The Assessment of Students

A3.3 Regulations on External Examiners

External examining arrangements for undergraduate and taught postgraduate programmes at Oxford Brookes University

1. Introduction

1.1. Universities and other institutions with degree awarding powers are responsible for the quality of their programmes of study and for the standards of the awards to which they lead. The external examining system at Oxford Brookes University is regarded as a key element of the University’s arrangements for setting, maintaining and assuring academic standards, which include the programme approval, annual review and periodic review processes, and the University’s assessment policies and regulations.

1.2. This policy provides guidance for staff on:

- the nomination and appointment of external examiners;
- the role of the external examiner;
- the external examiner’s annual report;
- the consideration of external examiners’ reports and responses to recommendations made by external examiners;
- the relationship between external examining arrangements and other quality management processes at Oxford Brookes University.

2. Principles

2.1. External examiners provide evidence about how the University sets and assures the academic and professional standards of its awards, through their direct observation of student performance (assessed work) and assessment practices. On the basis of this, they may also make inferences about the quality of teaching and learning resources but they rarely directly observe these.

2.2. A confidence judgement in QAA institutional audit is crucially dependent on an institution’s “strong and scrupulous use of independent external examiners in summative assessment practices”. According to the QAA Code of Practice (section 4), the main purposes of external examining are:

- to verify that academic standards are appropriate for award/s or parts of awards which the examiner has been appointed to examine;
- to help institutions to assure and maintain academic standards across their higher education awards;
• to help institutions ensure that their assessment processes are sound, fairly conducted and in line with the institution’s policies and regulations.

2.3. The quality of the evidence produced by external examiners is dependent on their ‘externality’, i.e. their independence and their expertise. External examiners should be ‘independent witnesses’, who are not compromised by prior association with the programme team, or by any reciprocal arrangement that exists between the Oxford Brookes subject team and that of the external examiner. They should also be ‘expert witnesses’, whose authority is derived from their knowledge of the discipline they are examining and their experience of assessment. The appointment criteria for external examiners at Oxford Brookes are therefore designed to ensure that nominees are able to exercise impartial, independent and expert judgement.

2.4. The first precept of the QAA Code of Practice, Section 4: External examining (2004), which underpins the Oxford Brookes approach to external examining, states that an institution should ask its external examiners, in their expert judgement, to report on:

a. whether the academic standards set for its awards, or part thereof, are appropriate;
b. the extent to which its assessment processes are rigorous, ensure equity of treatment for students and have been conducted within institutional regulations and guidance;
c. the standards of student performance in the programmes or parts of programmes which they have been appointed to examine;
d. where appropriate, the comparability of the standards and student achievements with those in some other higher education institutions;
e. good practice they have identified.

2.5. The template for external examiners’ reports at Oxford Brookes has therefore been designed to ensure that these points are addressed. External examiners’ reports are an important source of direct evidence on the academic standards of awards and of indirect evidence on the quality of the University’s programmes of study leading to its awards. These reports inform the annual reports at programme and Faculty level, and provide evidence, together with responses from programme teams, which is considered by periodic review panels and panels convened to consider major modifications to provision. In line with the requirements of the phase 2 outcomes of the review of the quality assurance framework (HEFCE 06/45), all external examiners’ reports are also made available to students through the Personal Information Portal.

2.6. An annual report on the institutional issues raised in external examiners’ reports is prepared by the Head of the Academic Policy & Quality Office for consideration by the University’s Academic Enhancement & Standards Committee.

3. Nomination and Appointment of External Examiners
3.1. The responsibility for nominating potential external examiners lies with the programme leader. The nomination form is available from the APQO, and liaison Quality Assurance Officers can provide advice on the suitability of potential nominees prior to completion of the form. The Faculty AESC is responsible for ensuring that nominations meet the University’s criteria, prior to submission of documentation to the APQO (through the Faculty’s liaison QAO), for approval by the Chair of AESC. The Faculty is also responsible for verifying a nominee’s right to work in the UK prior to confirmation of appointment.

