

Unforeseeable Circumstances Regulations (Force Majeure): Assessment of Students

Approved by the Chair of Senate: 24th March 2020

1. The General Regulations for Students and Programmes of Study set out St George's, University of London (SGUL)'s regulations and procedural requirements for the assessment of students. Very occasionally, the academic business of St George's University of London may be disrupted by unforeseeable circumstances beyond the control of SGUL preventing SGUL from providing academic and other services to students for a period of time. These unforeseeable circumstances are known as "*force majeure*" and examples include but are not limited to strike action, pandemic virus outbreaks, war, riot, and civil unrest. These Unforeseeable Circumstances Regulations (Force Majeure) (the "Regulations") provide the framework through which St George's, University of London will limit the impact of unforeseeable circumstances on the assessment of students and the Institution's capacity to take decisions about progression and awards.
2. St George's, University of London wishes to ensure that decisions about student progression or final awards are as timely as possible. The measures outlined below are intended to best protect the interests of students given any constraints that may be imposed upon the Institution.

Principles

3. These Regulations are consistent with the following principles:
 - a. Assessment enables a student to demonstrate achievement of the learning outcomes for their programme of study.
 - b. Students will be treated in a fair and equitable manner.
 - c. Academic standards will be maintained.
 - d. Patient safety is paramount.
 - e. Assessment processes will be applied consistently and equitably, with reliability, validity and fairness.
 - f. Our obligations to professional, statutory and regulatory bodies will continue to be fulfilled.
4. When invoked, these Regulations takes precedence over other General Regulations relating to the assessment of students (including entry and re-entry to assessments), progression and awards and Examination Boards. The Chair of Senate shall have the authority to apply the principles outlined in these Exceptional Regulations (Force Majeure) in areas not directly covered by these Regulations to avoid disruption of the academic business of the Institution.

Invoking the Unforeseeable Circumstances Regulations (Force Majeure)

5. These Regulations will come into effect when they have been formally invoked by the Senate. The Chair of Senate (or nominee if the Chair of Senate is unavailable) has the authority to invoke these regulations if in her or his reasonable opinion the circumstances do not allow a meeting of Senate to be convened for this purpose. Additionally, anyone named in these Regulations can nominate an alternative and where positions are named they include nominees.
6. The Academic Registrar will request that these Regulations are invoked and, following a Senate decision to invoke these procedures, the Academic Registrar will be responsible for liaison with affected programme teams.

Schemes of Assessment (GR7) – types of assessments used, the timings of assessments and marking schemes

7. If it is not possible to deliver the types of assessments detailed in the Scheme of Assessment, programme teams may vary the method and timing of assessments (including submission dates) providing any variations are consistent with the principles outlined in these Regulations. Proposals to vary the method and timing of assessments shall be made using the template (appended to these Regulations). Any proposal to adopt a novel assessment must be accompanied by a marking scheme specific to that assessment.
8. Arrangements for the approval of variations to the methods and timings of assessments will be determined when these Regulations are invoked depending on the scale and duration of any *force majeure* event. In periods of significant disruption that span SGUL provision an Assessment (approval of modifications) Committee will approval all modifications. The membership of the group will usually comprise:
 - a. the Deputy Principal (Education),
 - b. the three monitoring committee chairs,
 - c. Associate Dean (Access and Participation),
 - d. the Academic Registrar,
 - e. the Head of the Centre for Innovation and Development in Education,
 - f. the Director of Centre for Technology in Education,
 - g. Students' Union Vice President (Education and Welfare),
 - h. the Director of Quality and Partnerships.
9. The group will agree its ways of working including the quorum for decision-making. Support for the Group will be provided by the Quality and Partnerships Directorate.
10. If alternative assessment methods are proposed, additional arrangements for candidates with a disability, impairment or specific learning difficulty must be considered and put in place as appropriate (GR 11.10).
11. Special arrangements may be made in accordance with the Religious Observance and Assessments Policy where the Institution determines that it is reasonably practical to do so (GR 11.10).
12. It may not always be possible to devise an alternative way of assessing key learning outcomes before Examination Board decisions about progression and award are taken. Examples of where this might occur include the assessment of practical skills, clinical skills and placement learning as a consequence of the temporary closure of the site offering the placement or the absence of key personnel. These Regulations that are specific to continuation and awards provide the framework for taking decisions in the absence of marks or grades should it not be possible to take offer alternative assessments.

