



BIRMINGHAM CITY
University

EMERGENCY REGULATIONS

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Directorate of Student
and Academic Services

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1. Introduction: scope and purpose

- 1 In an emergency scenario, eg a pandemic, industrial action, natural disaster, civil unrest etc, where assessment is affected the first response of the University will be to seek to ensure that academic standards are upheld and that student academic achievement can be judged fairly, equitably and consistently. As a result, it may be necessary, exceptionally, to vary normal academic protocols.
- 2 Emergencies can apply to individual cohorts – eg if there is an emergency that affects a particular partner institution, a particular country/region in which a partner institution is based or the University's overseas campus. Depending on the nature of the emergency scenario and its impact on learning, teaching and assessment it may be the case that only certain provisions set out in the Emergency Regulations need be applied, rather than all. Any decisions of this nature would be taken by Academic Board on the advice of the Academic Registrar and Pro Vice-Chancellor (Education).
- 3 The overall objective of any variations to normal practice is to ensure that students are not disadvantaged by circumstances beyond their and/or the University's control whilst also ensuring that academic standards and the quality of education are maintained and there is consistency in respect of progression and award decisions.
- 4 The Emergency Regulations do not replace the existing academic regulations and associated policies and procedures. These will continue to apply wherever it is possible and practical to do so. The Emergency Regulations are designed to be applied temporarily to mitigate the effect of an emergency scenario and will apply only for as long as it is necessary to ensure students are not disadvantaged by the emergency.
- 5 In an emergency, in the first instance some delay in normal processes may be necessary. Only if the emergency results in a protracted delay and/or there is limited prospect of resuming normal processes, will the provisions in these Emergency Regulations apply. Decisions on the application of the Emergency Regulations will be taken as set out in Section 2 below.
- 6 It is intended that the Emergency Regulations will work in conjunction with the University's Incident Management Procedure, with a specific focus on ensuring continuity of learning, teaching and assessment during an emergency scenario. They also relate to the University's approach to business continuity as set out in the Business Continuity Policy.

2. Key responsibilities

- 1 **Academic Board:** is responsible for approving the Emergency Regulations and any subsequent amendments. Academic Board, or the Vice-Chancellor on behalf of Academic Board, is responsible for approving the use of the Emergency Regulations and the point at which their use shall cease.
- 2 The **Pro Vice-Chancellor (Education) and Academic Registrar**, will ordinarily recommend to Academic Board that the Emergency Regulations are invoked, the point at which their use will cease and to whom (eg specific cohorts of students / all students) they will apply.
- 3 **Module Assessment Boards (MABs) / Progression and Award Boards (PABs):** It is the collective responsibility of members of all MABs and PABs to safeguard academic standards and also to ensure that students are not disadvantaged by the emergency scenario. The Chair will be responsible for establishing a membership which provides adequate coverage of the subject areas under consideration. In an emergency scenario the normal quoracy requirements will not apply and it is for the Chair to determine whether attendance is sufficient for confidence to be placed on the marks and decisions being confirmed. In exceptional cases, attendance could be limited to the Head of College and/or Deputy/Associate Dean and the Faculty Registrar (or equivalent) in consultation with the External Examiner.
- 4 **Heads of College:** Heads of College are ultimately responsible for the conduct of assessment and the maintenance of academic standards within their College. In an emergency scenario, Heads of College will liaise with staff within their College and with professional services staff (eg Academic Services, Delivery Services, etc) to identify the impact of the emergency on normal assessment protocols. For all instances of modules impacted by the emergency, both at the University and at partners, consideration should include:
 - (i) The appointment and briefing of External Examiners
 - (ii) The setting of assessments
 - (iii) Verification of draft assessments
 - (iv) Marking of assessments and sample moderation
 - (v) The return of marks and feedback to students
 - (vi) The return of marks to College administrative teams and thereby the MAB / PAB
 - (vii) Staff and External Examiner attendance (or participation) at the PAB
- 5 **Associate Deans (TESE):** Associate Deans (TESE) have an expert role in guiding practice across the Faculty, including the application of discretion as noted above. The Associate Dean (TESE) will lead briefings for Heads of College on the application of the Emergency Regulations. Support will be available from the Academic Services Team and the Faculty Quality Assurance Officer. Associate Deans will have oversight of arrangements for MABs / PABs in the Faculty. The Associate Dean will consult the Pro Vice-Chancellor and Executive Dean if a MAB or PAB cannot be convened or if the Board has been unable to make decisions on a significant number of students.

