

A student who obtains a pass in all modules at the appropriate grade boundary and an overall aggregate mark of at least 40% is eligible for a third class honours degree.

Re-assessment of Failed Assessment(s)

- 32. A student who fails one or more assessment component(s) will only be reassessed in the failed assessment component(s).
- 33. A student who fails an element of an assessment but passes the module overall shall not be required to be reassessed in that element.
- 34. A student who fails an element of an assessment and fails the module overall will be reassessed in all elements of the assessment.
- 35. A student shall be permitted two assessment attempts at each module component<sup>10</sup>; one first sit and one resit. The resit attempt must be taken at the next assessment opportunity.
- 36. Where a student resits and passes an assessment component the component mark shall be capped at the pass mark. The capped mark shall be aggregated with the original mark(s) of the other component(s) and the aggregated mark shall appear on the transcript.
- 37. Where permitted in the programme handbook, coursework submitted for summative assessment that has been failed by the examiners may be revised and re-submitted once by the student following feedback.

Progression

- 38. A student may be permitted to progress from term to term, year to year or Level to Level carrying failure but must attempt to retrieve that failure at the next available assessment opportunity.
- 39. Students are expected to pass all modules in each year of study in order to proceed to the next. The exception is where a Board of Examiners has granted permission for a student to trail failed credits into the next academic year. The modules affected will be assessed at the next opportunity where the assessment can be offered.
- 40. Normally, students will be permitted to trail no more than 40 credits into the next academic year.

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<sup>10</sup> Where a module assessment comprises two or more elements, the sum of the elements becomes the component. Consequently, where the overall mark is a fail, all the assessment elements for the module should be re-sat in total.

### Consequences of failure

41. FAILURE OF 0 - 80 CREDITS:  
A student who fails no more than 80 credits during any year of study will be permitted to resit the appropriate components or elements of modules at the earliest next opportunity.
42. It may be necessary, in agreement with the programme delivery team, to schedule resit assessments across more than one assessment period, particularly where assessment volume is likely to be an issue.
43. FAILURE OF > 80-100 CREDITS A student who fails more than 80 but no more than 100 credits during any year of study will repeat the failed modules, normally with attendance at the next available opportunity.
44. FAILURE OF > 100-120 CREDITS A student who fails more than 100 credits within any year of study will be withdrawn from their studies. Those students will be advised that they are 'At Risk of Withdrawal' and will be considered at a 'At Risk of Withdrawal Board' (see process below).

### Decisions Of The Board of Examiners

The Board of Examiners shall have the discretion to decide whether the student:

- (a) following completion of the specified number of credits in the final level, shall be recommended for an award, (AWARD).
- (b) following completion of the specified number of credits at a level other than the final level, shall proceed to the next level of the programme, (PROCEED).
- (c) following completion of a specified number of credits at a level other than the final level, shall proceed to the next level of the programme, with trailed credits, (PROCEED WITH TRAILED CREDITS).
- (d) shall be required to take resit assessments with no right to further tuition (RESIT).
- (e) shall be required to take deferred assessments with or without attendance and, where appropriate, in receipt of such tuition as is specified by the Board (DEFER WITH/WITHOUT ATTENDANCE).
- (f) shall be required to take repeat assessments with or without attendance and in receipt of such tuition as is specified by the Board, (REPEAT WITH/WITHOUT ATTENDANCE).
- (g) shall be required to restart the Level with full attendance (typically where a student's study has been significantly affected by appropriate mitigating circumstances) (RESTART WITH ATTENDANCE).
- (h) shall be required to withdraw from the programme, (WITHDRAW).  
In circumstances where the decision of the Board of Examiners is to withdraw (or exit with a lower award), the student will be contacted in writing and notified that they are 'at risk of withdrawal'. (see 'At Risk of Withdrawal Process' below).
- (i) shall be required to withdraw with the award of a Certificate in Higher Education

or Associate Bachelor's exit qualification or, in the case of an Integrated Master's Degree, a Bachelor's Degree exit qualification (AWARD ALTERNATIVE AWARD).

(j) Students are permitted a maximum of three attempts at each **module** at all levels. Failure to pass a failed module on the third and final attempt (or failure in accrued modules totalling more than 100 credits), will result in the student being notified that they are 'at risk of withdrawal'.

#### At Risk of Withdrawal Process (AROW)

45. Before implementing a decision that a student should withdraw from a programme, the Board of Examiners shall provide an opportunity for the student concerned to make representations relating to circumstances which might have affected their performance. This is known as the 'At Risk of Withdrawal Process'.
46. Students identified as AROW shall be notified in writing of their status and the reasons of such decision. The notification shall include information regarding the upcoming 'At Risk of Withdrawal' Board of Examiners where their case will be considered. This may be a sub-set of the Board of Examiners that made the original decision.
47. Students identified as AROW shall be provided with an opportunity to provide written representations to the Board of Examiners regarding their academic performance, mitigating circumstances and any other relevant factors not previously known to the Board.
48. Students will have five working days from the notification of the Board of Examiners decision to make their written representations. This is the opportunity for the student to make representations to the Board. Students are encouraged to bring forward relevant independent evidence where appropriate. The student representations should be concise, factual and focused on addressing the concerns raised from the initial notification.
49. All representations submitted by students considered as AROW shall be treated with confidentiality. The contents of representations shall only be disclosed to members of the Board of Examiners and other relevant staff involved in the decision-making process.
50. Should a student fail to make representations, they will be withdrawn (with an exit award if appropriate).
51. The Board retains the discretion to invite students deemed as AROW to make in-person representations during the Board meeting.
52. Following representations to the At Risk of Withdrawal Board, a decision will be taken as to whether the student should remain on their programme of study. The At Risk of Withdrawal Board will determine which modules should be retaken, whether they are deferred, resat or repeated. The Board may also consider whether the student should be granted a Leave of Absence, whether they should repeat or restart the level of study or whether they should be withdrawn from the programme.
53. Following the At Risk of Withdrawal Board of Examiners meeting, students at risk of withdrawal shall be notified in writing of the decision reached and the reasons for such decision.
54. If the decision results in withdrawal, the notification shall include information on the appeals process available to the student. The normal rights of appeal apply to the decisions of the At

Risk of Withdrawal Board of Examiners, with seven working days allowed for such appeal after the notification of decision.

#### Professional Body Requirements

55. Where the regulations of a Professional or Statutory Regulatory Body do not prevent it, students shall be afforded the opportunity to resit or repeat modules to achieve professional accreditation, but, for the avoidance of doubt, any degree award will be governed by the regulations above.

#### Anonymity

56. All student work submitted for assessment shall be anonymised for the purposes of marking and moderation except where the form of presentation precludes such anonymisation, e.g. a presentation or clinical skills performance.

#### Word Length

57. Where an assessment carries a maximum word length, the number of words in an assessment shall be calculated in accordance with the principles stated in the Programme Handbook or assessment rubric provided to students in advance of that assessment.
58. Words in excess of the stipulated word limit for an assessment will normally not be marked.

#### Confidentiality

59. A student's assessment results shall be confidential to the student concerned unless that student grants permission to release the results to a third party.

#### Fees

60. The College may apply fees for resits. Such fees will be published prior to the start of each academic year.

## GRADUATE CERTIFICATE AND DIPLOMA AWARDS

1. These regulations apply to students of the College registered on programmes leading to a Graduate Certificate or Diploma.

### Definitions: Assessment Elements and Assessment Components

2. The assessment for a module may comprise one or more than one assessment instruments (e.g. an unseen examination, and/or an oral presentation and/or a coursework essay).
3. **Assessment Element:** an assessment *element* is an assessment instrument the result of which is aggregated with the result(s) of other assessment instruments to give the final module result. The student is deemed to have passed the module if the overall mark is a pass, irrespective of whether or not an individual assessment element has been failed.

*Example 1: A module comprises two, equally weighted **assessment elements**: an unseen examination and a presentation. A student scores 50% in the unseen examination and 30% in the presentation. The aggregated mark is 40% therefore the student has passed the module.*

4. **Assessment Component:** an assessment *component* is an assessment instrument that as well as being aggregated with other assessment elements must be passed in its own right.

*Example 2: A module comprises two, equally weighted **assessment components**: an unseen examination and a presentation. A student scores 50% in the unseen examination and 30% in the presentation. The aggregated mark is 40%, however both components must be passed, therefore the student has failed the module and must resit the presentation.*

6. Condonation of assessment components: where the assessment of a module comprises more than one assessment component all assessment components must be within 5 marks of the pass mark, i.e. for undergraduate and graduate awards - 35% and for postgraduate awards - 45%.

### Classification Calculations and Decisions

7. There shall be four classifications for graduate awards: distinction, merit, pass and fail.
8. Where the overall marks of candidates are **0.5% or less** below a degree classification boundary, the marks will be rounded up automatically to the higher classification.
9. Students who receive **2.5% or less** below a classification boundary and have **50% or more of the credits at their highest level** that are in the higher degree classification boundary will be eligible for promotion to the higher classification.

### Conditions for the Award of a Graduate Certificate

10. Candidates shall be awarded a Graduate Certificate where they have:
  - (a) completed an approved programme of taught modules amounting to, at least, 60 credits, and
  - (b) obtained a mark of at least 40% in each assessment to include all assessment components of each module.

### Conditions for the Award of a Graduate Diploma

11. Candidates shall be awarded a Graduate Diploma where they have:

- (a) completed an approved programme of taught modules amounting to, at least, 120 credits, and
- (b) obtained a mark of at least 40% in each assessment to include all assessment components of each module.

#### Conditions for the Award with Merit

12. Candidates shall be eligible for the award with merit where they have:

- (a) satisfied the conditions for the relevant award and;
- (b) achieved an aggregated, weighted percentage mark between 60% and 69%; or
- (c) achieved an aggregated, weighted percentage mark between 58% and 59.5% and have a mark of no less than 60% for at least half the credits for the programme.

#### Conditions for the Award with Distinction

13. Candidates shall be eligible for the award with distinction where they have:

- (a) satisfied the conditions for the relevant award and;
- (b) achieved an aggregated, weighted percentage mark of 70% or above; or,
- (c) achieved an aggregated, weighted percentage mark between 68% and 69.5% and have a mark of no less than 70% for at least half the credits for the programme.

#### Aggregation of Marks

14. Each module mark shall contribute towards the overall mark for the award according to the credit value of the module divided by the total credit value of the award. For example, a mark of 40% on a 30 credit module in a 120 credit award would be calculated as  $40 \times 1/4$ .

15. Each assessment component mark contributing towards the overall mark for the module shall be calculated according to the weighting prescribed for the individual assessment component. For example, where there is an unseen examination weighted 60% of the module assessment and an essay weighted 40% of the module assessment the mark for the examination would be multiplied by 3/5 and the essay by 2/5.

16. The aggregated, weighted percentage mark is the average mark the candidate obtains across all the programme modules (with each module weighted in proportion to its credit).

#### Re-assessment of Failed Assessment(s)

17. A student who fails one or more assessment component(s) will only be reassessed in the failed assessment component(s).

18. A student who fails an element of an assessment but passes the module overall shall not be required to be reassessed in that element.

19. A student who fails an element of an assessment and fails the module overall will be reassessed in all elements of the assessment.
20. A student shall be permitted two attempts at each assessment component; one first sit and one resit. Further attempts may only be permitted in accordance with these regulations.
21. Where a student resits and passes an assessment component the component mark shall be capped at the pass mark. The capped mark shall be aggregated with the original mark(s) of the other component(s) and the aggregated mark shall appear on the transcript.
22. Where permitted in the Programme Handbook, coursework submitted for summative assessment that has been failed by the examiners may be revised and resubmitted by the student following feedback.

#### Decisions Of The Board of Examiners

The Board of Examiners shall have the discretion to decide whether the student:

- (a) following completion of the specified number of credits, shall be recommended for an award, (AWARD).
- (b) shall be required to take resit assessments with no right to further tuition (RESIT).
- (c) shall be required to take deferred assessments with or without attendance and, where appropriate, in receipt of such tuition as is specified by the Board (DEFER WITH/WITHOUT ATTENDANCE).
- (d) shall be required to take repeat assessments with or without attendance and in receipt of such tuition as is specified by the Board, (REPEAT WITH/WITHOUT ATTENDANCE).
- (e) shall be required to restart the Level with full attendance (typically where a student's study has been significantly affected by appropriate mitigating circumstances) (RESTART WITH ATTENDANCE).
- (f) shall be required to withdraw from the programme, (WITHDRAW).  
In circumstances where the decision of the Board of Examiners is to withdraw (or exit with a lower award), the student will be contacted in writing and notified that they are 'at risk of withdrawal'. (see 'At Risk of Withdrawal Process' below).
- (g) Students are permitted a maximum of three attempts at each **module** at all levels. Failure to pass a failed module on the third and final attempt will result in the student being notified that they are 'at risk of withdrawal'.

#### At Risk of Withdrawal Process (AROW)

23. Before implementing a decision that a student should withdraw from a programme, the Board of Examiners shall provide an opportunity for the student concerned to make representations relating to circumstances which might have affected their performance. This is known as the 'At Risk of Withdrawal Process'.

24. Students identified as AROW shall be notified in writing of their status and the reasons of such decision. The notification shall include information regarding the upcoming 'At Risk of Withdrawal' Board of Examiners where their case will be considered. This may be a sub-set of the Board of Examiners that made the original decision.
25. Students identified as AROW shall be provided with an opportunity to provide written representations to the Board of Examiners regarding their academic performance, mitigating circumstances and any other relevant factors not previously known to the Board.
26. Students will have five working days from the notification of the Board of Examiners decision to make their written representations. This is the opportunity for the student to make representations to the Board. Students are encouraged to bring forward relevant independent evidence where appropriate. The student representations should be concise, factual and focused on addressing the concerns raised from the initial notification.
27. All representations submitted by students considered as AROW shall be treated with confidentiality. The contents of representations shall only be disclosed to members of the Board of Examiners and other relevant staff involved in the decision-making process.
28. Should a student fail to make representations, they will be withdrawn (with an exit award if appropriate).
29. The Board retains the discretion to invite students deemed as AROW to make in-person representations during the Board meeting.
30. Following representations to the At Risk of Withdrawal Board, a decision will be taken as to whether the student should remain on their programme of study. The At Risk of Withdrawal Board will determine which modules should be retaken, whether they are deferred, resat or repeated. The Board may also consider whether the student should be granted a Leave of Absence, whether they should repeat or restart the level of study or whether they should be withdrawn from the programme.
31. Following the At Risk of Withdrawal Board of Examiners meeting, students at risk of withdrawal shall be notified in writing of the decision reached and the reasons for such decision.
32. If the decision results in withdrawal, the notification shall include information on the appeals process available to the student. The normal rights of appeal apply to the decisions of the At Risk of Withdrawal Board of Examiners, with seven working days allowed for such appeal after the notification of decision.

#### Anonymity

33. All student work submitted for assessment for postgraduate awards shall be anonymised for the purposes of marking except where the form of presentation precludes such anonymisation e.g. a presentation or clinical skills performance.

#### Word Length

34. Where an assessment carries a maximum word length, the number of words in an assessment shall be calculated in accordance with the principles stated in the Programme Handbook or assessment rubric provided to students in advance of that assessment.
35. Words in excess of the stipulated word limit for an assessment will not normally be marked.

### Confidentiality

36. A student's assessment results shall be confidential to the student concerned unless that student grants permission to release the results to a third party.

### Professional Body Requirements

37. Where the regulations of a Professional or Statutory Regulatory Body do not prevent it, students shall be afforded the opportunity to resit or repeat modules to achieve professional accreditation, but, for the avoidance of doubt, any degree award will be governed by the regulations above.

### Fees

38. The College may apply fees for resits. Such fees shall be published prior to the start of each academic year.

## POSTGRADUATE AWARDS

### Definitions: Assessment Elements and Assessment Components

The assessment for a module may comprise one or more than one assessment instruments (e.g. an examination, and/or an oral presentation and/or a written assignment).

1. Assessment Element: an assessment *element* is an assessment instrument the result of which is aggregated with the result(s) of other assessment instruments to give the final module result. The student is deemed to have passed the module if the overall mark is a pass, irrespective of whether or not an individual assessment element has been failed.

