4   External Examiners

4.1   Introduction

External Examiners (EE's) are central to the University's quality assurance and enhancement procedures. Their role is to act as independent moderators, consider student attainment overall with impartiality, and, are the principal means for the maintenance of nationally comparable standards. The impartiality of EEs is paramount to ensuring equity for students and ensuring the fair application of University Regulations, and this is confirmed by their annual reports.

EEs confirm the integrity and rigour of assessment practices. EEs also comment on good practice, and make recommendations for enhancement.

The QAA UK Quality Code for HE Advice and Guidance section on External Expertise identifies guiding principles for an external examining process to: use external experts to provide impartial and independent scrutiny; have impartial and informative comment on academic standards, student achievement and assessment processes; have effective nomination processes for EEs; ensure roles and responsibilities are clearly set out for EEs, staff and other stakeholders, and appropriate training is provided; and, have effective mechanisms to be able to respond appropriately to EEs.

All taught programmes will have an EE allocated to them; this includes in-house, campus, collaborative partner provision and applies to all FHEQ Levels. An external examiner may also be required to consider new proposals for Accreditation from client organisations and scrutinise assessment samples from the accreditation client where the learning is academic level 5 and above to confirm pass lists. Any CPD, Continuing Education or short course validated as a new standalone credit bearing module, must have External Examiner oversight within its first cycle.

The EE role and responsibilities is set out in full in the University Regulations for UG and PG provision.

The External Examiner Team based within the Academic Quality Service (AQS) has overall responsibility and oversight of the external examining process.

4.2   Responsibilities

4.2.1   External Examiner Team – Academic Quality Service (AQS)

The Quality Manager (Externality) / External Examiner Team (EE Team) within AQS is responsible for:

- The appointment and approval of EEs for all taught provision ensuring the nomination criteria are met.
- Ensuring Right to Work checks are completed.
- The online External Examiner Generic Induction training.
- Payment of EE fees and expenses.
- Circulation of annual report templates each academic year
- Reporting process – logging and circulation of EE annual reports and receipt of responses to the reports.

EEs are formally appointed on behalf of the University by the Director of AQS who has delegated responsibility to the Quality Manager (Externality). The Quality Manager

(Externality) reserves the right to reject nominations; in the case of a rejected nomination the Faculty will be notified of the reasons for rejection.

The Quality Manager (Externality) reviews all EE reports and recommendations in order to provide an annual overview report on the EE process to Assurance Committee. This reports

on the EE activity for the previous academic year and recommends changes to the process for the Committee to agree. EE comments referring to university professional services will be forwarded to the relevant service as appropriate.

4.2.2 Faculty

The Faculty is responsible for:

- Ensuring that there is an EE in place for all programmes, including campus and franchise provision.
- Completing the External Examiner nomination form for taught provision, taking into consideration the Criteria for appointment of External Examiners, and getting appropriate approval prior to submission to the EE Team in AQS.
- Providing the EE with a **programme specific induction** to ensure that the EE is fully briefed about the programme and modules they are responsible for.
- Ensuring that the EE is provided with the relevant contact details for programme staff and deadlines the EE needs to work to.
- Ensuring a formal response is made to the EE directly in response to their annual report.
- If a campus or franchise / joint partner institution is involved in the delivery of a programme, reports, including recommendations and responses, are to be discussed with the relevant campus/ partner programme team.
- Hold a discussion with their EE(s) at a meeting nominally called an Assessment Conversation for Equity and Enhancement (ACEE) (discussed below) held between June and September). Subjects/Programme may wish to have a further discussion(s) with EE during academic year and this should be agreed at the ACEE.

4.2.3 Validated/Joint Collaborative Partners

The Quality Contact/Institution Link Tutor at the Collaborative Partner is responsible for:

- Ensuring that there is an EE in place for all modules/programmes.
- Completing the nomination form taking into consideration the criteria for appointment of External Examiners
- Returning the nomination form with the signature from the Head of Collaborative Institution to the University Link Tutor for initial approval, copying in the EE inbox.

The University Link Tutor is to forward the completed nomination form with their signature to the relevant Academic Dean/Deputy Dean or Authorised nominee for final approval. The final approved form should be forwarded to the EE mailbox for processing.