Schemes of Assessment– progression from NQF level 4 (or year 1)

13. Students will normally be expected to meet all level 4 assessment requirements before they continue to level 5 (or equivalent for non-modular programmes). If assessment outcomes are not available for a student cohort as a result of *force majeure*, Boards of Examiners may take one of the following decisions:
 - a. Defer a decision about whether the cohort has met all level 4 requirements but allow **progression** to proceed to level 5. In this circumstance, the Board will decide the timeframe within which the incomplete level 4 assessments can be scheduled and/or marked. The Board will also consider the implications of failure at level 4 for any students permitted to progress on a provisional basis.
 - b. Allow the cohort to proceed to level 5 without any requirements to attempt and pass incomplete level 4 assessments.
 - c. Students who have failed level 4 assessments and are ineligible to continue will be considered in accordance with the requirements of the Scheme of Assessment.

14. Decisions will reflect:

- a. The extent of gaps in the marks profile for the cohort,
- b. The learning outcomes to which the assessments relate,
- c. The extent to which the assessments test outcomes that are pre-requisites for the learning at the subsequent academic level,
- d. Issues of patient safety.
- e. For classified degrees, the extent to which level 4 marks contribute to the degree classification will also be considered.

15. Decisions to suspend the progression regulations outlined in the Scheme of Assessment and/or Programme Regulations must be approved by a panel convened by the Chair for this purpose (see 7).

Schemes of Assessment - continuation from year 2 and subsequent years

16. Students will normally be expected to meet all level 5 assessment requirements before they continue to level 6 (or equivalent for non-modular programmes). If assessment outcomes are not available for a student as a result of *force majeure*, Boards of Examiners may take one of the following decisions:

- a. The extent of gaps in the marks profile for the cohort,
- b. The learning outcomes to which the assessments relate,
- c. The extent to which the assessments test outcomes that are pre-requisites for the learning at the subsequent academic level,
- d. Issues of patient safety.
- e. For classified degrees, the extent to which level 5 marks contribute to the degree classification will also be considered.

Schemes of Assessment– awards at level 5, level 6 (and integrated masters programmes)

17. Where marks are unavailable for a candidate for any part of the final year assessment for a foundation degree, and honours degree and MSci programmes wholly or partly as a result of *force majeure*, decisions related to the conferment of an honours degree will be deferred until such time as the outstanding assessments can be scheduled. Candidates will be (re)considered at the next meeting of the Board of Examiners when all available marks will be presented to the Board.

18. Notwithstanding 16 above, a Board of Examiners may take any other decision open to it under the General Regulations and Scheme of Assessment.

Taught postgraduate programmes

19. Where marks are unavailable for a candidate for any part of the assessment requirements for the programme wholly or partly as a result of *force majeure*, decisions related to the conferment of a Master's degree (with or without merits and distinctions) will be deferred until such time as the outstanding assessments can be scheduled. Candidates will be (re)considered at the next meeting of the Board of Examiners when all available marks will be presented to the Board.

20. Notwithstanding 18 above, a Board of Examiners may take any other decision open to it under the General Regulations and Scheme of Assessment.

Boards of Examiners (GR8)

21. The constitution of the Board of Examiners (including the arrangements for chairing the Board) can be varied with the consent of the Chair of Senate (or nominee).

22. If it proves impossible for an examination board meeting to fulfil the usual requirements for quoracy wholly or partly as a result of *force majeure*, the Chair of Senate may approve a reduced quorum for that examination board meeting (see GR.8.2.11).
23. Boards may be conducted with members joining the meeting remotely. Minutes of all Board meetings must be kept and the minutes will record the basis on which members participated in the Board meeting.

External Examining (GR9)

24. In any period of disruption to University business, programme teams should maintain communication with External Examiners to ensure that they are able to fulfil the duties outlined in the Quality Manual. These include but are not limited to the approval of assessment tasks, the review of student work and attendance at Boards of Examiner meetings. In most cases, external examiners will be able to fulfil their duties without attendance of site (although from time to time External Examiners are invited to observe clinical and practical assessments).
25. In the event that an External Examiner is unable to fulfil their duties for an extended period and a stopgap appointment cannot be made, the Chair of Senate has the authority to determine that assessment outcomes may be presented to a Board of Examiners without full external examiner involvement.
26. The Chair of Senate will also decide whether assessment outcomes will remain provisional until such time as effective external examiner input can be secured or can be presented for ratification.