3.2. Oxford Brookes’ criteria for appointment are designed to ensure that external examiners are able to exercise an impartial, independent and expert judgement on the academic standard of the University’s awards. Facultys should therefore take into account the following points in the consideration of external examiner nominations (PSRB requirements may also need to be taken into account):

- **Seniority**: external examiners must demonstrate appropriate levels of experience within the discipline, including academic or professional qualifications. Nominees from outside the HE sector must be appointed as part of a team of external examiners, since they are expected to be able to comment on academic standards in the context of the FHEQ, subject benchmark statements, etc.

- **Experience**: external examiners must demonstrate experience of teaching and internal examining in the area of expertise and at the level for which they are being appointed. Examiners with limited experience should be appointed as part of a team, but external examiners for collaborative programmes and professional doctorates should always be experienced examiners. Nominees do not need to have previous external examining experience, as lack of experience will be balanced against the composition of the rest of the external examining team; but the proposing team should provide additional information to support nominations for examiners with limited or no external examining experience.

- **Workload**: external examiners should not be appointed if they hold two or more current examinerships, and such nominations should not be approved by the Faculty AESC. As a rough guide to the number of external examiners needed to cover a programme, or suite of programmes, the maximum number of FTEs per examiner should be around 60-70 for undergraduate and 50-60 for postgraduate programmes. If a team of external examiners is large, a chief external examiner may be appointed. The chief external examiner must have sufficient expertise to be able to make a judgement of the standards achieved across the programme as a whole.
• **Reciprocity:** no member of the proposing academic department should be (or have been within the last 5 years) an external examiner in the same institution as the nominee. The Faculty AESC should not approve such nominations.

• **Previous involvement with the programme:** nominees should not have been involved in the delivery of the programme at Oxford Brookes (as lecturer, adviser or consultant), nor should they have been an external adviser through the programme approval process. The Faculty AESC should not approve such nominations. If a nominee has been a member of the programme approval panel, they may be appointed as external examiner but it would not be possible to extend their appointment beyond the standard four year term (see 3.3 below).

• **Former members of staff:** a nominee who has been a member of staff at Oxford Brookes University or one of its partner institutions within the previous five years is not eligible for appointment as an external examiner, and such nominations should not be approved by the Faculty AESC.

• **Colleagues:** the external examining team must not contain two external examiners who are or who were recently colleagues, nor should they be appointed to take over from each other.

• **Relationships:** nominees should not have, or have had in the previous 5 years, a close association with any staff or students on the programme, or with members of the Oxford Brookes Board of Governors.

• **Right to work in the UK:** to meet UK Border Agency requirements on preventing illegal working, nomination forms must be accompanied by a photocopy of the nominee’s passport page showing their photograph and passport number, and of any documentation proving their right to live/work in the UK if they are not holders of a UK or EU passport. Any subsequent appointment will be made conditional upon the Faculty having sight of the original document/s.

3.3. External examiner nominees who meet the stated criteria are appointed for a period of four years, after which they cannot be re-appointed until a period of five years has elapsed. An extension to an examiner’s period of office will only be granted in exceptional circumstances, for example, if the programme is due to terminate within the next year, or if an extension is required to enable them to assess four successive cohorts of students. Such extensions will never be granted for longer than one year. Applications for extension either to the period of office or to an external examiner’s duties must be completed on the relevant forms available from the APQO. Advice should be sought from the APQO (via the liaison QAO) on the eligibility of an examiner for an extension.
3.4. The Faculty AESC is responsible for monitoring external examining arrangements within the Faculty and for ensuring that appropriate external examiners are appointed for all provision in good time to enable them to carry out their duties effectively. External examiners may be nominated for new programmes at the point of approval, and this will be recorded in the approval event report, but nominations must still follow the normal approval process (see 3.1 above).

3.5. Once the Chair of AESC has approved the nomination, the APQO sends out a letter of appointment (copied to the programme leader identified on the nomination form) with an acceptance form which must be signed and returned by the external examiner. They will then be provided with a staff number and password so they can access PIP.

3.6. Once approved, the Faculty will arrange to provide the external examiner with appropriate briefing and induction materials, including relevant programme and module information, marking schemes, examination committee dates and a copy of the previous external examiner’s report. From 2011, the APQO will coordinate an annual external examiners’ briefing day to ensure that examiners are fully aware of University policies and codes of conduct which affect their role within the context of Oxford Brookes.