*Example 1: A module comprises two, equally weighted assessment elements: an unseen examination and a presentation. A student scores 60% in the examination and 40% in the presentation. The aggregated mark is 50% therefore the student has passed the module.*

2. Assessment Component: an assessment *component* is an assessment instrument that as well as being aggregated with other assessment instruments must be passed in its own right.

*Example 2: A module comprises two, equally weighted assessment components: an assignment and a presentation. A student scores 60% in the assignment and 40% in the presentation. The aggregated mark is 50%, however both components must be passed, therefore the student has failed the module and must resit the presentation.*

3. Condonation of assessment components: where the assessment of a module comprises more than one assessment components, all assessment components must be within 5 marks of the pass mark, i.e. for undergraduate awards - 35% and for postgraduate awards - 45%.

### Classification Calculations and Decisions

4. There shall be four classifications for graduate awards: distinction, merit, pass and fail.
5. Where the overall marks of candidates are **0.5% or less** below a degree classification boundary, the marks will be rounded up automatically to the higher classification.
6. Students who receive **2.5% or less** below a classification boundary and have **50% or more of the credits at their highest level** that are in the higher degree classification boundary will be eligible for promotion to the higher classification.
7. There shall be four classifications for postgraduate awards: distinction, merit, pass and fail.
8. The pass mark for all assessments is 50%.
9. A merit classification is awarded when marks fall between 60% and less than 70%.
10. The threshold mark for the award of a distinction is 70%. The conditions under which a distinction may be awarded are set out below.

### Conditions for the Award of a Postgraduate Certificate

11. Candidates shall be awarded a Postgraduate Certificate where they have:
  - (a) completed an approved programme of taught modules amounting to 60 credits, and

(b) obtained a mark of at least 50% in each assessment to include all assessment components of each module.

Conditions for the Award of a Postgraduate Diploma

12. Candidates shall be awarded a Postgraduate Diploma where they have:

- (a) completed an approved programme of taught modules amounting to 120 credits, and
- (b) obtained a mark of at least 50% in each assessment to include all assessment components of each module.

Conditions for the Award of a Taught Masters

13. Candidates shall be awarded a Master's degree where they have:

- (a) completed an approved programme of modules amounting to 180 credits; and
- (b) obtained a mark of at least 50% in each assessment to include all assessment components of each module.

Conditions for the Award with Merit

14. Candidates shall be eligible for the award with merit where they have:

- satisfied the conditions for the relevant award and;
- achieved an aggregated, weighted percentage mark between 60% and less than 70%.

Conditions for the Award with Distinction

15. Candidates shall be eligible for the award with distinction where they have:

- satisfied the conditions for the relevant award and;
- achieved an aggregated, weighted percentage mark of 70% or above.

Aggregation of Marks

16. Each module mark shall contribute towards the overall mark for the award according to the credit value of the module divided by the total credit value of the award. For example, a mark of 50% on a 30 credit module in a 180 credit award would be calculated as  $50 \times 1/6$ .

17. Each assessment component mark contributing towards the overall mark for the module shall be calculated according to the weighting prescribed for the individual assessment component. For example, where there is an unseen examination weighted 60% of the module assessment and an essay weighted 40% of the module assessment the mark for the examination would be multiplied by 3/5 and the essay by 2/5.

18. The aggregated, weighted percentage mark (AWPM) is the average mark the candidate obtains across all the programme modules (with each module weighted in proportion to its credit).

Re-assessment of Failed Assessment(s)

19. A student who fails one or more assessment component(s) will only be reassessed in the failed assessment component(s).

20. A student who fails an element of an assessment but passes the module overall shall not be required to be reassessed in that element.
21. A student who fails an element of an assessment and fails the module overall will be reassessed in all elements of the assessment.
22. A student shall be permitted two attempts at each assessment component; one first sit and a resit. Further attempts may only be permitted in accordance with these regulations.
23. Where a student resits and passes an assessment component the component mark shall be capped at the pass mark. The capped mark shall be aggregated with the original mark(s) of the other component(s) and the aggregated mark shall appear on the transcript.
24. Where permitted in the Programme Handbook, coursework submitted for summative assessment that has been failed by the examiners may be revised and resubmitted by the student following feedback.

#### Progression

25. A student may be permitted to progress from term to term, year to year or Level to Level carrying failure but must attempt to retrieve that failure at the next available assessment opportunity.
26. Students are expected to pass all modules in each year of study in order to proceed to the next.
27. Students will be permitted to trail no more than 40 credits from Postgraduate Diploma to Master's. Students are permitted a maximum of three attempts at each module.

#### Consequences of failure

28. **FAILURE OF 0 - 80 CREDITS**  
A student who fails no more than 80 credits during any year of study will be permitted to resit the appropriate components or elements of modules at the earliest next opportunity. It may be necessary, in agreement with the programme delivery team, to schedule resit assessments across more than one assessment period, particularly where assessment volume is likely to be an issue.
29. **FAILURE OF > 80-90 CREDITS**  
A student who fails more than 80 but no more than 90 credits during any year of study will repeat the failed modules, normally with attendance at the next available opportunity.
30. **FAILURE OF > 90 CREDITS**  
A student who fails more than 90 credits within any year of study will be withdrawn from their studies. Those students will be advised that they are 'At Risk of Withdrawal' and will be considered at a 'At Risk of Withdrawal Board' (see below).

#### Decisions Of The Board of Examiners

The Board of Examiners shall have the discretion to decide whether the student:

- (a) following completion of the specified number of credits in the final level, shall be recommended for an award, (AWARD).

- (b) following completion of the specified number of credits at a level other than the final level, shall proceed to the next level of the programme, (PROCEED).
- (c) following completion of a specified number of credits at a level other than the final level, shall proceed to the next level of the programme, with trailed credits, (PROCEED WITH TRAILED CREDITS).
- (d) shall be required to take resit assessments with no right to further tuition (RESIT).
- (e) shall be required to take deferred assessments with or without attendance and, where appropriate, in receipt of such tuition as is specified by the Board (DEFER WITH/WITHOUT ATTENDANCE).
- (f) shall be required to take repeat assessments with or without attendance and in receipt of such tuition as is specified by the Board, (REPEAT WITH/WITHOUT ATTENDANCE).
- (g) shall be required to restart the Level with full attendance (typically where a student's study has been significantly affected by appropriate mitigating circumstances) (RESTART WITH ATTENDANCE).
- (h) shall be required to withdraw from the programme, (WITHDRAW).
 

In circumstances where the decision of the Board of Examiners is to withdraw (or exit with a lower award), the student will be contacted in writing and notified that they are 'at risk of withdrawal'. (see 'At Risk of Withdrawal Process' below).
- (i) shall be required to withdraw with the award of a Postgraduate Certificate, or Postgraduate Diploma exit qualification. (AWARD ALTERNATIVE AWARD).

#### At Risk of Withdrawal Process (AROW)

31. Before implementing a decision that a student should withdraw from a programme, the Board of Examiners shall provide an opportunity for the student concerned to make representations relating to circumstances which might have affected their performance. This is known as the 'At Risk of Withdrawal Process'.
32. Students identified as AROW shall be notified in writing of their status and the reasons of such decision. The notification shall include information regarding the upcoming 'At Risk of Withdrawal' Board of Examiners where their case will be considered. This may be a sub-set of the Board of Examiners that made the original decision.
33. Students identified as AROW shall be provided with an opportunity to provide written representations to the Board of Examiners regarding their academic performance, mitigating circumstances and any other relevant factors not previously known to the Board.
34. Students will have five working days from the notification of the Board of Examiners decision to make their written representations. This is the opportunity for the student to make representations to the Board. Students are encouraged to bring forward relevant independent evidence where appropriate. The student representations should be concise, factual and focused on addressing the concerns raised from the initial notification.

35. All representations submitted by students considered as AROW shall be treated with confidentiality. The contents of representations shall only be disclosed to members of the Board of Examiners and other relevant staff involved in the decision-making process.
36. Should a student fail to make representations, they will be withdrawn (with an exit award if appropriate).
37. The Board retains the discretion to invite students deemed as AROW to make in-person representations during the Board meeting.
38. Following representations to the At Risk of Withdrawal Board, a decision will be taken as to whether the student should remain on their programme of study. The At Risk of Withdrawal Board will determine which modules should be retaken, whether they are deferred, resat or repeated. The Board may also consider whether the student should be granted a Leave of Absence, whether they should repeat or restart the level of study or whether they should be withdrawn from the programme.
39. Following the At Risk of Withdrawal Board of Examiners meeting, students at risk of withdrawal shall be notified in writing of the decision reached and the reasons for such decision.
40. If the decision results in withdrawal, the notification shall include information on the appeals process available to the student. The normal rights of appeal apply to the decisions of the At Risk of Withdrawal Board of Examiners, with seven working days allowed for such appeal after the notification of decision.

#### Professional Body Requirements

41. Where the regulations of a Professional or Statutory Regulatory Body do not prevent it, students shall be afforded the opportunity to resit or repeat modules to achieve professional accreditation, but, for the avoidance of doubt, any degree award will be governed by the regulations above.

#### Anonymity

42. All student work submitted for assessment for postgraduate awards shall be anonymised for the purposes of marking except where the form of presentation precludes such anonymisation e.g. presentations or practical assessment.

#### Word Length

43. Where an assessment carries a maximum word length, the number of words in an assessment shall be calculated in accordance with the principles stated in the Programme Handbook or assessment rubric provided to students in advance of that assessment.
44. Words in excess of the stipulated word limit for an assessment will not normally be marked.

#### Confidentiality

45. A student's assessment results shall be confidential to the student concerned unless that student grants permission to release the results to a third party.

#### Professional Body Requirements

46. Where the regulations of a Professional or Statutory Regulatory Body do not prevent it, students shall be afforded the opportunity to resit or repeat modules to achieve professional accreditation, but, for the avoidance of doubt, any College award will be governed by regulations above.

## MITIGATING CIRCUMSTANCES

### Definition

1. Mitigating circumstances are defined as unforeseeable and unavoidable circumstances that may have a detrimental effect on academic performance.
2. A concession is the acceptance on the part of an authorised officer or board that mitigating circumstances, supported by objective and authoritative evidence, have affected a student's summative assessment and the voiding of that assessment attempt. The granting of a concession will not result in any increase in marks.
3. The College encourages students who do not consider themselves fit to sit an examination, or who believe that an assessment would be impaired because of unforeseen and unavoidable circumstances outside their control, to use the procedures open to them, such as deferral of an assessment or an extension of the deadline for submission, in advance of the examination or assessment.

### Fit to Sit Policy

4. By the act of sitting an examination or submitting an assignment, students are intrinsically declaring that they are fit to do so unless they have submitted a mitigating circumstances application (subject to the following paragraph).
5. A student who sits an examination or submits an assignment may not submit a mitigating circumstances application unless:
  - (1) they are affected by unforeseen circumstances beyond their control before the end of the examination; or
  - (2) they are subsequently diagnosed as having been suffering from a condition at the time of the assessment of which, for a reason supported by evidence, they were unaware at the time of the assessment; or
  - (3) at the time sitting/submitting they were suffering from a condition which impaired their ability to make a rational judgement as to their ability to take the assessment.

In all the above cases the student must provide objective and authoritative evidence of their condition.

### Stage 1: Submission of a Mitigating Circumstances Application

6. A student may make an application where they believe that their assessment has been adversely affected by unforeseen circumstances beyond their control. Students may make such an application:
  - (a) if the circumstances prevent the student from undertaking all or part of an assessment task;
  - (b) subject to paragraph 5 above, if the assessment task is completed, but the student believes that the mitigating circumstances have had a detrimental effect on the standard of work presented for assessment.

7. To submit a mitigating circumstances application, students must complete the form, available on the Virtual Learning Environment, no more than ten working days after the assessment took place or was due. Late applications will not be considered unless the student is able to prove that they were mentally or physically incapable of submitting an application within the prescribed time limit. Late applications need to be accompanied by authoritative and objective evidence which confirms that the student was incapable of submitting an application within the prescribed time period.
8. The mitigating circumstances application must contain or be accompanied by objective<sup>11</sup> and authoritative evidence showing the time and character of the circumstances. Where appropriate, one mitigating circumstances application may relate to several assessment tasks. Objective and authoritative evidence is original, signed documentation from an appropriate third party (e.g. a doctor or psychiatrist). Evidence should be proximate and relevant to the assessment or assessment period. If a document submitted as evidence is not in English, an independent translation must be provided. Further guidance is available on the VLE.
9. Students, taken ill, or who experience any unforeseen or unavoidable incidents during an assessment, are expected to notify the invigilator before leaving the venue to ensure that the time and nature of the illness or incident is noted in the invigilation report. Students will also be required to seek medical attention on the day of the assessment or as close to it as possible if they feel their performance was adversely affected by illness.
10. Mitigating circumstances applications that are a result of technical or other problems (such as computer failure) will not normally be accepted, unless the problem lies with the College.
11. These procedures are intended to cover circumstances which, though they may cover a period of time, are essentially transient, and do not prevent the student from continuing with the work of the programme.
12. If a student is affected by serious ongoing circumstances (which may for example be medical or personal) which appear unlikely to be resolved or significantly improved within the timescale of the student's assessment for a programme, the student may be referred to relevant support services or advised to interrupt their studies.
13. The Vice Principal (Academic), or nominee, shall keep a record of mitigating circumstances applications and granted concessions per student, and will take this into account when considering a mitigating circumstances application.

#### Stage 2: Initial Consideration

14. A mitigating circumstances application must be submitted online and students must use their College email address. An acknowledgement of receipt, which the candidate must retain as proof that a mitigating circumstances application has been lodged for consideration, will be automatically generated.
15. The Vice Principal (Academic), or nominee, will determine, within ten working days of receipt of the mitigating circumstances application, whether the information provided by the student presents a case that satisfies the threshold conditions for a valid mitigating circumstances application.

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<sup>11</sup> Objective evidence must be from an independent source wherever possible.

16. To meet the threshold conditions for a valid concession, the application must:
  - (a) be made in writing on the appropriate form, include all of the information requested on the form; and
  - (b) clearly identify the unforeseeable and unavoidable mitigating circumstance(s); and
  - (c) include evidence which demonstrates that the mitigating circumstance is proximate to the assessment; and
  - (d) have been received within the published time limits.
17. The Vice Principal (Academic), or nominee, will inform the student in writing that either:
  - a. the mitigating circumstances application is rejected because it does not satisfy the threshold conditions for a valid concession; or
  - b. the application has been approved, or nominee; or
  - c. the case will be referred to a Mitigating Circumstances Panel for consideration.
18. Where a student has had their application rejected they may reapply (for example to provide required evidence) or submit an appeal.
19. For applications where a case has been established that satisfies the threshold conditions for a valid concession and these applications are supported by authoritative and objective evidence, the Vice Principal (Academic), or nominee, may grant the application. A record of all applications granted by the Vice Principal (Academic), or nominee, will be retained.

#### *Stay on Action*

20. Where a student is submitting an application for mitigating circumstances on a final assessment attempt, from the date of lodging the application, a stay of execution shall be placed on any action or decision affecting the student's registration status or progression whilst the outcome of the mitigating circumstances application is pending. Boards of Examiners or any other body, except for the Academic Council, shall not implement any decision, or consequential action of the final assessment attempt before the outcome of the mitigating circumstances application is known.
21. Pending the outcome of the mitigating circumstances application, and where they have the right, the candidate may undertake classes, attend the College and must prepare for and retake any assessments or examinations that have been scheduled. However, such assessments are sat at the students' own expense and shall be discounted if the appeal is finally rejected.

#### Appeals

22. Where a student has their application rejected they may appeal to the Academic Appeals Board in accordance with the College's Academic Appeal and Complaints policy.

#### Consideration by the Board of Examiners

23. Approved mitigating circumstances applications will be indicated against the student record for the relevant module(s) at the Examination Board.

Monitoring, Evaluation and Review of the Mitigating Circumstances and Concessions Procedure

24. The effectiveness of this procedure will be reviewed annually and any proposed changes considered by the Academic Council.
25. The Vice Principal (Academic) shall provide an annual report to the Academic Council summarising the cases that have been considered, the actions taken, and, as appropriate, a commentary on the effectiveness or otherwise of the procedures, and any recommendations for change.