Internal moderation (GR8)

27. Exceptionally (and with the permission of the Chair of Senate) work that has not been through an internal moderation process can be presented to a Board of Examiners for ratification.
28. Alternatively, the Chair of Senate may decide whether assessment outcomes will remain provisional until the work has been moderated.

Mitigation (GR 10.3, 10.4, 10.7, 10.8 and 11.11)

29. In the event that these Regulations are invoked, students will be able to bring forward a claim for mitigating circumstances on the grounds of *force majeure*. The way in which claims of this kind are considered are outlined in the General Regulations. Specifically, the Regulations encompass the following:
- a. The circumstances in which students can withdraw from assessments for health reasons.
 - b. The evidence requirements to support applications to withdraw from assessments
 - c. The evidence requirements to support perceived underperformance in assessments.
 - d. The discretion available to Boards of Examiners to consider evidence of mitigation in taking decisions about the reassessment, progression and awards.
 - e. The circumstances in which a student shall be permitted to have an attempt at an assessment discounted thereby having it not count as one of the permitted assessment attempts.
30. At the point at which the decision to invoke these Regulations is taken, consideration will be given to whether students should be permitted as of right to withdraw from assessments as a consequence of the *force majeure* event or circumstances. Thereafter, consideration will be given to the way in which claims will be made by students, the evidence that students are asked to provide in support of a claim and the way in which claims are considered by Boards of Examiners. Decisions related to student progression and achievement must be taken in full understanding of the impact of *force majeure* circumstances on students.

31. The Procedure for consideration for a final discretionary attempt at an assessment provides a framework for considering the re-entry to assessments of students who have failed assessments on the maximum number of occasions permitted by programme regulations. When these Regulations are invoked, students who next attempt is a final attempt approved by a Discretionary Panel will be advised on the options available to them on an individual basis.

Academic Appeals (GR14) and Complaints (GR21)

32. Regulations and procedures relating to appeals and complaints will remain in force during periods of disruption caused by *force majeure*. The grounds for appeal (GR14.1) will continue to apply including the prohibition against appeals against the academic judgement exercised by Boards of Examiners.

33. The administration of these procedures and related procedures may be impacted by *force majeure*. For example, there may be delays to the time periods within which students can expect to receive outcomes to submitted academic appeals or complaints. Students will be informed of any variance to the point at which the procedure is invoked if possible. Any variance must not be to the detriment of the student.

Record keeping and reporting requirements

34. Course Directors will maintain a record for agreed variations to General Regulations and Schemes of Assessment for the programme. This record will be presented to the next meeting of the Board of Examiners for discussion and noted as appropriate. This record may be used to inform decision-making in relation to student progression and award. Detailed records of all decisions taken and the reasons for them must be made in the minutes of the board.

35. A record of variations to General Regulations and Schemes of Assessment agreed under these Regulations will be maintained by the Academic Registrar. All agreed variations will be reported to Senate.

DB/March 2020

Unforeseen Circumstances Regulations (Force Majeure): Assessment of Students

This form is to be used to seek approval of changes to the types of assessments outlined in the Scheme of Assessment if it is not possible to deliver the validated Scheme of Assessments for reasons of force majeure. The form should be completed and returned to the Director of Quality and Partnerships for consideration and approval by the panel of Senate constituted for this purpose.

Please submit one form per module.

Please submit all forms related to a year of study at the same time to enable the approving panel to consider the totality of the proposed changes. If further changes are planned to modules but not yet confirmed, please provide details here:

Programme Code(s):	
Programme Name(s):	
Module Code:	
Module Name:	
SITS MAP Code:	
Approved Assessment (assessment type and weighting):	
Proposed change:	
Comment on relationship of the proposed assessment to the intended learning outcomes (if helpful, please provide the learning outcomes e.g. in the module descriptor):	
Timing: will the proposed assessment be delivered at a different time? Please provide details Please confirm how bunching has been considered.	
What, if any, changes to the assessment criteria will need to be developed for any new assessments? If helpful, please provide the current and new assessment criteria.	
How have issues of fairness (e.g. in relation to reasonable adjustments and accessibility to IT) been considered?	
If the programme is approved by a professional, regulatory or statutory body, do any proposed changes require PSRB approval?	
What are the arrangements for <i>notifying</i> students about the proposed assessment and <i>preparing</i> students to undertake the changed assessment?	
How will students receive feedback on their performance in the assessment?	