3.7. External examiners may resign from their post for a number of reasons. The University reserves the right to terminate an examiner’s contract where the examiner is unable or unwilling to fulfil their duties to a satisfactory level, including the non-submission of an annual report within the specified timescale or failure to attend examination committees without good reason.

The nomination form can be found here: http://www.brookes.ac.uk/asa/apqu/forms.html!

4. Role of the External Examiner

4.1. The external examiner’s principal role is to provide a judgement on the rigour of the University’s processes for maintaining academic standards, and on the comparability of the standards achieved by students on Oxford Brookes awards with those on similar programmes in other UK higher education institutions. The external examiner may also provide advice on other aspects of the provision, such as course content or teaching and learning strategies.

4.2. The primary formal roles of external examiners are to:

- Assure academic rigour and equity of treatment in assessment which contributes to final awards;
- Monitor and provide assurance that the agreed assessment process has taken place, in accordance with the approved regulations governing the
programme, and see evidence that the requisite internal moderation procedures have been complied with;

- Monitor and provide assurance that students have fulfilled the stated programme learning outcomes in their submission for conferment of the award;
- Approve proposed examination papers and draft coursework assessment briefs which count towards final awards, to ensure that students will be assessed fairly in relation to approved syllabuses and regulations, and in such a way that external examiners will be able to judge whether they have fulfilled the objectives of the programme and reached the required standard;
- See and agree samples of work from all students proposed for both the highest category of the award and for failure, and samples of the work of other students in order to satisfy themselves that each student is fairly classified;
- Provide advisory comments on the standard of marking for the internal examiners to act upon during the following year.

4.3. Approval of draft examination papers and other assessment material

4.3.1. The form of assessment for each module or programme component is specified in the definitive programme documentation as agreed through the programme approval process and modified from time to time with the approval of AESC. Drafts of final examination papers and other assessment material that counts towards the final award must be sent to external examiners for their approval.

4.4. Moderation of assessed work

4.4.1. External examiners moderate (but do not mark) all assessed work that counts towards the final award. Normally, unless the number of assessment items is sufficiently small for all to be scrutinised, subject or programme teams will reach an agreement with external examiners on the sample of assessed work to be submitted for moderation. This should include representative samples of each grade or class of degree, borderline cases, cases of failure, etc. External examiners should be sent copies of the relevant grading schemes and assessment criteria together with a record of marks for each assessment item. Any significant differences between first and second markers should have been resolved through the internal moderation process before submission to the external examiner, who is not authorised to make changes to individual marks. However, in exceptional circumstances only, external examiners may also:

- act as arbitrator on borderline cases;
- comment on the marking standards of internal examiners and recommend changes to marks, taking due account of the effect of any changes on the rest of the cohort.

4.5. Attendance at examination committees
4.5.1. At least one external examiner for the provision under consideration must be present at every examination committee at which decisions on recommending awards are made (including SECs), either in person or via telephone/video-conference link. An examination committee which does not include an approved external examiner is not authorised to recommend the conferment of awards. Failure to attend such meetings without good reason will be seen as a breach of contract for which the University has the right to terminate the examiner’s appointment. Within the Undergraduate Modular Programme, a Chief Examiner (see 4.11 below) must always be present at the MEC which agrees awards. At the examination committee meeting the external examiner is an equal member of the committee, and the responsibility for confirming marks and awards rests with the examination committee as a whole. Where a dispute between internal and external examiners cannot be resolved the matter should be referred to the Chair of Academic Board or their nominee.

4.6. Involvement in oral and viva voce examinations

4.6.1. Where an oral examination is compulsory for all students, this will be stated in the approved assessment strategy for a programme or module. In exceptional circumstances, where other forms of assessment have been exhausted and assessment evidence remains inconclusive, a candidate may be required to attend a viva voce examination.

4.7. Meeting students

4.7.1. This is not a requirement of the external examiner’s role, but they may, by arrangement with the Faculty, meet students in order to assist them to judge the overall quality and standards of the programme/s. These meetings should be conducted in accordance with the definition of the external examiner’s role.