## DEFERRAL AND EXTENSION OF EXAMINATIONS OR ASSESSMENT

1. Where mitigating circumstances have impaired a student's ability to prepare for an examination or assessment the student may apply to the programme leader, or nominee, to defer the examination or assessment to the next available sitting.
2. The term 'deferral' is generally used for examinations to clarify that the application is to defer the date of the sit.
3. The term 'extension' is generally used for assessments to clarify that the application is to put back the submission date.
4. For ease of reference in this section, the term 'deferral' is used to describe both deferral and extension.
5. The application for a deferral must:
  - (a) Be made by 12.00 noon the working day<sup>12</sup> before the date of the examination or the submission date for an assessment;
  - (b) Be on the prescribed deferral/extension form available on the VLE;
  - (c) Provide objective and authoritative evidence of the mitigating circumstances relied on to justify the deferral.
6. The programme leader, or nominee, on the evidence submitted, has discretion to grant or refuse to grant a deferral to the next sitting of the examination or to move the submission date. Extension of submission dates will typically be up to and including 14 days.
7. In exercising their discretion the Programme Leader, or nominee, must be satisfied that:
  - (a) The illness or other cause would render the student unfit to enter the examination or assessment; and
    - (i) That the illness or other cause would either:  
Have a significant and adverse impact on the student's performance in the examination or assessment; or
    - (ii) Would prevent the student from sitting the examination or submitting the assessment.
8. Where the Programme Leader, or nominee, is satisfied that the above conditions have been met, the student will be withdrawn from the examination or assessment and that attempt be deferred with no penalty.
9. The College aims to process deferral applications the day before the assessment. If a student has not received confirmation of their deferral prior to the examination, they should assume that it has not been granted and should therefore expect to sit the examination or assessment.
10. Where an application for a deferral is received after the deadline, defined as 12.00 noon on the working day before the date of the examination or the submission date assessment, the student will normally be required to submit a mitigating circumstances application.
11. Where a condition is ongoing, or where a student has learning difficulties and/or a disability, they are encouraged to contact Student Support in order to establish a Learning Support Agreement which shall include recommendations for concessions. This is typically required at

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<sup>12</sup> A working day is defined as Monday to Friday, excluding weekends and public holidays.

least one month before the date of an examination to ensure that any reasonable adjustments can be considered and accommodated. In all cases evidence (eg. from a GP, Doctor or Consultant, Educational Psychologist, specialist Specific Learning Difficulties (SpLD) tutor and/or Needs Assessment Centre) will be required.

12. The College maintains a record of deferrals granted.
13. Where an examination or assessment is in more than one part a student must normally defer all parts.
14. A deferral application for particular dates is normally expected to cover all examinations and assessments on those specified dates. Where this is not clear, students will normally be asked to clarify their intention.
15. Where a student seeks to defer one or more but not all of the diet of examinations or assessments that they would normally be required to take within a single examination or assessment sitting, the student must provide evidence to justify the split of the examination and assessment diet. The Programme Leader or nominee must be satisfied that the integrity of the examination process has not been undermined or that the student has not gained an unfair advantage over other students who have taken the full diet during one period.
16. Students are required to complete their award in accordance with the time limits set out through regulations. Deferrals do not extend the permitted maximum period for completing an award.

## **PREPARATION AND ADMINISTRATION OF EXAMINATIONS**

### **Definition**

1. An examination is, for the purposes of these rules, defined as a summative assessment of any duration which is subject to continuous invigilation. In the case of a skills performance the examination script may include visual material such as a video recording as well as written material such as a plan.
2. Formative assessments which are intended to provide the student with the opportunity of experiencing an examination should adopt the relevant parts of these examinations (such as the invigilation of the examination) as closely as is practicable.

### **Provision of Information for Candidates**

3. The details of each examination must be published to students (eg. via the Virtual Learning Environment) at least two weeks in advance of the examination. The information published shall include the “Rules for the Conduct of Examinations: Information for Candidates” and shall also include information on what materials, if any, are permitted and the rules governing how these may have been annotated. Where there is more than one location for the examination a list of candidates who must attend each location must be published. The Vice Principal (Academic), or nominee, shall be responsible for ensuring the timely provision of information about examinations to candidates.

### **Preparation of Examination Papers**

4. Each programme must have in place effective drafting and scrutiny procedures to ensure that examination papers have been set appropriately.
5. The Vice Principal (Academic), or nominee, shall have in place procedures for the production of examination papers.
6. The module leader is responsible for the preparation of the draft question paper and marking scheme.
7. The Programme Leader is responsible for ensuring that an appropriate vetting process is undertaken.
8. The external examiner must be invited to review and endorse the examination paper.
9. The security of the contents of examination papers must be preserved at all stages of their development until provided to candidates in the examination. Those involved in the development, approval and handling of the examination paper have a professional duty of confidentiality.
10. All question papers shall state in the opening rubric what examination aids a student may bring to the examination and the nature of any permitted materials.
11. Examination headings and layout shall conform to the College’s formal specification.
12. The Vice Principal (Academic), or nominee, will be responsible for ensuring arrangements are in place for the proper conduct of each examination.

### Examination Accommodation

13. The location of examinations and the furniture and equipment to be used will be determined by the Vice Principal (Academic), or nominee, in consultation with the Programme Leader(s) concerned.
14. Examination accommodation space and furniture shall be sufficient to enable the examination to be conducted with integrity.
15. A clock, visible to all candidates, will be provided in the examination room.
16. When more than one examination is held in the same room, each examination shall normally commence and end at the same time to avoid disturbing candidates.
17. Where a candidate who has been granted additional time or other provision in the taking of an examination, the Vice Principal (Academic) (or nominee) shall determine whether that candidate should take the examination in the same space as their peers or in separate accommodation.

### Scripts

18. The programme leader shall be responsible for having in place procedures for the marking of examination scripts.
19. The Vice Principal (Academic), or nominee, will arrange for the retention and storage of marked scripts of summative assessments for not less than one year after candidates have completed their approved programme.

## **CONDUCT OF EXAMINATIONS: INFORMATION FOR CANDIDATES**

### **Definition**

1. An examination is, for the purposes of these rules, defined as a summative assessment of any duration which is subject to continuous invigilation. In the case of a skills performance the examination script may include audio-visual material or supporting written material such as a plan.
2. Formative assessments which are intended to provide the student with the opportunity of experiencing an examination should adopt the relevant parts of these examinations (such as the invigilation of the examination) as closely as is practicable.

### **Information Published to Candidates**

3. Candidates must ensure that they are aware of the published examination timetable and the location of the examinations which they are to attend as notified by the Vice Principal (Academic), or nominee.
4. Candidates must note what aids and additional materials, if any, they may take into the examination.

### **Conduct of Candidates**

5. The examinations shall be conducted under the General Academic Regulations of the College and, where appropriate, these shall include those of any external accrediting body.
6. Candidates must note from the examination briefing sheet how far in advance of the start time they should be present at the location of the examination.
7. Candidates will not be permitted to enter the examination room more than 30 minutes after the commencement of the examination. No extra time will be allowed to candidates arriving late.
8. Candidates will not be permitted to leave the examination within the first 30 minutes of the examination. To do so may be deemed an infraction of the General Academic Regulations because it would compromise the integrity of the examination and the rights of other students to enter within the first thirty minutes as permitted by these rules.
9. Candidates will not be allowed to leave the examination during the last 15 minutes of the examination in order to prevent undue disturbance.
10. On entering the examination room candidates must deposit all bags and unauthorised sources of information in a place designated by the invigilator.
11. Where calculators or other electronic devices are permitted in an examination they must be silent, non-programmable and without case or cover. Unless specifically permitted, they must not be designed or adapted to provide access to retrievable information or be able to communicate with other machines or the internet.
12. Candidates in possession of mobile phones or smart watches must switch them off and leave them in their bags in the place designated by the invigilator. Candidates are not permitted to have mobile phones or smart watches on their person during the examination. Candidates who

use devices for medical purposes must have agreed their usage prior to the examination and must ask the invigilator's permission to access these devices as required.

13. Candidates may not turn over the front cover of the examination paper to read the questions or start writing until the invigilator announces the commencement of the examination. Neither may candidates commence writing their answers before being authorised to do so by the invigilator. Writing in this regard includes making notes on the question paper or answer book, highlighting text or making any other marks on any material.
14. Candidates must behave in an orderly manner throughout the period of the examination. The invigilator has the discretion to exclude from the examination any student observed behaving in a way which, in the opinion of the invigilator, may disturb other candidates or otherwise disrupt the smooth running of the examination. The invigilator must report any such occurrence to the Programme Leader. The Programme Leader shall decide whether to take the matter further under the student discipline procedures.
15. Candidates must not communicate with any other candidate in the examination room.
16. Candidates may bring water or other soft drinks, with the label removed, into the examination but are not permitted to take food into the examination.
17. Candidates must insert the examination and identification details required at the head of each answer book or answer paper clearly and accurately.
18. Candidates must use the answer book or other answer paper provided. Candidates are not allowed to bring additional materials or papers, unless expressly permitted.
19. Candidates must start each answer at the head of a page, as instructed, and write on both sides of each sheet of the answer book or other answer paper provided. Additional answer books or additional sheets of answer paper should be numbered consecutively 1, 2, etc. and be clearly marked with the candidate's number.
20. Candidates must write each question number in the space provided, but otherwise leave the margins blank. All work leading to the solution of each question must be recorded in the answer book. Rough notes that are not intended to be taken into account by the examiner should be neatly ruled through. No separate paper is provided for rough notes.
21. A candidate who wishes to attract the invigilator's attention, for whatever reason, must do so by raising their hand.
22. A candidate who wishes temporarily to leave the examination room must seek the permission of an invigilator and they must be escorted.
23. A candidate wishing to leave the examination permanently must seek the permission of an invigilator and their examination paper and answer booklets must be collected in.
24. Once the end of the examination has been signalled by the invigilator, candidates must cease writing immediately and remain at their allocated places without speaking until all the scripts have been collected.
25. Candidates must not remove any question papers, answer scripts, other paper used or unused or aids provided by the College from the examination room.

26. A candidate whose script is deemed illegible by the Programme Leader or nominee may be required to contribute to the costs of having the script transcribed professionally. In such cases the charge levied will be used to offset the costs incurred.
27. A candidate suspected of using academic malpractice in an examination will be reported and will be dealt with under the Academic Malpractice procedure.

## **INVIGILATION OF EXAMINATIONS**

### Definition

1. An examination is, for the purposes of these rules, defined as a summative assessment of any duration which is subject to continuous invigilation. In the case of a skills performance the examination script may include a video recording as well as written material such as a plan.
2. Formative assessments which are intended to provide the student with the opportunity of experiencing an examination should adopt the relevant parts of these examinations (such as the invigilation of the examination) as closely as is practicable.

### Appointment of Invigilators

3. Any person approved to act as an invigilator must have completed a training session conducted by the Vice Principal (Academic), or nominee.
4. The number of invigilators required in each examination room will be determined by the Vice Principal (Academic), or nominee.

### Instructions to Invigilators

5. Instructions to invigilators, incorporating the rules set out here, shall be provided by the Vice Principal (Academic), or nominee, in advance of each assessment, including:
  - (a) The location of the examination;
  - (b) The number of candidates and their student numbers;
  - (c) Examination materials provided by the college;
  - (d) Additional materials provided or permitted;
  - (e) The names of the invigilators;
  - (f) Any examination-specific instructions provided by the module leader;
  - (g) Any arrangements for students with recognised specific needs.

### Preparation before the Examination

6. A nominated lead invigilator will collect the examination pack from the Registry (or such other place as may be notified) in good time to enable them to set up the examination.
7. Invigilators shall be at the examination location as specified in the invigilation instructions issued by the Vice Principal (Academic), or nominee, to receive a briefing. This is normally no later than one hour before the examination is due to commence.
8. The lead invigilator shall be responsible for conducting the laying out of the examination room.
9. Invigilators will place the appropriate examination papers face up on each desk together with the requisite number of answer books and any other examination materials before the candidates are admitted to the room.

### Admission of Candidates to the Examination Room

10. Candidates will be admitted to the room in sufficient time, as deemed by the lead invigilator, to enable them to be seated and all instructions to be read out so that the examination can commence at the designated time. "Sufficient time" may vary depending on the number of candidates who are taking the examination.
11. A candidate who arrives late should be admitted without question during the first half hour of an examination. Admission after the first half hour is not permitted.
12. No extra time will normally be allowed to a candidate who arrives late for an examination session.

### Announcements to Candidates before the Start of Written Examinations

13. An invigilator must make announcements to candidates covering the following matters before the start of the examination.
  - (a) Only authorised materials should be retained on candidates' desks during the examination. All other materials not specifically allowed in the rubric of the examination paper and all other belongings should be placed in the designated part of the room.
  - (b) Candidates should complete the front covers of the answer books at the start of the examination.
  - (c) Candidates should read carefully all the instructions on the examination paper.
  - (d) Candidates should check that they have the correct question paper and note the duration of the examination.
  - (e) Any queries regarding the question paper should be raised with the invigilator. The answer to any query will be announced to all candidates taking the examination.
  - (f) Candidates will not be permitted to leave the examination room during the first 30 minutes or the last 15 minutes of the examination.
  - (g) If a candidate needs to leave the room temporarily they will be accompanied by an invigilator.
  - (h) The times at which candidates will be informed of the time remaining before the end of the examination.
  - (i) Once the examination has been completed, candidates must obey the lead invigilator's instructions to remain silent in their seats until answer books are collected.

### Availability of the Internal Examiner

14. Throughout the examination, an internal examiner or nominee familiar with the examination paper shall be available for consultation either in person or by telephone to answer any queries raised by candidates. The lead invigilator will be responsible for contacting the examiner or nominee and will be provided with contact details on the day of the examination. The examiner or nominee shall be responsible for communicating this information to the Examinations Office,

which will ensure that the outcome of any such clarification is communicated to all students taking the examination and the matter recorded for report to the board of examiners.

#### End of the Examination

15. The lead invigilator shall end the examination punctually and require candidates to put down their pens immediately and to remain in their seats until all the answer books have been collected.
16. Candidates should not be permitted to remove any question papers, answer books, other paper used or unused, or aids provided by the College from the examination room.
17. The lead invigilator should check that the correct number of answer books have been collected and may then release the candidates. Where one or more answer books are missing a check should be conducted to identify which candidates' answer book(s) are missing. All other candidates may then be released. The candidates for whom answer books are missing should be asked to search their bags and make such other checks as may be appropriate.
18. Answer books and any other materials must be returned to the Examinations Office unless collected from the examination room by examiners, in which case the examiners must sign the lead invigilator's report form to indicate that the answer books have been removed.
19. The lead invigilator must complete a report on the conduct of the examination, noting in particular any exceptional circumstances, and submit it to the Examinations Office.

#### Exceptional Circumstances

20. If an examination room has to be evacuated for any reason (such as a fire alarm), candidates should be instructed to leave all examination papers and materials on their desks and proceed to the nearest exit. The lead invigilator should note the time when the delay started and be the last person to leave the room. Invigilators should then seek guidance from the Examinations Office or Vice Principal (Academic), or nominee. On re-admittance to the examination room, candidates should be instructed to await instructions from the lead invigilator as to the revised start time and the amount of any additional time (if any) allowed.
21. If any candidate becomes ill during an examination, the invigilators should take appropriate action and report this in writing to the Examinations Office.

#### Academic Malpractice

22. Where an invigilator suspects a candidate of academic malpractice they shall warn the candidate that a report will be made. The candidate answer books should be removed and endorsed by the invigilator as having been completed prior to the discovery of the incident and any unauthorised materials should be removed and attached to them. The candidate shall then be issued with fresh answer books and permitted to continue. A full report shall be made on the invigilator's report form and the candidate shall be invited to verify the report and/or add a statement to the report. Ideally this should be done contemporaneously but may be done later if necessary.

#### Lead Invigilator's Discretion

23. The lead invigilator shall have a discretion to deal with any exceptional circumstance arising in relation to the examination as they deem appropriate. In exercising any such discretion the lead

invigilator shall usually seek the advice of the Examinations Office. The exercise of any such discretion shall be reported immediately to the Examinations Office and included in the lead invigilator's report form. The exercise of any such discretion by the lead invigilator shall not bind any action that may be taken by the Board of Examiners.