- The EE for the collaborative partner is responsible for submitting their EE report (and expenses) to the AQS EE mailbox, **not directly to the partner**.
- The EE reports will be formally circulated by the EE Team to the Partner.
- The Collaborative Partner Institution Link Tutor is to formally respond to EE reports directly to the EE copying in the EE mailbox on the response.

4.2.4 External Examiner Role

The full responsibilities of Programme Assessment Boards are outlined in the University Regulations. Please refer to Section D of the University's Regulations.

EEs employed by the University are expected to undertake all the contractual duties and responsibilities required of them to the best of their abilities. EEs are expected to:

- See any assessment material relating to the modules concerned in a reasonable time in advance of the Programme Assessment Board meetings, as agreed at the ACEE meeting.
- EEs are expected to review and make comments on draft examination papers, as agreed at the ACEE meeting.
- Discuss and agree with the Deputy Dean, Head of Department, Director of Programmes, Programme Leader, the appropriate Assessment Tutor and (in the case of a collaborative Programme) the Link Tutor arrangements, as appropriate via the ACEE meeting, for:

  - Sample coursework and examination scripts and/or attending, as appropriate, exhibitions, shows, performances or similar assessed activities.
  - Attending viva-voce examination of students (if required or as advised by the Director of Programme)
  - Visiting the University to see students undertaking project work or to participate in project/dissertation presentations.

- Agree with the Faculty arrangements to receive and view dissertations and similar assessed work before the Assessment Board.
- Receive notification of Assessment Board dates from the Assessment Officers.
- Receive confirmation of any accommodation at least one week in advance, if applicable.
- Receive the agenda and supporting papers at least one week before the date of the Assessment Board. Detailed student profiles are received at the Assessment Board meeting or directly before.
- Be asked to agree Assessment Board Chair's Action or arrangements for their involvement in the reassessment of students, if any, including the necessity or otherwise to attend Assessment Boards called primarily to consider reassessment results.
- Receive copies of minutes of Assessment Boards.
- Respect the confidentiality of Assessment Board meetings and materials which they assess - in particular, of projects and dissertation work, details of which shall not be disclosed to any third party without prior permission.

An EE is not expected to routinely assess the work of students presenting themselves for assessment.

EE's appointed to a Programme Assessment Board are not expected to routinely assess or comment on the work of individual students presenting themselves for qualifications, or empowered to approve claims for RPL.

As full members of Programme Assessment Boards, EE's exercise all the rights adhering to such membership, including the right to refuse to ratify the relevant Confirmation Form. The Chairs of Assessment Boards must report every case in which the ratification of an EE does not appear on an attendance list to the Academic Registrar, Director of AQS and AQS Quality Manager (Externality). The Chairs of Assessment Boards must, complete a form specified for this purpose, indicating the reason why the EE declined to ratify the attendance list, and identify the student(s) whose disputed assessment outcome resulted in such refusal.

4.3 Appointment of External Examiners

An EE is required for all in-house, campus, partner provision at all FHEQ Levels. Franchised and Campus provision will use the same EEs as the programmes delivered at Hendon. EEs appointed for Validated collaborative partners cannot also be an EE for in-house, campus or franchise provision.

The nomination criteria for the appointment of EEs (Guidance 4i) includes academic/ professional qualifications, appropriate standing, expertise and experience to maintain comparability of standards, recent external examining or comparable related experience to indicate competence in assessing students in the Subject area.

EEs are normally appointed for four annual assessment cycles (usually four years). All EEs will be aligned to a programme, or programmes, the number of programmes will be determined by volume of modules and specialist knowledge required. There are no expectations to review all modules from the programme each year. Modules reviewed will be determined at the ACEE meeting at the start of the year and will focus on those counting towards classification, as well as being informed by continuation and achievement data.

Exceptional extensions of appointments may be requested for a maximum of one year. In cases where programmes are ending, or in cases where collaborative partnerships are phasing out, extensions may be granted so the EE is able to see out the programme(s) and maintain quality of provision for the remaining students. Where an EE extension is required, a rationale should be submitted in advance to the AQS Quality Manager (Externality) for approval.

If the EE has no previous/ recent external examining experience at the appropriate level, the nomination should be supported by evidence of:

- Other types of 'externality' (e.g. as a PSRB auditor/ accreditor).
- Significant experience of internal moderation or verification of assessment within their home institution. If there is no evidence of this, a 'shadow year' or a mentoring arrangement may be required where the EE would work alongside an experienced currently-appointed external, perhaps on a related programme.