4.7.2. The secondary roles of external examiners are to:

- Be consulted about and agree to any proposed changes in the approved progression and assessment requirements which will directly affect students currently on the programme;
- Comment and give advice on the content and structure of the curriculum, assessment practices, and on teaching and learning strategies on the programme;

4.8. Involvement in modification of provision

4.8.1. External examiners will also be consulted on changes to programmes where these lead to alterations to learning outcomes and assessment. The external examiner may be requested to act on occasion as a ‘critical friend’ giving advice on curriculum development to ensure the maintenance of quality and standards in new and revised programmes. The external examiner must be informed of major
changes to programme(s) and may be consulted in advance about proposed changes, particularly where they affect programme titles, learning outcomes, assessment criteria or the assessment process.

4.9. External examiners’ powers may extend to:

- Obtaining reasonable access to any assessed parts of the programme/s offered by the University - it will be normal practice for the external examiner to review scripts and other assessed work for the whole academic year at the time of the final exam committee meeting at the end of the academic year. However, the external examiner may agree with the Pro Vice-Chancellor/Dean of Faculty to receive assessed work at other appropriate times throughout the year.
- Commenting on work other than that submitted towards final awards.
- Requesting additional sampling of students' work where an equity issue is highlighted by the normal external examining procedures;
- Participating in the selection of candidates for individual interview;
- Participating in decisions relating to cases of suspected or proven academic misconduct by students.

4.10. UMP Chief External Examiner

4.10.1. The appointment of Chief External Examiner to the Undergraduate Modular Programme carries the following particular duties and responsibilities:

- to ensure fair and consistent application of assessment processes across all programmes within the UMP;
- to confirm awards at the Modular Examination Committee;
- to act as a ‘critical friend’ in developing guidelines and regulations for the Undergraduate Modular Programme.

5. External Examiners Reports

5.1. As the annual reports are key documents in assuring the academic standards of the University’s awards, it is essential that external examiners’ reports are comprehensive and that they cite the evidence upon which their judgements and comments are based. If, in the judgement of the University, a report is inadequate the external examiner may be asked by the APQO to resubmit it. Failure to submit reports in a timely fashion, or to provide them to an adequate standard in the required format (available from the APQO web pages http://www.brookes.ac.uk/asa/apqu/externalexaminers/home.html!), will be regarded as grounds upon which to terminate an external examiner’s contract.

5.2. An external examiner has the right to report directly to the Vice Chancellor on matters which they consider to pose a serious risk to the academic standards of an Oxford Brookes award.

5.3. Processing of external examiners’ reports
5.3.1. Annual reports for home provision are submitted by external examiners through PIP, while reports covering collaborative provision are submitted by email on an electronic template to the APQO External Examiners Administrator. Receipt will be acknowledged by the Academic Policy and Quality Office, who will then make arrangements for payment of the examiner’s fee. The APQO will also identify late reports and send out reminders to external examiners.

5.3.2. Once received, the report is reviewed by the APQO (normally the liaison Quality Assurance Officer for the relevant Faculty) in order to ensure that no student or staff names are mentioned, and then published to enable access by the programme team, Faculty Quality Contact, Pro Vice-Chancellor/Dean of Faculty, and students on the programme. For collaborative provision, the Faculty is responsible for ensuring that reports are copied to the appropriate liaison manager and the programme leader at the partner organisation.

5.3.3. Initial responses to acknowledge comments in external examiners’ reports must be prepared by the subject or programme leader, liaising as necessary with Pro Vice-Chancellor/Deans and Directorates to incorporate responses to any Faculty or institutional issues that have been raised. These responses should be approved by the Pro Vice-Chancellor/Dean or Faculty AESC Chair and sent out to the external examiner within six weeks of the report, copied to the APQO through the liaison QAO. A fuller response, including details of action that is being taken to address any issues raised, in the form of the relevant section/s of the annual programme review report/s (see 5.6 below) should be sent to the examiner once the annual review has been approved by the Faculty AESC or its appropriate sub-group.

5.3.4. The report will also form part of the evidence considered during the annual review process at both programme and Faculty level. Any issues identified for action by the external examiner should be included in the annual review action plan at the appropriate level. An annual summary of institutional issues, identified good practice and areas of concern (that are serious or common across a number of reports) is prepared by APQO for AESC. External examiners’ reports, together with responses from programme teams, also provide direct evidence on the quality and standards of provision which is considered by periodic review panels and panels convened to consider major modifications to provision.