## ACADEMIC MALPRACTICE PROCEDURES

### Academic Malpractice

1. Students shall not commit, or attempt to commit, any act leading to circumstances whereby they, or another, might gain an unpermitted or unfair advantage in an examination or an assessment or in the determination of results, whether by advantaging themselves or by advantaging or disadvantaging another or others, or which might otherwise undermine the integrity or reputation of the College and its examination and assessment process.

### Poor Academic Practice

2. For the purposes of these regulations, and to enable the College to address acts of academic malpractice in appropriate and proportionate ways, academic malpractice shall be divided into two broad levels: poor academic practice and academic misconduct.
3. Poor academic practice is an inept or inadvertent breach of the conventions or regulations of academic practice, committed through a defensible ignorance of those conventions and regulations, where no distinguishable advantage may be or has been accrued to the student, and where there is no discernible intention to deceive.
4. Defensible ignorance may be assumed in the early stages of a student's career, e.g. during the first stage of an undergraduate degree, or for example postgraduate overseas students studying for the first time under UK higher education assessment conventions.
5. A student may receive a formal caution for poor academic practice. Any potential advantage gained by a student should be removed either through voiding the assessment attempt or through the marking and moderation process and in relation to the marking criteria. For example, where a student has copied the work of another without reference, any marks awarded to the copied material on the basis of it being the student's work should be removed.
6. Poor academic practice rather than academic misconduct may be assumed where a student has identified copied work but has not applied the correct referencing convention fully or at all.
7. Poor academic practice shall be addressed and corrected under the authority of the appropriate person in each programme team as a matter of academic development.
8. Repeated incidents of poor academic practice may be treated as academic misconduct.

### Academic Misconduct

9. Academic misconduct is any act, or attempted act, leading to circumstances whereby a student might gain an unpermitted or unfair advantage in an assessment or in the determination of results, whether by advantaging themselves or by advantaging or disadvantaging another or others, or which might otherwise undermine the integrity or reputation of the College's awards or its examination and assessment processes, **and** where there are no mitigating factors which would lead to the actions of the student to be deemed to be poor academic practice.
10. While some types of academic malpractice may be either poor academic practice or academic misconduct others, by virtue of their nature, may only be considered as academic misconduct.
11. Examples of academic malpractice whereby students may gain or attempt to gain an unfair advantage include (but are not limited to):

(b) Plagiarism: the act of presenting the work of another as one's own. It includes:

- (i) Copying the work of another without proper acknowledgement;
- (ii) Copying from books/ebooks or journals without proper acknowledgement;
- (iii) Downloading and incorporating material from the internet within one's work without proper acknowledgement;
- (iv) Paraphrasing or imitating the work of another without proper acknowledgement.

Proper acknowledgement requires the identification of material being used, and explicit attribution to the author and the source using referencing acceptable to the subject discipline.

(c) Collusion: is the act of aiding, or being aided by, one or more others in the preparation of an assessment for submission where the assessment brief or invigilation instructions do not expressly permit collaboration. Collaboration within, for example, a group project that is explicitly permitted by the examination or assessment regulations does not constitute collusion. Unpermitted collusion includes:

- (i) A student working with another person on an assessment and submitting or otherwise presenting the resulting assessment as the individual student's own work;
- (ii) Unpermitted collaboration in the preparation for submission of a seen assessment or communication with another student within an unseen examination.

(d) Fabrication: is the presentation of data or such other results in reports intended to be based on empirical work which has either not been undertaken or fully completed and where the data or results have, in whole or in part, been deliberately invented or falsified.

(e) Impersonation: is the act of one person assuming the identity of another with the intent to gain an unfair advantage for the person being impersonated, for example, by undertaking an examination on the other's behalf. Both parties, the impersonator and the person being impersonated, shall be considered culpable of academic misconduct.

(f) Contract cheating: is the act of engaging a third party like an 'essay mill', sharing websites (including essay banks), or an individual lecturer, colleague, friend or relative to complete or contribute to the student's research, assignments or examinations. Assessments must be the student's own work and such input from third parties is not permitted, unless expressly allowed under the rubrics of assessment. Contract cheating extends to a student of the College providing such services to others.

Contract cheating is also carried out when a student uses artificial intelligence software (eg. ChatGPT) to create all, or substantive elements, of an assignment.

(g) Misrepresentation can include:

- (i) Presenting a claim for mitigating circumstances, or supporting evidence, which is misleading, untrue or false;

- (ii) Exceeding the word limit specified for an assessment and declaring a lower word count than the assessment contains.

(h) Unauthorised possession or reference includes:

- (i) Being in possession of any prohibited material or item within an examination or assessment room unless expressly permitted by the examination and assessment regulations;
- (ii) Using unauthorised material or item in an examination or unseen assessment;
- (iii) Consulting or trying to consult any books, notes or similar material or item while temporarily outside the examination room during the period of the examination;
- (iv) gaining access to a copy of an examination paper or assessment material(s) in advance of its authorised release;
- (i) Bribery/ Intimidation: is the act of attempting to influence by bribery or other unfair means an official of the College with the aim of affecting a student's results;
- (j) Breach of the Rubrics of the Assessment:
- (i) Commencing a time-constrained examination or assessment before being instructed by an invigilator to do so or continuing with an examination or assessment after being instructed by an invigilator to stop;
- (ii) Improper annotation of open book material.

#### Suspected Academic Malpractice

12. All people involved in the work of the College have a professional obligation to protect the integrity of the College and its examination and assessment processes. Should a person suspect academic malpractice they shall notify the Vice Principal (Academic), or nominee, and the module and programme leaders. It is the responsibility of the Vice Principal (Academic), or nominee, to ensure that all members of the College community are aware of their obligations and how to react should they suspect academic misconduct.
13. Where an alleged academic malpractice occurs contemporaneously with its discovery and where it is necessary to interrupt the student involved, for example during an examination to prevent the academic misconduct continuing or to secure evidence, the member of staff involved shall, if feasible, complete a contemporaneous report or as soon after the event as practicable and shall invite the student to verify the report and /or to add a statement to the report.
14. It is typically in the interests of all parties to manage or resolve alleged cases of academic malpractice as soon as possible, particularly where students are aware of the allegation and the potential consequences. However, in some cases it is recognised that undue haste can result in unnecessary or inappropriate action. In such cases, it is not only important to avoid unnecessary delay but also to ensure that communications are maintained with the student throughout.

15. A person suspecting academic malpractice may seek advice from the Programme Leader and/or the Vice Principal (Academic) to determine appropriate steps. Most typically, these steps will be as follows:
  - (1) Report the matter, as soon as reasonably possible, to the relevant module leader who will determine whether the issue is indeed academic misconduct or whether it is more appropriate to treat it as poor academic practice. The report should be in writing and contain or have appended relevant evidence;
  - (2) Where the module leader determines the matter should be dismissed or that it a case of poor academic practice he or she will inform the student and, in the case of poor academic practice, arrange for the student to undertake appropriate remediation.
  - (3) Where the module leader considers the case to be academic misconduct he or she shall provide a report to the Vice Principal (Academic), or nominee. The Vice Principal (Academic) (or nominee) shall evaluate the case presented and determine either that:
    - a. It is appropriate to address the matter as a case of poor academic practice. In which case the Programme Leader shall refer the matter back to the module leader; or
    - b. The criteria for considering the case to be academic misconduct have been met and that the matter should be referred to an Academic Misconduct Panel.
  - (4) The Vice Principal (Academic) shall contact the student within 5 working days of the above decision and inform him or her of the allegation(s), the process of investigation, and invite any written representations. The student must provide any response, representations and/or evidence within 10 working days. The Vice Principal (Academic) will establish a date for the Panel to meet to hear the case as soon as possible after those 10 days have lapsed.

24. Where an allegation is referred to a hearing, the Panel shall be provided with any reports together with any representations and evidence submitted by the student.
25. Any evidence relied on by the College will be sent to the student at least two days before the hearing.

#### Procedure for Academic Misconduct Panels

26. The student shall have the right to be accompanied at the hearing by a companion. The companion is not permitted to address the panel or question witnesses. Companions can be:
  - (a) a fellow student;
  - (b) a translator (where appropriate);
  - (c) an aide who assists the student in relation to a disability and/or special needs.
27. During the hearing the student shall have the right to question such witnesses as are directly relevant to establishing the facts of the case and whether there were any mitigating circumstances.

28. Where a student fails to attend the hearing without good cause, or has waived the right to attend the hearing, the Panel may consider the case and arrive at its findings and recommendation on the basis of the evidence before it.
29. The Panel shall find either that:
  - (a) Further information is required and that proceedings should be stayed; or,
  - (b) No misconduct has been committed, and recommend that the case be dismissed and the student's results be processed as normal; or,
  - (c) No misconduct has been committed but that there has been poor academic practice and decide on remedy; or,
  - (d) Academic misconduct has been committed, consider any mitigating circumstances and decide on penalty.
30. The Panel Chair may use discretion in deciding whether to inform the student of the Panel's decision at the conclusion of the hearing.
31. Notwithstanding the above, the Vice Principal (Academic) (or nominee) will write to the student and the Programme Leader within five working days of the hearing to inform them of the Panel's decision. As appropriate, this letter will include the penalty (or penalties) to be imposed, and the student's right of appeal.

#### Penalties for Academic Malpractice or Misconduct

32. In the case of poor academic practice, the primary aim shall be to endeavour to improve the student's understanding of what constitutes academic malpractice and why, for the benefit of the student's approach to academic study and the avoidance of further errors. Approaching poor academic practice in this way does not preclude the negation of any advantage that may have been gained by the student had not the poor academic practice been identified.
33. In the case of academic misconduct, the primary aim of any penalty shall be to protect the integrity of the College's reputation, assessment processes and awards. Approaching academic misconduct in this way does not preclude the imposition of penalties that endeavour to improve the student's understanding of what constitutes academic misconduct and why, for the benefit of the student's future approach to academic study.
34. Where academic misconduct is found to have occurred the Panel shall decide an appropriate penalty taking into account:
  - (a) The degree of intention such as:
    - (i) Premeditation: the student has planned in advance to gain an unfair advantage (the most serious cases are when an action is pre-meditated);
    - (ii) Intention: the student had the intention to gain an unfair advantage (the greater the intended unfair advantage the greater the seriousness);
    - (iii) Recklessness: the student's behaviour was reckless (little or no consideration of the consequences of an action) and consequently they gained an unfair advantage (the greater the degree of recklessness the more serious the allegation);

- (iv) Negligence: the student's behaviour arose out of ignorance or misunderstanding of the assessment conditions and/or context, and did not constitute a deliberate intention to gain an unfair advantage;
- (v) Circumstances: the circumstances and location in which the academic misconduct allegedly took place (the greater the damage to the College's reputation the more serious the allegation).

(b) other aggravating factors that may cause an action to be considered more serious, such as:

- (i) Previous proved allegation particularly where a pattern is disclosed;
- (ii) Students operating in groups to gain an unfair advantage (where this is not inherent in the offence itself);
- (iii) Committing the act for financial gain;
- (iv) An attempt to conceal or dispose of evidence;
- (v) Failure to respond to warnings or concerns expressed by others about the student's behaviour;
- (vi) Use of information to intimidate;
- (vii) Abuse of a position of trust;
- (viii) Membership of a statutory or professional body, or being on a programme accredited by or leading to the award of a statutory or professional body.

(c) any factors presented by the student in mitigation including;

- (i) an admission of the offence at the first reasonable opportunity, which will normally reduce the severity of the penalty; and
- (ii) credit for cooperation with the College's investigation, depending on the particular circumstances of the individual case.

35. Penalties imposed for Academic Misconduct may include all or any of:

- (a) an activity with educational benefit designed to address the form of academic misconduct found to have taken place.
- (b) where assessment advantage has been gained from the breach in the form of higher grades, a proportionate penalty must also be identified to negate the advantage;
- (c) a written warning to be retained on the student's file for the rest of the period of study with the College;
- (d) voiding the attempt for the item of assessment and/or examination, or to the entire module to which the malpractice relates with the right to take the examination or assessments as though for the first time;
- (e) assigning a mark of zero to the item(s) of assessment and/or examination or to the entire module to which the misconduct relates with the right to retake the relevant item(s) of assessment and/or examination. Any mark greater than the pass mark achieved in the retake will be capped at the pass mark;
- (f) where a module is not core to a programme, assigning a mark of zero to the relevant module as a whole without the right to retake the module but with the right to take an alternative module for a capped mark;
- (g) termination of the student's registration. Readmission to the College may thereafter be at the discretion of the Vice Principal (Academic) based on consideration of the student's case.

36. Termination will normally be reserved for cases of multiple misconduct in one examination or assessment series or a serious second offence after being found guilty of misconduct in a previous series. It is not normally used for a single example of a first offence, except in extremely serious and aggravated cases.

37. Students have a right to appeal the decision (see section below). Where an appeal is made, any penalty will not be applied until such time as the appeal process is completed.
38. Should a student refuse to comply with a penalty imposed, the Student Discipline Regulations may be invoked.
39. Where a case of academic misconduct gives rise to concern about the integrity of the assessment of a student's previous module, modules or programmes, those modules may be reviewed to investigate whether malpractice has occurred before.

#### Statutory and Professional Body Awards

40. On a programme leading to the award of a statutory or professional body, or on a programme accredited by a statutory or professional body, the College may receive guidance on the penalty by the relevant professional body.
41. On a programme leading to the award of a statutory or professional body, or on a programme accredited by a statutory or professional body, the College undertakes to report to that body any identified breach of the Academic Malpractice Regulations in accordance with any agreement or regulation that exists between the College and the relevant professional body at the time of the misconduct being found proven.
42. Where a student commits academic misconduct and is on a programme of study that is not regulated by a statutory or professional body, but then subsequently enrolls on a programme which is regulated, a report will be made to the relevant body relating to the earlier misconduct if that regulatory body requires the College to do so.
43. Where a student appeals a finding of academic misconduct, the report will not be made until the appeal has been determined.

#### Appeal

44. A student may appeal against the decision of the Academic Misconduct Panel by writing to the Vice Principal (Academic). Such an appeal must be submitted within 5 days of the decision being provided and can only be lodged on the following grounds:
  - that there has been a procedural irregularity which has influenced the outcome;
  - that there is evidence which has come to light following the meeting that is relevant to the case. In appeals based on these grounds, the appellant must be able to demonstrate to the satisfaction of the Vice Principal (Academic) that this evidence was not available prior to the meeting;
  - that the decision taken was inherently unreasonable. Appellants should note that an appeal is not a 'second chance' to hear a case so an appeal on these grounds must clearly demonstrate how the decision could not be sustained by the facts of the case.
45. Appeals must clearly state on which of the above grounds the claim is being made.
46. The Vice Principal (Academic) can disallow an appeal if it:
  - does not meet at least one of the grounds above;
  - is based wholly on factors which were known (or reasonably ought to have been known) when the meeting was held;

- fails to include any evidence supporting the ground(s) on which it is made;
- is deemed to be either frivolous or vexatious.

47. Where the decision is to reject the student's appeal, the student will be informed in writing that the College's internal procedures have been completed and the student will be issued with a Completion of Procedures Letter.

48. Where the student is dissatisfied with the decision of the College, they may refer their complaint to the Office of the Independent Adjudicator (OIA), within 12 months of receiving the Completion of Procedures Letter ([www.oiahe.org.uk](http://www.oiahe.org.uk)).

#### Conferment of an Award

49. A student may not graduate whilst an investigation into any academic malpractice is ongoing.

50. On conclusion of the appeal and where the decision is to amend the student's results, on the authority of the Academic Council, the student shall be eligible to receive a revised transcript and, if the amended results affect the classification of the award, to be conferred the revised class of award and receive a new certificate.

51. Where the decision of the appeal results in the student being admitted to an award the student may either receive the award in person or to be deemed to have been admitted to the award on the authority of the Academic Council.