The EE will also be asked to enrol on the Advance HE Professional Development Course for External Examiners. See Guidance 4v Roles and responsibilities of a Shadowing External Examiner for further information.

For collaborative partners, where an EE is not identified and appointed in a timely fashion, the appropriate University Faculty or Department will intervene and nominate an EE on behalf of the partner institution. This process will be instigated no later than 12 weeks before the annual final assessment board.

For some Collaborative partners, with multiple programmes and/or delivery sites, the university will require a Chief External Examiner (CEE) to be appointed (see also Guidance 4iv). A CEE may also be appointed where a partner institution nominates an EE who does not fully meet the criteria set out in Guidance 4(i). The CEE is appointed to deal with instances such as;

- lack of UK HEI experience, and
- lack of necessary language skills where tuition and/or assessment is not in English.

4.3.1   Nomination form

Prior to completion of the nomination form, a potential EE should be approached informally by the Head of Department or Director of Programmes (or nominee) to initially ascertain their interest in being appointed. The details of the programme and role of the EE should be clearly explained. For validated provision the Collaborative partner will be responsible for sourcing and approaching a potential EE. Franchise partner provision will be allocated the same EE as for the in-house provision and nomination will follow the same process as the in-house provision.

The Head of Department/ Director of Programmes/ Collaborative partner is to complete the nomination form and send the signed form to the EE mailbox once the relevant Faculty signatures have been received from the Dean/ Deputy Dean/ Head of School / or authorised nominee where applicable. For validated partners a signature from the Head of Institution will be required.

The Quality Manager (Externality) will review nominations for appointments against the nomination criteria for the appointment of EEs to ensure they have been met and to ensure there are no conflicts arising from reciprocal arrangements.

Faculties are responsible for informing AQS of any external examining appointments held by Middlesex staff members in order that AQS can maintain reciprocity records. AQS will request an update on an annual basis to ensure all records are up to date.

Upon confirmation of the nomination form, the Quality Manager (Externality) will issue an appointment/extension letter detailing the tenure. The EE is required to confirm their acceptance by returning their acceptance form. Once the acceptance form has been returned a right to work check will be arranged (see below 4.3.2).

4.3.2   Right to Work compliance

EE appointments must comply with UK Visas and Immigration regulations and requirements that confirms the EEs permission to work in the UK. AQS will complete Right to Work (RtW) checks for EEs using the approved Human Resource Service Process. EEs cannot commence any work until the RtW check has been completed. The Quality Manager (Externality) will ensure an EE's Right to Work check has been completed.

4.3.3   Induction Training

EEs are required to undertake the generic online induction training provided by AQS. The induction covers the procedures and expectations of the University, the Academic Regulations and Board processes, and the Virtual Learning Environment. The programme team is responsible for providing the programme level induction (see below 4.3.4).

4.3.4   Programme Specific Induction

Within four weeks of acceptance and completion of the RtW check, the EE should be contacted by the relevant Faculty member (usually Programme Leader or Director of Programmes) to arrange a briefing programme.

AQS recommend the programme briefing incorporate:

- Programme specific information including modules identifying any DE modules and apprenticeship pathways;

- Meetings with the Head of Department, Director of Programmes, Programme Leader, relevant Assessment Tutor, Link Tutors (if appropriate to the Programme) and members of the teaching team;
- The University's 20-point marking scale, and the programme/module generic assessment criteria and Assessment Board structure;
- Information on local conventions relating to group projects, placements and viva voce examinations;
- Information on any relevant context for Campus and Franchised programmes for which the EE is responsible;
- Information on processes such as RPL/APL;
- Tours of any specialist facilities (laboratories, workshops, etc.);
- Validation/Review history of the programme;
- How to access recent EE reports and minutes of programme assessment boards;
- Structure of the EE annual report and how it is used by the institution;
- Contact protocols and details for key staff;
- PSRB or practice requirements;
- Any requirement for attendance or involvement at exhibitions, performances; and
- Any opportunity, and need, for the EE to meet and have discussions with students.