6 Faculty Registrar: Each Faculty has an appointed Faculty Registrar. In liaison with Heads of College and the Associate Dean (TESE), Faculty Registrars will be expected to:

- (i) Ensure that a full record is made of any data or process gaps resulting from the emergency scenario, and of approved adjustments.
- (ii) Submit a report on adjustments to the Faculty Executive, Faculty Learning, Teaching, Assessment and Quality Committee and the University Learning, Teaching, Assessment and Quality Committee at the conclusion of the emergency and as required.
- (iii) Ensure that there is effective communication with students and partner institutions during and after the emergency scenario.

3. Principles

- 1 The key principles that will apply during the operation of the Emergency Regulations are that:
 - (a) Any adjustments to normal assessment regulations, policies and procedures must be carefully considered and protect academic standards.
 - (b) There must be consistency and fairness in the application of these Emergency Regulations to student cohorts.
 - (c) Any adjustments must align and comply with external regulatory requirements and/or guidance where this is specified (eg, Office for Students).
 - (d) All students should be treated equitably, fairly and should not be disadvantaged by the emergency scenario (eg, circumstances beyond their control).
 - (e) As far as practically possible, students should be able to progress and/or graduate without delay.
 - (f) Where courses are accredited by PSRBs and specific requirements apply, these may take precedence over the Emergency Regulations.
 - (g) In applying the Emergency Regulations and the various provisions within them, Learning, Teaching, Assessment and Quality Committee (LTAQC) and Academic Board will consider the nature of the emergency scenario and differing levels of impact (eg, acute vs longer term emergencies) when determining which measures to invoke. They will also determine the point at which the regulations will take effect, to whom they will apply (eg, specific cohorts of students / all students) and the point at which their use will cease.

4. Teaching During an Emergency Scenario

- 1 There may be circumstances in which teaching and learning activity cannot take place as scheduled or must be delivered by alternative means such as online distance learning or via blended learning. The University will endeavour to organise alternative arrangements for students to minimise the impact to their scheduled learning, teaching, and assessment.
- 2 Where teaching is provided by other means, the impact of the change of mode of delivery will be fully considered. The University will seek to offer, as far as is reasonably possible, a comparable experience for students.
- 3 Students will be provided with appropriate access to study materials, taking into account the constraints imposed by the circumstances. The University will assess student needs in collaboration with the Students' Union. This will include, for example, assessing students' ability to engage with core elements of their courses, including placement hours, laboratory or studio work, programming or performances.
- 4 In the case of disabled students with a Disability Support Summary in place and who receive specific support, appropriate adjustments will be made to meet their needs during the emergency scenario. In line with the University's Student Disability and Mental Health Policy, an anticipatory approach will be taken to student support needs.
- 5 While the University is committed to parity of experience for all students, the approaches adopted by individual Colleges may need to differ in accordance with course content and the requirements of PSRBs.

5. Incomplete Module Assessment and Award of Credit

- 1 The Emergency Regulations address situations in which students may be unable to complete module assessment and/or the University is unable to conduct assessment or complete assessment processes including marking and moderation as a result of the emergency scenario. Where assessments have been completed as normal and are unaffected by the situation, standard regulations, policies and procedures will apply. In certain circumstances the University may approve the use of alternative assessment tasks which test achievement of learning outcomes but are more suitable for use during an emergency scenario (eg, permitting alternatives to in-person assessments in an emergency where students are unable to attend campus).

- 2 Where assessment for a module has been partially completed but students have demonstrated achievement of the intended learning outcomes of the module, the module mark may be calculated on the basis of known marks, with the weighting adjusted accordingly. The final module mark will be calculated from the mark(s) of the completed assessment element(s) in the following circumstances:
 - (i) At least 50% of the weighted module assessment has been successfully completed and marks are available to the MAB; and
 - (ii) At least two thirds of the total credits for the relevant level of study have complete module marks (ie 80 credits at each undergraduate level and 120 credits at master's level); and
 - (iii) There is evidence that the course learning outcomes either have been or will be met through successful completion of other modules.
- 3 Where module assessment is incomplete or partially completed but there is insufficient evidence to award a mark for the module, a PAB may award credit on the basis of a 'condoned fail' with no mark awarded. In order to do so, the PAB should give consideration to the achievement of course or level learning outcomes and where this can be assessed based on work completed and marks available up to the time of the emergency scenario. The PAB may also consider other evidence such as performance in formative assessment and engagement in teaching and learning activities. The awarding of credit on the basis of a 'condoned fail' will be subject to the following limitations:
 - (i) A maximum of one third of the total credits for the relevant level of study can be awarded as a "condoned fail" (ie, 40 credits at each undergraduate level and 60 credits at master's level);
 - (ii) Credit cannot be awarded as a condoned fail for the final dissertation or major project either at Level 6 or at master's level.
- 4 Where assessment for a module has not been completed and credit cannot be awarded, students may be given the opportunity to complete the outstanding assessment(s) at the next available assessment period, as determined by the University, or in the following academic year.
- 5 Students who have failed a module(s) following a decision of the MAB/PAB and are therefore required to be reassessed will be permitted to re-sit/resubmit assessment(s) affected by the emergency scenario uncapped (as if for the first time). This will be at the next available assessment opportunity, as determined by the University, and may be in the following academic year