#### Monitoring, Evaluation and Review of the Academic Malpractice Procedures

52. The Vice Principal (Academic), or nominee, shall provide an annual report to the Academic council summarising the cases that have been considered. Where relevant, this will include the action taken in relation to each and a commentary on the effectiveness or otherwise of the procedures and any recommendations for change.

## APPROACH TO STANDARDISATION, MARKING, SECOND MARKING & MODERATION

### Standardisation

1. New assessment items (assignments or examinations) are agreed by the Programme Leader to ensure that:
  - they meet learning outcomes
  - the assessment criteria/marketing grid is present and clear
  - the clarification of bandings (typically fail, 50-60%, 61-70%, 70%+) is evident
  - any required professional/skills competencies are clearly evidenced, as appropriate.
2. Assignments and Examinations are approved by the Examinations Committee.
3. At this point there should also be clarity about whether work will need to be second marked or moderated as per 'marking and moderation' below.
4. The assignment/examination is then agreed with the external examiner(s).
5. It is useful at this point also to ensure that there are no unexpected assessment date clashes or unnecessary bunching for students and – similarly – to identify markers and ensure that there is not an unreasonable volume of submissions arising from various assignments.

### Marking & Moderation

6. After the work is first marked, the process may vary as follows:
  - if the work is a dissertation (or equivalent), or is identified for any other reason, the work will be second marked
  - if the first marker is new, either to the College or to the module, the work may be second marked for calibration/development purposes

### Second marking

7. A second marker marks all of the work to determine whether there is agreement with the first marker. If there is only minor difference between the two, (for example within 5%) then the first marker's decision will normally stand.
8. Where there is more significant disagreement, this should be resolved through discussion.
9. In all cases, a record of the final grade awarded is retained for Examinations Committee approval (normally through the use of a second marking/moderation form).

### Moderation

10. In cases where second marking is not required, student work will be moderated.
11. Moderation will typically include all fails and with examples from across the range of marks. It is good practice to include in moderation those around the boundaries between classification points. The moderation sample will normally be a minimum of 25% of the work submitted, or at least 7 pieces of work.

12. As moderation reviews only a sample of work, all parties involved should be mindful that there will be some students whose work does not form part of the sample and that the outcome for all students must be fair. Therefore, any agreed amendment to the marks, be that of the whole group of students, a subset, or individuals should be:
  - fully justified in its own right;
  - take into account the fact that changes to marks of student work from within the sample selected for moderation may indicate that grading for the whole cohort requires checking. This is likely to be increasingly the case where there are multiple instances of concern about individual marks.
13. If the vast majority or the whole sample is considered to be marked too generously or too harshly, this should be discussed between the first marker and the moderator and all of the student marks (including those out with the sample) adjusted accordingly.
14. If specific individual marks are considered to be marked too generously or too harshly, these can be discussed between the marker and the moderator but there should be no expectation that individual marks must be changed.
15. The moderator should also consider whether the feedback provided is consistent and appropriate. Where it is not, they should feed back comments to the marker to advise on adjustments.
16. Practical work is moderated in line with these principles, but the precise nature of the way in which this is carried out will be determined by the assessment activity (ie. it may be appropriate for a moderator to observe a sample for a set period of time of the activity and then to oversee the marks for the whole group or subset).
17. A record of the sample moderated and the final grades awarded should be retained and reported to the Examinations Committee (normally through the use of a second marking/moderation form).

#### **External Examiners**

18. External examiners typically review a sample of student work. External examiners should be provided with an appropriate representative sample which covers the full range of marking. As a starting point, the same approach as for moderation (see above) is normally an appropriate sample.
19. As for internal moderation, all parties should be mindful that the outcome for all students must be fair. There will be some students whose work does not form part of the sample and therefore the principles outlined above in respect of this issue are applicable also to external examining.
20. On reviewing the sample of work, an external examiner may propose to moderate the whole sample, or a band of marks, upwards or downwards.
21. The external examiner has no right of veto; rather this should normally be achieved through discussion with the Programme Leader.
22. If an external examiner disagrees with the award of individual marks, but does not feel that the sample as a whole requires adjustment, they should discuss this with the Programme Leader and agree what action, if any, should be taken.



## **EXTERNAL EXAMINING**

### **CRITERIA FOR THE APPOINTMENT OF EXTERNAL EXAMINERS**

1. For awards validated by an awarding/validating, professional or statutory body and where the process of nomination and appointment of external examiners to those awards is conducted by the awarding/validating, professional or statutory body, the College shall conform to the requirements of that body. Nonetheless, in all cases, the College will satisfy itself of the suitability of nominees.
2. The appointment of appropriately qualified and experienced external examiners is important in underpinning the quality and standing of the College's programmes and awards. The specific area of responsibility that an external examiner is to undertake must be defined before the selection can commence. The area of responsibility of the individual external examiner should be cross-referenced with those of the other external examiners to ensure that appropriate coverage is provided.
3. An external examiner may be appointed to more than one programme where the syllabus and curriculum is the same or similar and providing the external examiner is covering the same or similar module(s) in each of the programmes.
4. External examiners must have the qualifications and experience that will enable them to:
  - (a) determine whether the standards set are appropriate for awards or components of awards;
  - (b) evaluate the standards of student performance in programmes or parts of programmes which they have been appointed to examine;
  - (c) determine the extent to which the College's assessment processes are rigorous, ensure equity of treatment for students and have been fairly conducted in accordance with the College's regulations, policies and procedures;
  - (d) determine whether the assessment instruments enable students to demonstrate the achievement of the intended learning outcomes for the module and/or programme;
  - (e) compare the standards and student achievements with those in other UK higher education institutions.
5. The functions that an external examiner is required to carry out are:
  - (a) to make informed, independent and impartial judgments on the academic standards set, the measurement of student achievement, and the rigour and fairness of the assessment process;
  - (b) to advise on any proposed changes to the assessment regulations which will directly affect students currently registered on the programme;
  - (c) scrutinise and approve all summative assessment instruments;
  - (d) evaluate an appropriate sample of student's work from each grade boundary sufficient to determine whether or not the assessment process has been carried out in accordance with the published regulations, policies and procedures and that the standards applied are appropriate to the award. External examiners shall be consulted about the method for sampling students' work for external scrutiny, defining the range for borderline marks and determining what is a representative sample covering the full range of marking bands. External examiners shall have access to all student work submitted for assessment counting towards an award.
  - (e) to immediately report to the relevant programme leader, any candidate that they consider to have engaged in academic malpractice;

- (f) to be a full member of, and attend the final meeting of, the relevant examination board or boards. To participate in the work of the boards, including *viva voce* examinations (where appropriate) and the consideration of the aggregation of marks in determining final results classifications on the award;
- (g) to participate as required in the review of decisions about individual students' awards.
- (h) to submit an annual report to the Vice Principal (Academic) at the end of each year of the appointment.

6. A person nominated for appointment as external examiner must be able to undertake the duties associated with those functions and evidence of this ability must be provided in the nomination documentation.

7. Each programme at FHEQ Level 4 or above, or group of programmes that share the same syllabus and curriculum, must have at least one external examiner. Additional external examiners should be added where the breadth of the programme syllabus, or assessment framework, or number of students require it. Collectively, the external examiners must:

- (a) have the breadth of expertise required to cover the programme outcomes and assessment instruments;
- (b) achieve an appropriate balance between the diversity of experience and seniority available within the range of those qualified to act as external examiners;
- (c) reflect, as far as practicable the perspectives contained in the constituency of the discipline;
- (d) have an appropriate range of cultural and gender diversity.

#### Individual Criteria

8. An external examiner must have:

- (a) appropriate academic qualifications and experience in the discipline area of the programme(s) of study and/or;
- (b) appropriate professional qualifications and experience in the field covered by the programme(s) of study; and
- (c) appropriate standing, credibility and breadth of experience within the academic/professional community for their opinion to carry weight;
- (d) comparable, current experience of examining in the field of study, at the same level and of any distinctive elements (such as Master's level dissertations) to indicate competence;
- (e) knowledge and understanding of UK higher education benchmarks for the assurance and enhancement of the quality of academic standards;
- (f) current experience and competence in curriculum design and in areas relating to the enhancement of the student experience;
- (g) fluency in English.

9. External examiners must be able to commit the time to carry out their duties.

#### Training

10. External examiners will be given an introduction to the College and to the relevant programme(s). Where a person is nominated for whom this would be their first appointment as an external examiner, opportunities for handover/mentoring will be provided as appropriate.

## Barriers to Appointment

11. The following restrictions apply to the selection of external examiners:

- (a) external examiners must not have a close professional, contractual or personal relationship with a member of staff or a student involved with the programme of study;
- (b) external examiners should not hold more than the equivalent of two substantial external examinerships concurrently;
- (c) among the team of external examiners on a programme or programme group there must not be more than one examiner from the same institution;
- (d) there must be no reciprocal examining between the College and the external examiner's own institution;
- (e) an external examiner may, in specific circumstances and with the express approval of the Academic Council, be re-appointed for one further year, but no extension for more than one year and no immediate re-appointment is permissible;
- (f) an external examiner must not be succeeded within three years by another examiner from the same institution;
- (g) no external examiner may, within the previous five years have been a member of staff or of the Academic Council, or a student or been an external examiner on a cognate programme in the College; nor may an examiner be a near relative of a member of staff of the College;
- (h) no external examiner may be associated with a programme through student placements, through sponsorship of a student or through being in a position to influence significantly the employment of students on the programme;
- (i) an external examiner should not be engaged 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.

## **NOMINATION OF EXTERNAL EXAMINERS**

1. Where a vacancy arises, typically the Programme Leader shall nominate external examiners to the Vice Principal (Academic). The Vice Principal (Academic) will review the nomination to ensure it meets the eligibility criteria set out in these regulations and those of any relevant accrediting body, where applicable.
2. If the nomination meets the criteria the Vice Principal (Academic) will make arrangements for the nomination to be considered by the Academic Council. This may be done through correspondence and/or by Chair's action.
3. Where the appointment is approved by the Academic Council the Vice Principal (Academic) will confirm the appointment with the external examiner and the Programme Leader.
4. The appointments of external examiners should be phased so that there is an appropriate balance on each individual programme or programme group, as appropriate, between newly appointed and continuing external examiners.
5. The nomination of external examiners with little or no prior experience of external examining is acceptable, provided that appropriate arrangements are made for by the relevant Programme Leader for additional induction and support. This is particularly important in the case of external examiners who are drawn from practice or who are appointed by professional or statutory bodies.



### Early Termination of Appointments

6. Where an external examiner fails to meet the duties set out in these regulations and where the officers of the College are unable to resolve the matter, the College reserves the right to terminate the appointment of the external examiner. In such cases termination will be approved by the Academic Council and/or through such means approved by the awarding/validating, professional or statutory body.

## **INTRODUCTORY INFORMATION FOR EXTERNAL EXAMINERS**

7. Unless managed by an awarding/validating, professional or statutory body, the Vice Principal (Academic) will send an appointment letter setting out contractual arrangements, and information containing:
  - (a) the regulations on external examining and these procedures relating to external examining;
  - (b) the relevant academic regulations;
  - (c) information pertaining to Equality and Diversity;
  - (d) any other relevant information.
8. In all cases, the following materials shall be sent to an external examiner by the relevant programme leader:
  - (a) the Programme Handbook for the relevant programme(s);
  - (b) a list of the modules to be examined with relevant module descriptors;
  - (c) programme and relevant module assessment regulations and criteria;
  - (d) details of the person to act as primary contact with the external examiner;
  - (e) dates of meetings of the board(s) of examiners and suggested dates of visits and/or induction.

### Induction of Newly Appointed External Examiners

9. On appointment external examiners will be invited to an induction during which:
  - the requirements and expectations of the role will be set out;
  - they will be introduced to the materials provided;
  - they will be introduced to relevant staff;
  - have the opportunity to agree timetables and set visit dates.
  - in addition, if the induction is in person, they will have the opportunity to tour the premises.
10. External examiners new to the role, or those from practice, will also be given the opportunity to discuss any additional support they might require and to be guided through the assessment criteria.

## **RESPONDING TO EXTERNAL EXAMINERS' REPORTS**

11. On receipt of an external examiner's report, the Vice Principal (Academic) will:
  - (a) Send an acknowledgement to the external examiner;
  - (b) Send a copy of the report to the Programme Leader for consideration, discussion and further action.

12. Except where reports are received by awarding/validating or other professional bodies, the Vice Principal (Academic) will be responsible for:

- (a) Monitoring that all expected reports are received and taking appropriate action on missing reports;
- (b) Distributing reports to Programme Leaders and/or appropriate officers.

13. In any case, the Vice Principal (Academic) will be responsible for:

- (a) Compiling an annual summary report and action plan for report to the Academic Council;
- (b) Responding to external examiners on institution-wide issues as relevant.

14. Programme leaders will be responsible for:

- (a) Distributing the report to module leaders and relevant members of the programme team;
- (b) Consideration of the report and collating a response, in liaison with the module leaders and programme team, to any issues raised;
- (c) Providing an action plan to the Vice Principal (Academic) for inclusion in the summary annual report;
- (d) Providing a response to the external examiners;
- (e) Executing the actions agreed.

15. The annual summary of the external examiners' reports will be shared with the student representatives on the Academic Council. The full external examiner reports will be made available to students on request with the exception of any confidential reports submitted directly to the Principal.

16. The relevant Programme Leader will be responsible for responding to student requests and enquiries in relation to external examiner reports.

## **COMPLAINTS AND ACADEMIC APPEALS**

### **SECTION 1: DEFINITIONS AND PRINCIPLES**

#### Definitions

1. An ***appeal*** is a written request by a student for the reconsideration of a determination made by an officer, board, committee or panel of the College in relation to their status, progression or achievement as a student.
2. A ***complaint*** is the notification by a student to the College of their dissatisfaction with an aspect of service or treatment that they have received from the College. A complaint should usually include an indication as to what resolution is being sought.

#### Principles

3. The College's procedures for complaints and appeals are based on the following principles:
  - (a) The complaints and appeals processes shall be private and confidential.
  - (b) In the event of an oral hearing of an appeal, the appellant may be accompanied by a member of staff or student of the College. Where an appellant fails to attend a hearing, the case may be decided on the documentation.
  - (c) Applications for appeals may only be brought in relation to unconfirmed results on awards or results on the completion of designated stages in a programme, published under the authority of the Vice Principal (Academic).
  - (d) No appeal will be accepted against the academic judgment of the examiners.
  - (e) No appeal will be accepted against a judgment made on mitigating circumstances where the relevant result(s) have been submitted to or considered by the board of examiners.
  - (f) A student must bring a complaint or an appeal on their own part. Requests or applications by a third party will not be accepted.
  - (g) Notwithstanding the above, anonymous complaints may be accepted and investigated at the discretion of the Vice Principal (Academic).
  - (h) Appeals and complaints shall be regarded both as the opportunity to review an individual grievance and as feedback on the College's services and governance;
  - (i) The College shall endeavour to assist students to resolve their appeals and complaints informally before they invoke formal procedures;
  - (j) A College officer may not investigate any case in which a potential conflict of interest might arise;
  - (k) Those College officers tasked to investigate complaints shall do so impartially and objectively;
  - (l) Where a complaint or appeal is upheld, the remedy will be implemented effectively and efficiently;
  - (m) A successful appeal or complaint shall not result in a change to the assessment mark(s) of a student unless that mark was originally miscalculated.

## **SECTION 2: STUDENT COMPLAINTS POLICY AND PROCEDURE**

### Grounds for a complaint

1. A complaint may be made where a student has been adversely affected by:
  - (a) an act or omission concerning the administration or operation of a regulatory procedure or service provided by the College, e.g. fitness to practise issues not relating to academic judgement;
  - (b) the delivery or administration of the programme on which the student is registered, e.g. quality of teaching;
  - (c) the conduct of a member of the academic or support staff of the College, e.g. discrimination;
  - (d) the conduct of another student registered on a programme at the College
  - (e) subject to paragraph 2 below, any other matter concerning the operation of the College which adversely and unfairly affects the student, and which is under the College's control.

### Limitations of the Complaints policy

2. The Complaints policy does **not** apply to complaints in respect of matters which:
  - (a) are subject to court or tribunal proceedings and those proceedings have not concluded, or the matter is the subject of court or tribunal procedures that have not been stayed;
  - (b) relate to student employment.