5.4. Freedom of Information

5.4.1. The University does not place the full reports received from external examiners in the public domain, but under the Freedom of Information Act it may be asked to release them on request. The information released in response to requests for the personal details of external
examiners will be limited to name, job title and the name and address of the examiner’s employer as this concerns an examiner’s professional and working life and such information is considered to be already in the public domain. If an examiner is retired, they will be described as ‘independent’.

6. Players

6.1. Academic Policy & Quality Office
   6.1.1. The APQO is responsible for maintaining an overview of the University’s external examining arrangements. The Office maintains a database of all external examiners across the University and provides Faculties with regular updates on the status of external examiners for their provision. Information relating to external examiner arrangements is maintained on the APQO website.

   6.1.2. The APQO is responsible for receiving external examiner nominations following consideration by the relevant Faculty AESC, and submitting them to the Chair of AESC for approval.

   6.1.3. The APQO receives external examiners’ reports and processes the payment of fees and expenses. The APQO is also responsible for analysing reports for the production of an annual report to AESC on institutional issues and good practice identified by external examiners across the University.

6.2. Pro Vice-Chancellor/Deans of Faculty, Faculty Quality Contacts, Programme/Subject teams
   6.2.1. It is the responsibility of academic teams to nominate external examiners for their provision, ensuring nominees meet the University’s criteria for appointment and providing additional information to support nominations where necessary.

   6.2.2. Academic teams are responsible for providing external examiners with sufficient evidence to enable them to make their judgements. They should send, on an annual basis, information about the programme, including the aims, intended learning outcomes, curriculum content, teaching, learning and assessment strategies, and assessment modes and weighting (these details will be held in programme and module handbooks). They should also provide information about the regulations that apply to the programme and the assessment processes, including dates of examination committees.

   6.2.3. Academic teams are also responsible for agreeing the sample size for moderation by the external examiner, and for sending scripts, marksheets, and documentation relating to the marking and internal moderation process in good time to enable the external examiner to carry out their duties effectively.
6.2.4. Academic teams are also responsible for preparing timely responses to comments made by external examiners in their annual reports, and for putting in place action to address any shortcomings or to build on good practice identified.

6.3. Faculty Academic Enhancement & Standards Committees

6.3.1. The Faculty AESCs are responsible for considering nominations for external examiners, ensuring that the University’s criteria for appointment are upheld and that nominations are rigorously and consistently assessed. The committees should also monitor nominations to ensure that University guidelines on equality and diversity are adhered to. The Faculty AESCs make recommendations for approval to the University AESC, via the APQO.

6.3.2. The Faculty AESCs are also responsible for ensuring that timely responses are made to external examiners’ comments in their reports, and for monitoring action taken by programme teams to address any issues identified.

6.4. University Academic Enhancement & Standards Committee

6.4.1. The Chair of AESC is responsible for conferring final approval on external examiner nominations submitted by Faculty AESCs, on the advice of the APQO. The Chair’s decisions are reported to the Committee for ratification.

6.4.2. The University AESC is responsible for monitoring institutional themes arising from external examiners’ reports, and for ensuring that appropriate action is taken at institutional level to address any issues and/or to disseminate good practice.

6.5. Programme approval panels

6.5.1. External examiner nominations may be submitted with the proposal documentation for new provision, in which case this should be reported through the programme approval event report. The nominations are still required to follow the normal approval process (submission via the APQO for formal approval by the Chair of AESC), and it is therefore expected that all nominations would have undergone Faculty AESC consideration against the University’s criteria for appointment in advance of the programme approval event.

6.6. Examination Committees

6.6.1. The academic regulations relating to the operation of examination committees can be found in section A3.2 (assessment regulations) at:
6.6.2. Guidance on the conduct and membership of examination committees can also be found in Section 6 (Assessment of students) of the QAA Code of Practice, at: http://www.qaa.ac.uk/academicinfrastructure/codeOfPractice/default.asp (also accessible via the Academic Infrastructure link on the APQO web pages).

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Head of Academic Policy & Quality Office
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Academic Enhancement & Standards Committee
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