Programme Teams are required to provide EEs with the following documentation before the commencement of any duties:

- Relevant programme/module handbooks including the programme specification and module narratives with associated module and programme learning outcomes;
- The subject benchmark statement(s);
- Timing of coursework/ examination assessments and relevant deadlines;
- Types of assessment used;
- Dates of Assessment Boards;
- Other relevant materials which provide background information about the University, Faculty or Subject.

4.4   Assessment Conversation for Equity and Enhancement (ACEE)

To support Programme Teams with the enhancement of their assessments and the related strategy they should have an ongoing dialogue with their EEs. This dialogue will be supported by having an Assessment Conversation for Equity and Enhancement (ACEE) meeting with them. This will set out the priorities for the year including assessments to be reviewed and student work seen. The core elements are below, with further guidance within (Guidance 4vi Assessment Conversation for Equity and Enhancement (ACEE):

1. Programmes Team hold a discussion with their EE(s) at a meeting between June and September, preceding the start of the academic year for students. This can be supplemented with further discussions through the year if required.
2. Confirm the Body of Evidence (detailed in the Guidance 4vi) to be provided to EE at the ACEE.
3. Send all assessment tasks in a timely manner (for those modules on the programme as agreed with EE at the ACEE) with solutions/criteria, module handbook, proof of internal review, to the EE for external review and comment before the assessment tasks are distributed to students. This will enable the examiners to provide constructive feedback on the assessment or to raise any concerns. The EEs will confirm they have had this opportunity to comment on the agreed list within their end of year examiners report. Programme Teams to ensure EE can *access* all assessment with solutions/criteria, module handbook, proof of internal moderation to

inform enhancement conversations throughout their tenure. This is not for approval but to support ongoing enhancement conversations.

4. Provide sample packs (for those modules on the programme as agreed with EE at the ACEE) to EEs to support external moderation and confirmation of grades.

5. EE attendance is expected at main Programme Assessment boards, and the EE will be offered the opportunity to attend resit boards, but their attendance is not expected.

6. The EE is required to submit a written annual report confirming their overall judgement on student performance, the quality and standard of the programme, and, to confirm the assessment and classification processes are fair, reliable, and transparent. For enhancement, the EE can identify good practice and areas for development.

4.5   External Examiner Annual Reports

All EEs appointed to Programme assessment boards, and collaborative programme assessment boards, are required to submit an annual report to the AQS Quality Manager (Externality) within four weeks of the assessment board (Template 4a). CEEs for collaborative partner programme boards are also required to submit an annual report (Template 4e). All reports must be submitted in English.

It is sufficient for EEs to report once a year after the end of year Programme Assessment Boards, unless otherwise specified by the programme team. If an EE attends a re-sit Assessment Board and subsequently identifies areas of concern they are required to alert AQS immediately by completing an 'Additional board report template' (Template 4d).

The report template has sections for the EE to provide assurance that academic standards and student achievement are met at appropriate standards, and, are equivalent to those at other UK HE institutions with which the EE is familiar. The EE should also confirm whether they received the required support to fulfil the role, including adequate time to consider samples of work, and contribute to assessment boards.

EE reports form part of the quality monitoring processes of programmes. Reports are scrutinised at Faculty/departmental level. Any action taken in response to a report goes forward as an agenda item to the subsequent Programme Assessment Board meeting. Reports and responses should be included as an agenda item at the relevant Programme Voice Group meetings.

AQS send all External Examiners (EEs) the annual report template prior to the main assessment board (usually May) every year, informing them that they are required to submit their report within four weeks of their final assessment board. Where reports remain outstanding, the following process is followed:

Weeks outstanding	Action	Who by
4-5 weeks after final assessment board	Reminder email sent	Externality team, AQS
8 weeks after final assessment board	Formal request made via email	Externality team, AQS
10 weeks after final assessment board	Responsibility for chasing the report is passed over to the relevant Faculty/Collaborative Partner Institution	Externality team hands over to relevant Department/Programme team/Collaborative Partner
12 weeks after final assessment board	Permission sought to terminate contract	Externality team, AQS, seeks permission from Director of AQS

See below section 4.8 for further detail on the circumstances where a contract may be terminated.

EEs who submit an inadequate report are asked to resubmit their report following the guidelines in the University's Report Template. Payment of fees is withheld until a satisfactory report is received.