### Timeframe for Making Informal and Formal Complaints

3. An informal complaint should, ideally, be made as soon as possible after the event that the complaint is about.
4. A formal complaint should be made as soon as possible after the informal stage has been completed and must be made within 40 calendar days of the occurrence of the subject of the complaint. Complaints will not be accepted after 40 calendar days unless there is good reason, supported by objective and authoritative evidence, for extending the timescale. To enable a late application to be accepted students should enclose with the Complaint a covering letter explaining the reasons for lateness together with any evidence on which they rely. The Vice Principal (Academic) will consider the reasons why the form is late and will decide whether or not to accept the formal complaint for review.

### Informal Complaint

#### **Making the complaint**

5. In the first instance, complaints should be raised informally with the person concerned, e.g. where the complaint relates to a tutor's teaching methods the matter might be most effectively resolved by discussion with that tutor.
6. If discussion with the person concerned is not possible or not appropriate, then an informal complaint should be raised with:
  - (a) the student's Personal Tutor; or
  - (b) the Module Leader; or

- (c) the Programme Leader.

7. The student must decide with whom to raise the matter, depending on the nature of the complaint and the urgency of the matter. On receipt of an informal complaint, and with the student's consent, the member of staff consulted may refer the complaint to a more appropriate member of staff to address it.
8. The following guidelines should be followed:
  - (a) Complaints against individuals should not be raised in public fora such as SEC meetings.
  - (b) Where the complaint concerns the conduct of a member of the academic or support staff the complaint should normally be made to the Programme Leader.
  - (c) Where the complaint concerns a Programme Leader it should normally be made to the Vice Principal (Academic).
  - (d) Exceptionally, the serious nature of the complaint may justify making a formal complaint (see below) without first making an informal complaint.

#### Responding to the Informal Complaint

9. The person to whom the complaint is made will seek to resolve the matter informally as soon as possible and normally within 15 working days of the complaint being made. In seeking to resolve the matter they may liaise with other members of staff.
10. Where the complaint is against a member of staff or another student, the member of staff or student concerned will be told of the complaint against them and given the opportunity to respond to it. In exceptionally serious cases, such as where disciplinary action against a member of staff or student may be foreseeable, an informal complaint may be treated as a formal complaint.
11. If the student is not satisfied that the matter has been resolved by the informal processes, they may make a formal complaint.

#### Formal Complaint

##### Making the complaint

12. Formal complaints may be made where:
  - (a) the student is not satisfied that the matter has been resolved by the informal process;
  - (b) the student is asked to lodge a formal complaint because of the possibility of disciplinary action being taken against a member of staff or student;
  - (c) because of the serious nature of the complaint, the student elects to make a formal complaint without first making an informal complaint.
13. A formal complaint must be made in writing.
14. The formal complaint should normally be sent to the Vice Principal (Academic) in the first instance. The complaint must detail what informal attempts have been made to resolve it, for example, with the personal tutor, programme leader or Student Services etc. The student must also provide any evidence on which they are relying to support their case and detail the remedy they seek.

### Responding to the Complaint

15. Students should normally expect to receive an acknowledgement of the receipt of the complaint within 7 working days of receipt.
16. The Vice Principal (Academic) will identify an Investigating Officer to investigate the formal complaint. They shall have no material interest in the outcome of the complaint and shall not be bound by legal rules of evidence.
17. The written outcome of the investigation into the formal complaint should follow within 20 working days. Students will be informed if, for any reason, there is likely to be a delay in the process.
18. The Investigating Officer will decide the most appropriate procedure to investigate the complaint. Where the complaint is against a member of staff or another student, that person will be informed about the complaint and given the opportunity to respond.
19. In order to investigate the complaint, the student may be contacted for further information or clarification.
20. The Investigating Officer will provide a written report setting out their findings and recommendation(s) to the Vice Principal (Academic). The Vice Principal (Academic) shall review the report to ensure that the investigation has been conducted appropriately and the outcome is reasonable, proportionate and consistent with precedent.
21. The outcomes of a complaint may include the complaint being:
  - (a) upheld in whole with a statement as to the remedy;
  - (b) upheld in part with a statement as to the remedy and an explanation regarding those parts dismissed;
  - (c) dismissed with a statement as to the reasons.
22. If the student is satisfied with the written response the complaint is deemed to be resolved.
23. The Vice Principal (Academic) or nominee will be responsible for ensuring that any recommendations or agreed actions arising from complaints are communicated to the relevant College officer and for recording and confirming the action taken.

### Appeals against the Outcome of a Formal Complaint

24. A student who considers that their formal complaint has not been properly investigated under the formal complaints procedure may appeal to the Vice Principal (Academic) in the first instance.
25. The appeal must be sent to the Vice Principal (Academic) within 10 working days of the notification of the outcome of the formal complaint. It will only be considered outside the 10-working day timeframe if there are good reasons supported by objective and authoritative evidence.

26. Appeals to the Vice Principal (Academic) against the outcome of a formal complaint will only be considered where:
  - (a) there were procedural irregularities in the investigation of the formal complaint; or
  - (b) new evidence can be presented which could not reasonably have been available to the investigator of the formal complaint.
27. Therefore, in order for the Vice Principal (Academic) to consider the appeal, the student must specify:
  - (a) the grounds on which the complaint should be reviewed; and
  - (b) the resolution that the student seeks; and either:
    - (i) the procedural irregularities that occurred in the investigation of the formal complaint; or
    - (ii) the new evidence that has become available that was not considered in the original investigation.

If the Vice Principal (Academic) is not provided with all of this information, they or their nominee may dismiss the appeal for lack of grounds.

28. Where the appeal does not satisfy at least one of the grounds and is rejected, the Vice Principal (Academic) may issue a Completion of Procedures Letter.
29. The Vice Principal (Academic), or nominee, will review how the formal complaint has been investigated and the decision reached. The form and conduct of this review shall be at the discretion of the Vice Principal (Academic), or nominee. The student will be notified of the outcome of the review in writing by the Vice Principal (Academic), or nominee, within 20 working days of receipt of the appeal. The student will be informed by the Vice Principal (Academic), or their nominee if, for any reason, there is likely to be a delay in the process.
30. The Vice Principal (Academic), or nominee, may as a result of their investigation:
  - (a) confirm the outcome of the formal complaint; or
  - (b) substitute their own decision for that of the original investigator; or
  - (c) order a new investigation.

31. Where the Vice Principal (Academic), or nominee, confirms the original outcome of the formal complaint the College's internal complaints procedure shall be deemed to have been exhausted and a Completion of Procedures letter will be sent to the student.

#### Completion of Procedure Letter and further opportunity to appeal

32. A Completion of Procedures letter is a formal document which confirms that a student has exhausted the internal complaints or appeals procedure of the College and the subsequent right of appeal to the relevant awarding body partner.
33. The student shall have the right to appeal to Ulster University. Students registered for an award of Ulster University may appeal the outcome of a formal complaint to the Ulster University Student Complaints Manager using form ASC1. Further information and the form is available on Ulster University's website at: <https://www.ulster.ac.uk/study/undergraduate/associate-students/student-complaints> or from the College's Vice Principal (Academic).

34. If a student remains dissatisfied with the outcome of the appeal to Ulster University, he or she may complain to the Northern Ireland Public Services Ombudsman. Information and advice on how to make a complaint is available at: <https://nipso.org.uk/nipso/making-a-complaint/how-do-i-make-a-complaint-to-nipso/>
35. The Completion of Procedures letter is required by the Office of the Independent Adjudicator (OIA) before they will review a student's case. Students wishing for adjudication via the OIA must have received a Completion of Procedures letter from the University with which the student is registered for an award before the OIA will accept their submission.

## **SECTION 3: STUDENT APPEALS POLICY AND PROCEDURE**

### Introduction

1. The Academic Appeals Board may consider all applications to intervene in or alter the workings, or procedures of, a lower committee or panel, where it is felt that the workings or procedures contravene the principles of natural justice, reasonableness or fairness, when applied to the specific case referred to in the application.
2. The Academic Appeals Board is not bound to act in any specific case and the Board's decision whether to act shall be final.
3. No member of the Academic Appeals Board shall be a member of the board(s) or panels against whose decision the appeal is being brought.

### Assistance

4. The student may seek advice and guidance on the procedure relating to the appeals process from his or her personal tutor or the Vice Principal (Academic).

### Permissible Appeals

5. A student may appeal against:

- (a) the result of any investigation or action taken under these Regulations; or
- (b) the result of a designated stage in a programme module or assessment element.

Results that have been ratified by the College's Academic Council following a period of notice after an Examination Board (typically seven working days) will not normally be subject to a permissible appeal.

### Grounds for Appeal

6. A student may only appeal under the following grounds:

- (a) there has been an administrative or procedural error of such a nature as to have affected the outcome of the investigation or result; or
- (b) the decision in the case was manifestly unreasonable<sup>13</sup>; or
- (c) there is new evidence that for good reason, objectively and authoritatively documented, could not be submitted earlier.

Appeals against academic judgments will not normally be permissible, unless it is clear that the process by which those judgments were made was flawed, or that marks awarded are inherently unreasonable.

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<sup>13</sup> A decision is "manifestly unreasonable" if it can be demonstrated unequivocally that an Officer of the College or a properly constituted College Panel or Board has made an irrational, perverse or logically flawed decision.

## Stage 1: Lodging an Appeal

### Time-Limits

7. Appeals must be received by the College:

- (a) within seven (7) working days of the date of the publication of results following an examination board, or
- (b) within twenty (20) working days of the date of the written confirmation of the decision of the board, panel or committee.

8. An appeal lodged out of time will only be considered where the student is able to prove to the satisfaction of the College that they were incapable of lodging an appeal within the prescribed time limit. Such late applications must be accompanied by authoritative and objective evidence which confirms that the student was incapable of submitting an application within the prescribed time limit.

### Procedure

9. For an appeal to be recognised as lodged for consideration, the appeal must be made, in writing. It must include all of the following:

- (a) the student's full name and student number
- (b) the result or decision for which the appeal is made
- (c) the ground(s) of appeal
- (d) evidence in support of the appeal.

Where appropriate, it should also contain:

- (e) a list of any other person(s) who has/have relevant information
- (f) where an appeal for an assessment or examination is lodged on ground 7(c) above an explanation, supported by documentary evidence, as to why the information in question was not submitted in accordance with the mitigating circumstances procedure
- (g) where the appeal is against the decision of a Mitigating Circumstances application, if any fresh evidence is submitted, an explanation as why it was not part of the original mitigating circumstances application.

### Evidence

10. The student is responsible for ensuring that objective<sup>14</sup> and authoritative supporting evidence accompanies the appeal form. Any evidence referred to in the appeal form but not appended to it will only be taken into account at the discretion of the College. If a document submitted as evidence is not in English, an independent translation must be provided at the same time.

11. Documentary evidence may be copies of the original documents, but the student may be required to produce original documents for inspection on request.

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<sup>14</sup> Objective evidence must be from an independent source wherever possible.

### Stay on Action

12. From the date of lodging an appeal a stay shall be placed on any action or decision being appealed. Boards of Examiners or any other body, except for the Academic Council, shall not implement any decision, or consequential action, that is currently lodged for consideration as an appeal. However, where the appeal is against a decision of the College not to accede to the request of a student, the College shall not be obliged to accede to the request until and unless the appeal is granted.
13. Pending the outcome of the appeal, and where the student has the right (eg. where they have assessment opportunities outstanding), the student may undertake classes, attend the College and must prepare for and retake any assessments or examinations that have been scheduled. Students should note, however, that they do so at their own risk.

### Stage 2: Initial Consideration

14. The College confirm receipt of the appeal within 7 working days of receipt, which the student should retain as proof that an appeal has been lodged for consideration.
15. The College will determine, normally within ten working days of receipt, whether the application satisfies the threshold conditions for a valid appeal.
16. To meet the threshold conditions for a valid appeal, the appeal must:
  - (a) have been made in writing
  - (b) include all of the information required as detailed above
  - (c) have been received within the prescribed time limits set
  - (d) have evidence and grounds which are reasonably arguable (ie. a *prima facie* case).
17. The College will inform the student in writing that either:
  - (a) the appeal is rejected because it is not a permissible appeal under the regulations; or
  - (b) the appeal is rejected because it does not meet the grounds for appeal; or
  - (c) the appeal is rejected because it does not satisfy the threshold conditions for a valid appeal; or
  - (d) that a case satisfying the threshold condition for a valid appeal has been established and the appeal is under consideration.
18. The notice of rejection of an appeal shall include notification that the student has the right to request a re-consideration of the decision within five working days. Such a review will only be undertaken where the applicant clearly states the reason(s) why the decision of the College is unsound. Failure to do so will constitute an invalid request for review by the Vice Principal (Academic) and will be dismissed.
19. The College's decision shall be final. If the student wishes to pursue the case, they will be informed that the College's internal appeal procedures have been exhausted and that no further appeal is permissible, and be provided with a Completion of Procedures letter, which shall inform them of their right to refer their case to the University.

### Stage 3: Consideration of the Appeal

20. Upon determining that an application meets the test to be a valid appeal a Chair of the Academic Appeals Board will be identified. The Chair may either:
  - (a) proceed by executive action to resolve the matter;
  - (b) refer the matter forming the subject of the appeal to the relevant board of examiners or other panel for further consideration; or
  - (c) convene an Academic Appeals Board.
21. The Academic Appeals Board is responsible for:
  - (a) establishing whether the grounds for appeal are proven; and,
  - (b) determining whether this affected the outcome of the investigation or result; and,
  - (c) deciding on appropriate remedy, if appropriate.
22. The Board shall have the right to investigate the appeal, to call for such papers, take evidence, examine witnesses and make such other enquiries as it sees fit.
23. The student shall have the right to view the documentation considered by the Board.
24. Where doubt exists as to the admissibility of evidence, the Chair of the Academic Appeals Board shall make a decision. The Chair's decision shall be final and shall include reasoning for the decision.
25. The Board will consider the student's case and review that case against the relevant evidence and by reference to the student's registration and/or assessment number and without reference to their name.
26. The Board shall find either:
  - (a) that the appeal be dismissed and the student's results, or the consequent action be implemented as normal; or
  - (b) that the appeal is upheld, in whole or in part, and specify actions to be taken.
  - (c) that the case should be
    - (i) remitted back to the same panel that made the original decision; or
    - (ii) remitted to a freshly constituted panel for a re-hearing.
27. The College shall, within five working days of the meeting, inform the student in writing of the Board's decision.
28. If the appeal has been dismissed the College will inform the student that the College's internal appeal procedures have been exhausted but that they have the right to appeal the decision to the University. A Completion of Procedures letter will be sent to the student.

### Completion of Procedure Letter and further opportunity to appeal

29. A Completion of Procedures letter is a formal document which confirms that a student has exhausted the internal complaints or appeals procedure of the College and the subsequent right of appeal to the relevant awarding body partner.
30. The student shall have the right to appeal to Ulster University. Students registered for an award of Ulster University may appeal the outcome of a formal complaint to the Ulster University Student Complaints Manager using form ASC1. Further information and the form is available on Ulster University's website at: <https://www.ulster.ac.uk/study/undergraduate/associate-students/student-complaints> or from the College's Vice Principal (Academic).
31. If a student remains dissatisfied with the outcome of the appeal to Ulster University, he or she may complain to the Northern Ireland Public Services Ombudsman. Information and advice on how to make a complaint is available at: <https://nipso.org.uk/nipso/making-a-complaint/how-do-i-make-a-complaint-to-nipso/>

#### Office of the Independent Adjudicator

32. Where the student is dissatisfied with the decision of the College, and has exhausted the College's procedures and those of the University, they may choose to refer their complaint to the Office of the Independent Adjudicator (OIA). The student must include the Completion of Procedures letter from the University with their application to the OIA. The OIA is an independent body established by Government to run an independent student complaints scheme for students at universities in England and Wales.
33. The student must refer their complaint to the OIA within 12 months of the University's decision.
34. For more information about the OIA and the procedure for submitting a complaint, students can visit the OIA website at [www.oyahe.org.uk](http://www.oyahe.org.uk).