Upon receipt of the report, AQS circulates the report to Faculties, collaborative partners as necessary, and relevant University Professional Services. Where appropriate, the CEE will also receive the report. Faculties, and collaborative partners, are required to write a response directly to the EE (copying the EE Mailbox ExternalExaminer@mdx.ac.uk), within four weeks of formal circulation of the report. If applicable, programme teams must discuss the EE report and responses, with franchised and campus provision.

EEs will receive confirmation from the EE team that their report has been received and a formal response to their report, addressing any comments/ recommendations and issues they have raised, will be received within four weeks.

4.6 Faculty/Departmental Compliance with the Procedures

If an EE feels that, despite reasonable requests and having exhausted all published applicable internal procedures, that the relevant Faculty/department is failing to comply with the quality monitoring processes and there are systematic failings with the academic standards of a programme(s) the EE is able to refer their concerns directly to the Vice-Chancellor separately from their normal annual report.

The Vice-Chancellor shall make inquiry into the matters raised, and report back to the EE within eight weeks outlining any actions being taken as a result. Additionally, the Vice Chancellor shall make an annual report to the Assurance Committee of any action necessitated.

Where an EE has referred their concerns to the Vice-Chancellor as above and this has not satisfactorily addressed their concerns they are able to refer their concerns to the relevant external quality body, and inform the relevant PSRB.

4.7 Data Protection, Freedom of Information and Copyright

Information pertaining to the appointment of EEs are maintained in a database owned by AQS. Please contact Quality Manager (Externality) for details of the information held.
To allow reciprocal checks to be undertaken during the Nomination process in accordance with the Criteria for EEs, EE details are held on the database for a period of five years after their appointment has ended.

In compliance with General Data Protection Regulation and the University's Data Protection Policy, the University will use personal data submitted by the EE for the payment of fees and expenses, and for other necessary communication about the EE's contract. Where required for these purposes, this data will be shared with other departments of the University. Staff members must not disclose EEs' personal data, including contact details, to any person or body outside the University without the consent of the EE.

EEs should not distribute or share assessment and information provided by the University or disclose any personal information on the student assessed. Marks, comments and opinions expressed by an EE about individual students during the assessment process may be

disclosed to the student concerned, if the student makes a Subject Access Request under the Data Protection Act.

External Examiners' reports are the property of the University. The University will circulate reports as it sees fit, in accordance with legislative requirements. EEs' reports are public documents, and are seen by students at Programme Voice Group meetings. EE reports should not include any references by name to individual students and/or members of staff.

Under the Freedom of Information Act, the University will provide copies of EEs' reports to third parties who have made a lawful request. Reports will normally retain EEs' names. The University will consider any reasonable request from EEs to anonymise their reports. Such a request should be made in writing and submitted with the report.

4.8   Termination of appointment

If an EE wishes to terminate their appointment before the end of their period of tenure, they must inform the EEs team and programme team. An EE must give at least six months' notice to allow alternative arrangements to be implemented.

EEs who request a break in service, which may include maternity leave, will be considered on an individual basis, and should be discussed with the relevant programme team and AQS. Programme teams will be expected to make arrangements to cover the agreed break in service.

The University reserves the right to terminate the contract for Service of any EE at the discretion of the Director of AQS.

In such cases, AQS will liaise with the relevant programme teams to confirm the termination of the EE, and provide a confirmation of termination to the EE in writing. Examples of circumstances which necessitate an early termination are:

- Inability to fully meet the requirements and responsibilities of the EEs role as set out in section 4.2.4 above and the University Regulations;
- There has been any breach of confidentiality on the part of the EE;
- A change in the EEs personal or professional circumstances which may affect their ability to fulfil the EE role;
- If the performance of the EE is deemed to be in any respect significantly inadequate;
- Unexpected conflict of interest which could affect impartiality of judgement and/or compromise objectivity;
- If the annual report is not submitted as outlined in section 4.5;
- If there is a cease in communication with the University and/or the collaborative partner (if applicable) for longer than three months, which may compromise the fulfilment of the EE procedures.
- When there has been any media activity or social media content published by the EE that has the potential to cause damage to the university's reputation. Middlesex University believes that when taking part in media activity, including social media, the EE should follow the university's code of conduct i.e. when expressing a belief or opinion in a media appearance or through use of social media, where their identity is connected to the university, it should be made clear that it is their personal belief or opinion and not that of Middlesex University.