## **APPEALS OF EXAMINATION AND ASSESSMENTS**

35. In the case where the decision of the Academic Appeals Board has affected the results of a student a report shall be made to the relevant Board of Examiners.
36. In the event of the Board of Examiners refusing to implement a decision of the Academic Appeals Board, the matter shall be referred to the Academic Council.

#### Conferment of an Award

37. A student may not be conferred an award until the appeals process has been finalised.
38. Where the decision of the Academic Appeals Board results in the student being admitted to an award, the student may either receive the award in person or be deemed to have been admitted to the award on the authority of the Academic Council.

#### Monitoring, Evaluation and Review

39. If appeals and complaints have been received, there will be an annual report to the Academic Council summarising the applications received and the action taken in relation to each. Where appropriate, this report may include a commentary on the effectiveness or otherwise of the procedures and any recommendations for change.

## **FRIVOLOUS OR VEXATIOUS COMPLAINTS POLICY**

### Purpose of Policy

1. The College considers it important to give full consideration to all complaints and to ensure that no student shall be disadvantaged for making a genuine complaint. However, where a student submits a complaint (or multiple complaints) which, in the view of the College, is without substance, merit or is otherwise unreasonable the College may dismiss this complaint on the basis that it is either frivolous or vexatious.
2. In determining whether a complaint is frivolous or vexatious the College shall be sensitive to the context of the complaint, the circumstances of the complainant, and will endeavour to understand where unreasonable demands or behaviour may be the result of misunderstanding, confusion, stress, distress or for any other appropriate reason.
3. Students who are considered to have submitted frivolous or vexatious complaints may be subject to disciplinary procedures.

### Definition of a Frivolous or Vexatious Complaint

4. A frivolous or vexatious complaint may be characterised by the following<sup>15</sup>:
  - Complaints which are obsessive, harassing and/or repetitive;
  - The complainant's insistence upon pursuing unmeritorious complaints and/or unrealistic or unreasonable outcomes;
  - The complainant's insistence upon pursuing meritorious complaints in an unreasonable manner;
  - Complaints which are designed to cause disruption or annoyance;
  - Demands for redress which lack any serious purpose or value.

### Procedure for Implementation

5. The Vice Principal (Academic), or nominee, shall review complaints which are identified as potentially frivolous or vexatious and, within ten working days, determine either that:
  - (a) the complaint should not be considered frivolous or vexatious and should continue to be considered under the complaints process; or,
  - (b) the complaint is frivolous or vexatious, and to:
    - (i) dismiss the complaint;
    - (ii) determine whether any disciplinary procedures should be invoked;
    - (iii) write to the student giving reasons for the decision.
6. The student can appeal this decision to the Principal only on the grounds that their complaint does not meet the definition under the definitions outlined above.

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<sup>15</sup> These definitions are taken from the OIA Good Practice Framework 2016 and are indicative, not exhaustive.

## **RIGHTS AND RESPONSIBILITIES**

### **ACADEMIC FREEDOM POLICY**

1. This policy should be read in conjunction with the College's policies on Freedom of Expression and Fitness to Practise.
2. The College considers Academic Freedom to be a fundamental right in academic practice and scientific enquiry. Without the right to challenge established orthodoxies, paradigms and belief systems the development of knowledge would be obstructed and the ability to inculcate critical thinking and curiosity of mind undermined.
3. The College of Health recognises academic freedom as the right, within the law, of the College's academic staff to:
  - (a) question and test received wisdom, and
  - (b) put forward new ideas and controversial or unpopular opinions, without placing themselves in jeopardy of losing their jobs or privileges or of being subject to institutional or self-censorship because of student complaints.
4. The College further recognises its own academic freedom to govern itself autonomously, including to:
  - (a) conduct its day to day management in an effective and competent way;
  - (b) determine the syllabus and curriculum of programmes and their supervision and assessment;
  - (c) determine the criteria for the admission of students;
  - (d) determine the criteria for the selection, appointment and dismissal of academic staff and apply those criteria in particular cases;
5. The College appreciates, however, that institutional autonomy and academic freedom bring with them obligations and duties. These include:
  - (a) Respecting the academic freedom of others;
  - (b) Exercising academic freedom consistent with ethical and professional standards of behaviour, honesty and integrity;
  - (c) Providing students with fair and appropriate opportunities, through the programme of study, to develop and demonstrate their ability to meet the outcomes of the award for which they are studying
  - (d) Engaging in the duties of academic citizenship and governance within the College.
6. In supporting the right to academic freedom, the College is aware of the inter-relationship of academic freedom with other rights and freedoms within the law, such as freedom of expression and freedom from discrimination and harassment. Consequently, the College expects its academic staff to employ the right to academic freedom sensitively and professionally, particularly when in teaching or research controversial and sensitive issues are addressed. In teaching, material that is likely to be distressing or offensive to some students should be signposted in advance.

7. The College shall have in place a procedure for academic staff to raise a formal complaint if they feel their academic freedom has been unfairly constrained.
8. This policy draws upon:
  - The Equality and Human Rights Commission: Freedom of Expression (2019)
  - the Higher Education and Research Act 2017 (Section 2, 8 (a-c))
  - the UNESCO Recommendations concerning the Status of higher Education Teaching Personnel (2008)
  - the CUC Code of Governance (2014) Section 1 P.8.
  - the UUK report: Freedom of speech on campus: rights and responsibilities in UK universities (2011)

## **POLICY ON FREEDOM OF EXPRESSION**

1. The College of Health (the College) is committed to freedom of expression, within the law, as a fundamental individual right within democratic society and a key principle underpinning enquiry and debate within higher education.
2. Freedom of expression includes the written and spoken word, gestures, actions and the display of images intended to convey meaning.
3. This policy draws upon:
  - The Education Act 1986 Section 43;
  - The Education Reform Act 1998
  - Universities UK. Freedom of speech on campus: rights and responsibilities in UK universities;
  - Diana Beech Cracking the code: A practical guide for university free speech policies (HEPI occasional papers 109, 2017);
  - Office for Students. Prevent duty: Framework for monitoring in higher education in England 2018-19 onwards

### **Principles of Freedom of Expression**

4. The College supports the following salient principles of freedom of expression:
  - (a) Everyone has the right to free expression within the law.
  - (b) Higher education providers should always work to foster respectful and balanced debate and challenge, including on sensitive issues;
  - (c) Freedom of expression must not be abused to promoting hatred or bigotry.
  - (d) Any decision about whether to hold events and host speakers should seek to promote and protect the right to freedom of expression.
  - (e) Peaceful protest is a democratic right and a protected form of expression; however, protest should not be allowed to shut down debate or infringe the rights of others.
5. The adoption and application of these principles enables the College to challenge discrimination and intolerance and foster constructive and engaged student, academic and practitioner communities.

### **Restriction of Freedom of Expression**

6. The College appreciates that there are conditions when freedom of expression must be limited by law: these include the prevention of crime, safeguarding national security, protecting public safety and preventing unlawful discrimination and harassment, e.g.:
  - speech causing fear or provocation of violence;
  - acts intended or likely to stir up hatred on grounds of race, religion or sexual orientation
  - speech amounting to a terrorism related offence, and
  - causing a person harassment, alarm, or distress.

7. Such limitations must be lawful, reasonable and proportionate. This places a duty on the College to mitigate the potential for discrimination or disorder through taking reasonable, practical steps such as ensuring that:
  - alternative points of view are presented at speaking events;
  - events are conducted by an experienced chairperson;
  - additional security is provided to ensure order is maintained,
  - events are ticket only.
8. Where the College has reason to believe that the safety or security of its students, staff or visitors is at risk or there are other serious risks to public order it may be necessary to postpone or cancel an event.

### **Compliance**

9. To ensure compliance with the policy the College has produced the following:

- the External Speaker(s) Event Approval Procedure and Form
- the responsibilities of organisers and College officers in the organisation and holding of events;
- a code of behaviour for those attending events;
- a disciplinary process where the code of conduct is breached;

Each of the above may be accessed through the hyperlink or through the College's website.

### **Review**

10. This policy and its associated procedures and guidance shall be reviewed at least annually, and amendments approved in time for publication at the start of the academic year. The policy may be amended and approved more frequently where changes are required, for example to ensure that it is up to date with legislation.

## **Appendix A**

### **External Speaker Event Policy**

1. This policy covers all events which have an external speaker hosted or co-hosted by the College of Health and the Students' Association whether on College premises or at external venues, including online. It also covers all events hosted by third parties (including individual members of staff, students, clients or parties seeking to rent College premises).
2. All events which include external speakers must be approved by the College's Freedom of Expression Panel. The Panel shall comprise:
  - The Chief Operating Officer;
  - A senior academic.
3. External speaker events may be booked by a member of staff or a student of the College. An external speaker event booked on behalf of somebody from outside the College must be sponsored by a senior member of staff. The person who has booked or sponsored an event is responsible for ensuring that the organisers are aware of and agree to abide by the College's policies, procedures and protocols on hosting external speaker events.
4. External speaker events must be booked using the College's online form and submitted 15 working days in advance.
5. The person booking the event must complete the form fully and, on considering the questions on the form, determine whether allowing the event to be held raises any concerns about:
  - the exercise of freedom of expression;
  - facilitating violent extremism or terrorism;
  - public order;
  - health and safety of the staff and students of the College and those attending;
6. Where no such concerns exist, the event may be approved subject to appropriate accommodation being available, and usual health and safety measures being in place.
7. Where concerns are identified the panel may require additional arrangements to be put in place such as ticketing the event, appointing its own chair or providing additional security. The panel may also contact the regional Prevent Lead or the police about the event and seek their advice on how it should be facilitated.
8. In extreme circumstances, the Panel may determine that holding the event would pose a disproportionate risk or unreasonable expense, or that it contravenes a legal duty, in consequence of which the College may determine that the event cannot take place under its auspices.

## **REFUND AND COMPENSATION POLICY**

### **INTRODUCTION**

The College of Health ("College") intends to deliver a first-class educational service to all our students. However, we recognise that things go wrong from time to time, whether that is a change in the life circumstances of one of our students or in our ability to always meet our service or delivery specifications. The latter may include lapses in the quality of delivery through to withdrawal of a module or programme. Such events should rarely if ever occur, but this policy aims to set out how they will be addressed and resolved if they do occur.

This Refund and Compensation Policy ("Policy") forms part of the College's Student Protection Plan, the latest version of which is contained elsewhere within this document.

This Policy has been informed by:

- the Competition and Markets Authority's publication: Higher Education: consumer law advice for providers;
- the Quality Assurance Agency, UK Quality Code for Higher Education, Chapter C ([2013-18](#));
- the Quality Assurance Agency, UK Quality Code for Higher Education, Advice and Guidance: Concerns Complaints and Appeals (Nov 2018);
- the OIA Best Practice Framework 2016; and
- the [OfS Guidance on Student Protection Plans](#)

This Policy enables students to apply for a refund or compensation from the College where their complaint is upheld or, more rarely, where there has been a material breach of contract. This Policy sets out the circumstances in which the College will refund tuition fees and other relevant costs incurred by students. It covers the unlikely situations, as set out in the Student Protection Plan, where the College would not be able to provide the continuation of study for one or more students, and may also cover disruption to a programme of study. In the event of such circumstances arising, this Policy sets out how affected students may claim a refund of fees and/or appropriate financial or other compensation.

In the first instance students should raise any issues they have with their support officer. If the matter is not resolved to their satisfaction the student should make a formal complaint in accordance with the procedure set out in the College Regulations. The complaint should be submitted as close to the point at which the complaint arose as possible. Failure to do so may mean we are prevented from dealing with the complaint or providing a remedy as effectively as we otherwise would.

The complaint should be submitted through Student Services to the Academic Appeals and Complaints Panel. If a student is dissatisfied with the outcome of the appeal, he or she may appeal the decision of the Academic Appeals and Complaints Panel, on the grounds specified in the College Regulations, to the Vice Principal (Academic). The decision of the Vice Principal (Academic) shall be final and shall mark the completion of the College's appeal and complaints procedures.

The College considers compensation and refunds to be remedies of last resort and it remains committed to supporting all students to continue and complete their programmes of study. The College is not liable for events outside of the College's control and for which it bears no responsibility, for example a prolonged power failure. The College will take all steps it can to mitigate the impact on students, such as providing additional learning opportunities or repeating parts of a programme.

In addition to the rights set out in this Policy, students also have additional statutory remedies under the Consumer Rights Act 2015, which informs this Policy. The College is regulated by the Office for Students.

## **DEFINITIONS**

A refund means the repayment of sums paid by a student to the College, or an appropriate reduction in the amount owed in the future. The refund could include tuition fees, as well as other programme costs, or accommodation costs.

Compensation means some other recognisable loss suffered by the student. This can fall into two categories:

compensating the student for wasted out-of-pocket expenses they have incurred, which were paid to someone other than the College (such as travel costs); or an amount to recompense for material disadvantage to the student arising from a failure by the College to discharge its duties appropriately.

Compensation may take the form of a remedy without a financial payment such as an apology or a goodwill gesture but could also take the form of a discount, a financial payment, or some other form of benefit.

## **ELIGIBILITY**

This Policy covers all students currently enrolled at the College and any applicants who have accepted a place on a relevant programme. It covers those students who receive a tuition fee loan from the Student Loans Company or other relevant government loans, those who pay their own tuition fees, and those whose tuition fees are paid by a sponsor.

This Policy does not apply to individuals who have completed the studies for which they registered unless, in accordance with the College Regulations, they have submitted a complaint within three months of the end of their registered programme of study which is subsequently upheld.

## **UNDERGRADUATE AND POSTGRADUATE TAUGHT STUDENTS**

In the unlikely event that the College is no longer able to provide continuation of study for taught programmes where students have already begun studying, students may make a claim for compensation where they are required to withdraw from the College. This would apply only in situations where the College is ceasing to deliver a programme before registered students of that programme have completed their studies, and both students and the College have failed to agree on a suitable alternative programme for students to transfer to, either at the College, or at another institution. If additional tuition fees or travel costs are incurred, students may apply for financial compensation to cover these.

The College will always endeavour to teach students to the end of their programme, including in situations where a decision has been taken to close a programme.

## **COMPENSATION PLAN**

The College will ensure that plans for closing programmes include communicating with and compensating any applicants who have accepted places, but not yet started study. These include, as a minimum, providing advice and support on applying for a different programme at the College or seeking a suitable alternative at a different institution. Enrolled students, and any applicants who have accepted a place on

the relevant programme of study, should take reasonable steps to mitigate their situation, in line with advice provided by the College.

Should the College not be able to 'teach out' registered students on a programme which is being discontinued, students will be offered the opportunity to transfer to another programme at the College, and, should this not be possible, they will be supported to transfer to a suitable programme at another institution.

The College will put into place a compensation plan which is relevant to the circumstances of the individual student or students, including provision for additional costs reasonably incurred as a consequence of any transfer of programme or closure of programme.

Payments associated with a compensation plan will include consideration of provision for:

- tuition fee costs;
- maintenance costs and lost time following a closure of a programme;
- tuition and maintenance costs where students have to transfer to a different programme or institution;
- commitments to honour student bursaries;
- reasonably incurred accommodation costs;
- other related costs (e.g. sports club membership); and
- travel costs arising from a relocation of a programme.

## **PAYMENTS**

Where a compensatory payment is made in respect of fees the payment shall be paid into the bank account from which the original fees were paid, whether this is the student's personal account, a sponsor, employer or the Student Loans Company.

All refunds will be paid within 30 days of the refund being approved by the College.

## **INDIVIDUAL CLAIMS PROCESS**

Before seeking redress under this Policy, students/individuals affected should submit a complaint to the College in accordance with the College Regulations. Once that procedure is completed, and if the student remains dissatisfied with the outcome, this Policy may be used to seek redress. All claims should be submitted to [investigationofficer@collegeofhealth.uk](mailto:investigationofficer@collegeofhealth.uk)

Any claims submitted by students under this Policy should:

- confirm that the complaints procedure set out in the College Regulations has been exhausted;
- clarify the impact of the programme change; and
- and explain what steps the student has taken to mitigate this.

Upon receipt of a claim under this Policy the College will consider the detail of the claim against the factors listed under 'consideration of claims' below. The College shall provide a written response to the student within 15 working days of receipt of the student's claim.

## **GROUP CLAIMS**

Where a large number of students have been affected by an issue, a separate process may be used by the College to ensure efficiency and consistency. This process will be similar to the operation of the complaints procedure under the College Regulations and the College will make the process clear to students and ensure that it is fair and proportionate. Should a student wish to use the student complaints policy under the College Regulations as an individual, this will be permitted.

The College will consider the factors set out in paragraph **Error! Reference source not found.** below in assessing any group claim.

If students using the group process are satisfied with the outcome, this will be in full and final settlement of all claims arising out of the same matter. If a student's complaint is considered through the group process rather than the complaints procedure set out in the College Regulations and s/he is dissatisfied with the outcome, the student will be able to receive a Completion of Procedures letter to progress the complaint to the OIA.

## **CONSIDERATION OF CLAIMS FOR COMPENSATION OR REFUNDS**

The factors which will be used in assessing individual and groups claims are whether:

- the College failed to provide specific undertakings given to the students in the way the programme was to be delivered;
- the College failed to deliver against material information agreed with students at the point when they accepted offers;
- a period of prolonged disruption, without sufficient mitigating action, has put in jeopardy the College's ability to offer teaching and learning which gives students a fair and reasonable opportunity to develop the appropriate levels of understanding for the programme;
- the College has followed its own procedures in delivering the programme (such as quality assurance and communications to students);
- there has been a demonstrable loss to the student and in particular if the student has been able to achieve the learning outcomes for their programme of study;
- the student has been affected in relation to the final degree award, accreditation award, or ability to take up a job offer;
- the student has met their own obligation to mitigate losses;
- the student took advantage of any reasonable adjustments put in place to mitigate against the loss and consideration of whether the student remained disadvantaged despite the alternative arrangements; and
- if a complaint is made due to disruption to a student's learning experience beyond the student's control, the College communicated clearly and consistently with the student throughout the process, making them aware of any changes and how they might affect them.

## **EXTERNAL REVIEW**

If a student remains dissatisfied with the outcome of a claim for a refund or compensation under this Policy, s/he may be able to apply for a review of the claim by the [Office of the Independent Adjudicator for Higher Education](#) ("OIA"). This is an independent review scheme external to and independent of the College's complaint procedure. The OIA will normally only review issues which have been dealt with through to conclusion under the College Regulations.

## **CHANGES TO THIS POLICY**

The College will review this Policy annually alongside the Student Protection Plan.

# COLLEGE OF HEALTH t/a THE MCTIMONEY COLLEGE OF CHIROPRACTIC

## STUDENT PROTECTION PLAN

**Provider Name:** The College of Health t/a the McTimoney College of Chiropractic

**UKPRN:** 1006650

**Legal address:** 1 Kimber Road, Abingdon, Oxon, OX14 1BZ

**Contact point:** academic@collegeofhealth.uk

### **What is the Student Protection Plan?**

1. This Student Protection Plan (the "Plan") sets out what measures we would take to protect you as our student in the event there is a risk to the continuation of your studies at the College of Health t/a the McTimoney College of Chiropractic (the "College"). The Plan must be approved by the Office for Students ("OfS") and every provider of higher education registered with the OfS must have a Plan in place.
2. This Plan details the risks that the College has identified to students, the likelihood of those risks occurring, the impact the risks may have on your programme of study and the College if they did occur, and what action the College would take to ensure you are able to continue your studies via 'teach out' of your programme.

### **How are the risks identified?**

3. This Plan addresses a range of risks including those that have been identified by us and/or the OfS that affect all higher education providers on its register as well as those that are specific to the College, such as our relationships with multi-national, industry leading partners.

## What do we do about the risks?

4. For each risk that we have identified below we also set out the action that is either already in place or would be taken if the risk were to occur. This is called mitigation and reduces the impact of the risk event on the operation of the College and the delivery of our programmes.
5. Mitigation is part of a wider strategic and operational strategy that plans for risk and seeks to put measures in place quickly to negate the impact of that risk. Risks range from everyday operational issues, such as an IT failure, through to unpredictable, catastrophic events that result in the unplanned closure of a programme or of the College itself. In all such cases the College has a communication strategy in place to alert you to the event and the action that we will be taking (see below for further details).

Risk	Risk Level	Context	Mitigation
<b>The College is no longer able to operate, or no longer intends to operate.</b>	Very Low	Other than because of the other risks set out below, this would only happen where the business had become unviable financially.	<p>The College Business Plan is based on known student demand over more than two decades.</p> <p>The College financial plan is underpinned, in addition to student fees, by philanthropic investment and a guarantor to enable the teach out of provision.</p> <p>Staff contracts provide for sufficient notice periods to enable replacements to be found.</p>

Risk	Risk Level	Context	Mitigation
<p><b>The College is no longer able to award the qualifications for which students are registered because the OfS has varied or revoked the College's registration and/or a validating partner has withdrawn validation and/or a professional body (such as the GCC) has withdrawn accreditation.</b></p>	Low	<p>This may occur where the College was not fully compliant with the expectations of the professional body's conditions of accreditation, OfS Regulatory Framework, the College's Conditions of Registration, the QAA UK Quality Code, the Equality Act 2010, or equivalent regulation relating to standards, quality or integrity.</p>	<p>The College has processes in place to ensure that it strives to be fully compliant with the requirements of its professional, accreditation bodies' requirements, OfS Regulatory Framework, the QAA UK Quality Code, the Equality Act 2010, the CMA guidance to Higher Education Institutions and other salient codes and advice. The College has incorporated these into its regulatory infrastructure, thereby reducing the likelihood of contravention.</p> <p>Any contravention that came to light would be treated with the utmost gravity and the College would seek to remedy the breach and negotiate an action plan with the relevant regulatory body at the earliest opportunity.</p> <p>If the College was no longer able to award the qualifications, the College has the financial capacity to teach out students then enrolled on its programmes.</p> <p>Where teach out was not permissible the College would seek to (a) provide advice and guidance to its students on their options; (b) place its students with other providers, and (c) enact the terms of the Refund and Compensation Policy as applicable to each individual case.</p>

Risk	Risk Level	Context	Mitigation
<b>The College is no longer able to deliver a programme or specialist components of a programme.</b>	Low	<p>This may occur where:</p> <ul style="list-style-type: none"> <li>• industry practice or new discoveries change so rapidly that a programme becomes outdated;</li> <li>• there is insufficient demand for the programme from industry or students;</li> <li>• the regulatory requirements and resources to deliver the programme become disproportionately onerous;</li> <li>• the College loses a key member of staff in a specialist area; or</li> <li>• where the College is unable to provide resources such as patients or animals.</li> </ul>	<p>The College's programme designers and tutors are connected to and part of the chiropractic profession and are required to be abreast of current developments to ensure programmes are current and relevant.</p> <p>The College would, wherever it was in the student's interests, teach out the programme utilising, if necessary, its financial reserves.</p> <p>The College would offer students enrolled on the relevant programme the opportunity to transfer to another programme of their choice. 4. The College would facilitate the transfer of students to another provider.</p> <p>The College would enact the terms of the Refund and Compensation Policy.</p> <p>The College approach is to appoint sufficient members of staff to provide contingency where a member of staff is ill or leaves the College.</p> <p>The College has strong links with the sector and industry in its cognate areas and would seek to quickly appoint fractional staff to cover any gaps.</p> <p>The College's provision will be at degree level where such specialist knowledge is unlikely to be a threat to the delivery of a component. 9. The College may choose to schedule additional teaching from specialists outside the normal curriculum and compensate students for any costs incurred, in accordance with the Refund and Compensation Policy.</p> <p>10. The College has an established reputation in the local communities within which it has centres. This provides a consistent, secure and timely supply of patients on which students may practice. The same approach to promoting and establishing links would be used in any new centre. In addition the College has sufficient staff, students and alumni who are willing to act as patients to meet demand.</p> <p>11. With regard to the provision of specialist resources such as horses for animal chiropractic, the College has long standing arrangements with a number of stables, vets and other institutions that ensure a consistent and sufficient provision of subjects. Should this situation change to the extent that students could not access the resources in the way required, the College would introduce</p>

			(a) alternative timetables for accessing the resources required and (b) revise the programme delivery to ensure the outcomes could be met at other stages or through other methods in the programme.
Risk	Risk Level	Context	Mitigation
<b>The College is no longer able to recruit or teach a particular type of student.</b>	Low	The nature of the College's provision requires a high bar to entry in terms of commitment, potential, ability, and fitness to practise. The nature of the College's programmes also means that students are taught face to face with limited material delivered online. Consequently, it is difficult to see a type of student that is currently able to access the programme who would be prevented from doing so because of any future changes, with the exception of an increase in fees.	The College does not plan to change its delivery in any way that would narrow the potential range of students able to apply to it. The College is planning to continue to expand its offering which would increase the potential for students from disadvantaged backgrounds to access the programmes. The College is aware that some of its current and planned programmes, such as chiropractic, are less well known than other forms of healthcare and will seek opportunities to promote them further. The College will regularly review its programmes and refresh these accordingly to keep up with changes in student demand.

Risk	Risk Level	Context	Mitigation
<b>The College's learning and delivery platforms or critical IT facilities are disabled.</b>	Medium	Other than for routine maintenance or unscheduled short periods of downtime, this might occur where there is a significant failure in the software within the College, or where there is an adverse effect from a routine external source such as electricity surges or where there is a malicious cyber or terrorist incident.	<p>The College will have in place published maintenance schedules for its IT infrastructure and learning platforms.</p> <p>The College will have in place alternative sources of power should there be a power fault.</p> <p>The College will have in place a catastrophe or critical incident plan that provides potential remedies to the failure of its IT and learning platforms. These may include: disaster recovery, back-up provision, and the use of alternative systems; the use of hard copy resources; and the re-timetabling of provision including assessments where necessary.</p>
<b>The College loses key members of staff</b>	Medium	It is likely that the College will lose key members of staff from time to time. This is to be expected and is a natural part of staff development and promotion. The issue becomes critical when the timescales involved are shorter than usual (E.g. long term sickness)	<p>The delivery of the College's provision will be supported by succession and contingency planning which will include having more than one tutor able to cover a subject area, the ability to attract and appoint fractional and associate staff quickly.</p> <p>Information and materials on programmes and modules will be held and stored on the College VLE that enable ease of access to other members of staff in addition to the primary members of staff;</p> <p>3. In the event of a key member of staff leaving suddenly and where replacement staff are not immediately available, the College will seek to reshape the timetable and reschedule the delivery. In such cases students who are inconvenienced and incur additional costs will be able to invoke the Refund and Compensation Policy.</p>

Risk	Risk Level	Context	Mitigation
<b>The College has to close or move one or more of its delivery locations.</b>	Low	<p>The College has established premises for teaching in Abingdon and may seek to add additional teaching space in the locale of Manchester. The College will be delivering from a new site in Northern Ireland from January 2025.</p>	<p>The College would continue to deliver programmes at any site at which a student had been registered until that contract was fulfilled. Consequently, any centre closures would be planned and gradual.</p> <p>In the latter stages of closure where there may be insufficient numbers of local staff to support a programme, staff from other locations would be contracted to teach at the closing centre.</p> <p>Where the student learning experience was affected by small cohorts, students would be invited to join cohorts at other centres. Any costs incurred would be met by the College in accordance with the Refund and Compensation Policy.</p> <p>The College has entered into an agreement with Ulster University to use their teaching premises on its Magee Campus for the purposes of our new teaching location from January 2025.</p>
<b>The College changes its awarding body</b>	High	<p>The College may, from time to time, change the partner which acts as the awarding body for its degrees.</p>	<ol style="list-style-type: none"> <li>1. The new awarding body would only be applied to new student intakes.</li> <li>2. Potential applicants would be informed of the new awarding body through marketing materials and during the recruitment process (e.g. during open days, in interviews and in offer letters).</li> <li>3. Existing students would have the choice of remaining with the current awarding body or to transfer to the College (if they were not already) and to come under the new awarding body.</li> <li>4. The terms of any agreement with a new awarding body would be at least equivalent if not better than those enjoyed under the current awarding body.</li> </ol>

6. In the event that we could not mitigate the impact of a risk event taking place through preemptive action, we would seek to identify the extent of the damage the event had on you, your opportunities and the costs incurred. We would then seek to remedy the loss you experienced according to your individual circumstances.

7. In extreme cases this may mean offering you the opportunity to study other modules or programmes at no additional cost, or transferring you to another institution offering similar programmes. You may also be eligible to have your fees repaid and/or have your costs and expenses refunded which were incurred as a result of a transfer to another institution or because of a delay in completion of the delivery of the programme.

#### **How do we communicate with you in the event of a risk event taking place?**

8. In the event there are any material changes to a programme of study or the College which would affect you, we will notify you by email within 10 working days of this Plan being triggered. We will provide details of the material changes, their impact upon you and provide advice and guidance on the options open to you and the ways in which the changes can be mitigated. Our advice and support will be tailored to the individual circumstances of each student. However, wherever possible we will seek to address the concerns and needs of the student body or programme cohort as a whole.
9. Where a risk is low, for example the VLE being offline for routine maintenance during the night, information will be published on the VLE in advance and on our website.
10. Any material changes to your programme of study, over which we have control, would not be implemented without prior agreement with you and the student body where they affect the contractual arrangements we have made with you. Where the change is required as a matter of integrity and validity of the programme, such as a change to a learning outcome on a particular module, we would expect to give you at least a term's notice of the change.

#### **How will we communicate the Plan to you?**

11. The Plan will be published on our website and on the VLE. The Plan will also be referenced appropriately in our communications with you during the recruitment and admissions process, including in the Terms and Conditions of Acceptance of Offer.
12. The College will ensure its staff are aware of the implications of the Plan when they propose changes to modules by including reference to the Plan in module approval documents.

#### **How will the Plan be developed and what input will you have into it?**

13. The Plan will be monitored by the Senior Leadership Team as part of the College's ongoing risk assessment procedures against circumstances locally within the College , with our regulators and partners and national policy and events.
14. The Plan will be subject to a formal annual review by the Academic Council and the Board of Directors. The College will involve the student body in the review process by inviting feedback from the College's student body through the student representatives.
15. If you have any comments or queries about the Plan please contact: academic@collegeofhealth.uk

#### **Refund and Compensation Policy**

16. The College's Refund and Compensation Policy ([available here](#)) sets out the circumstances in which we would refund your tuition fees or a proportion of them, whether that is to you, your sponsor or the Student Loans Company, and what additional compensation may be available to you in the light of the costs and expenses you may have incurred as a direct result of a failure on the part of the College to preserve the continuity of your study.

## **SCHEDULE A: VALIDATING PARTNER AGREEMENTS**

1. The College of Health has established validation agreements with:
  - Ulster University.
2. These agreements have the following effects on the College's governance and regulations.

### **2.2 Ulster University**

- Students shall be registered as students of the College of Health and as Associate Students of Ulster University;
- Ulster University shall appoint external examiners to the College of Health's programmes;
- Ulster University shall approve major modifications to and the revalidation of existing programmes and the approval of new programmes including the appointment of staff;
- Ulster University shall have the right to appoint representatives to the College of Health's Boards of Examiners.
- Students shall have the right of referral of a complaint or appeal to Ulster University, on the grounds specified in the regulations, once the College's own appeals and complaints process has been exhausted.
- Ulster University shall be responsible for conferring awards and for issuing award certificates and transcripts. The award certificate and transcript shall carry the name of both the University and the College of Health.

## **SCHEDULE B: AWARD TITLES**

The Following titles may be suffixed in parenthesis to the award of HE Certificates and HE Diplomas:

- Health Studies

The following titles may be awarded at Bachelor Degree level:

- BSc (Ord) Health Studies
- BSc (Hons) Health Studies

The following titles may be awarded at Graduate Certificate level

- Animal Therapy

The following titles may be awarded at Postgraduate Certificate level

- Animal Health Studies

The following titles may be awarded at Postgraduate Diploma level:

- Animal Manipulation (Chiropractic)
- Animal Manipulation (Osteopathy)

The following titles may be awarded at Master's level:

- Chiropractic
- Chiropractic (Paediatrics)
- Veterinary Chiropractic
- Animal Manipulation (Osteopathy)
- Animal Manipulation (Chiropractic)