6. Progression

- 1 Where, due to the emergency scenario, affected students do not have complete mark profiles for all modules at the level of study, PABs may permit those students who have accumulated at least two-thirds of the level/stage credits (typically 80 credits at each undergraduate level and 120 credits at master's level) to progress to the next level/stage of study.
- 2 As set out in Section 5, the remaining 40 credits can be awarded on the basis of known marks where module assessment is incomplete, or on the basis of a "condoned fail" where marks are not available but there is other evidence to enable the PAB to award credit and enable a student to progress or be awarded.
- 3 In addition to the measures set out in Section 5 to deal with incomplete module assessment, additional measures to retrieve failed modules include compensation or marginal failure and the ability for students to trail credit into the next level/stage of study. The maximum amount of credit that can be compensated or trailed is as follows:
 - (i) Trailing credit: two modules, up to a maximum total of 40 credits, may be trailed into next level/stage of study for the purposes of re-taking the assessment. Trailing relates to assessment only and does not relate to repeating the module learning and teaching. Trailing cannot go over two academic years.
 - (ii) Compensation: marginal failure in two modules, up to a maximum total of 40 credits may be compensated at each level/stage of study, including at master's level, subject to the standard criteria set out in the Academic Regulations.
- 4 To ensure that students are not inadvertently disadvantaged by the use of partial assessment marks for modules or where credit is awarded on the basis of a condoned fail, the stage average for both progression and award purposes at undergraduate level will be calculated from the best 80 credits. Further detail on the effect of this regulation on final awards and classification outcomes is set out in Section 7.

7. Final Award Decisions and Classification Calculations

- 1 Where, due to the emergency scenario, affected students do not have complete mark profiles for all modules at the final award stage PABs may permit those students who have accumulated at least two-thirds of the level/stage credits (typically 80 credits at each undergraduate level and 120 credits at master's level) to be considered for a final award. The average for the level/stage will therefore be calculated from completed modules only, subject to the minimum credit limits specified above. The average mark will then be used to calculate the final award classification in the normal way, as set out in the standard Academic Regulations.
- 2 As for progression, PABs will discount module results which have been deemed to be a pass (ie condoned fails) for final award decisions and in the calculation of degree classifications. Stage averages during the affected period will be calculated from the best 80 credits at undergraduate level.

8. Extenuating Circumstances

- 1 During the period of operation of the Emergency Regulations, the University's Extenuating Circumstances (EC) Procedure may be set aside, either in full or in part, or amended to account for the type and severity of the emergency scenario. This may include adjustments such as a relaxation of medical evidence requirements in a pandemic scenario, for example. Decisions on the use of, or variations to, the EC Procedure during the emergency period will be made prior to the Emergency Regulations being invoked.

Extensions (assessment submission)

- 2 Depending on the nature and duration of the emergency scenario additional flexibility may be required to enable extensions to be granted more quickly and at a local level, rather than through submission of individual EC claims. This will be decided in advance of the Emergency Regulations coming into force. If it is agreed that extensions can be granted locally this will normally be at College level, or at individual collaborative partners where relevant, and will normally be limited to the standard 10 working day extension specified in the EC Procedure as a maximum.

9. Marking, Moderation and Assessment Boards

- 1 During an emergency scenario the general expectation is that standard practice, as set out in the University's Assessment and Feedback Policy, will be followed in terms of marking, internal and external moderation and the operation of MABs and PABs.
- 2 Depending on the severity and duration of the emergency scenario and the associated disruption, the University may determine that it is necessary and appropriate to remove certain aspects of the assessment process so as not to delay student progression or completion. Any decision would be balanced against the need to ensure that academic standards are not compromised. Such variations to standard process might include:
 - (i) Removing the requirement for draft assessments to be reviewed by External Examiners, or re-focussing the scrutiny on Level 6 and 7 assessments only;
 - (ii) Removing the requirement for internal moderation at Levels 3 and 4, on the basis that neither level contributes to the final degree classification;
 - (iii) Requiring External Examiners to focus their scrutiny (and external moderation) on Level 6 and 7 assessed work only.

External Examiners

- 3 In accordance with 9.1 above, External Examiners will normally be expected to participate in external moderation activities as contracted. In most instances it will be possible for externals to complete this work virtually, including participation in the relevant MAB/PAB meetings. PABs can, exceptionally, proceed in the absence of an External Examiner but they will normally be consulted at the earliest opportunity after the Board.
- 4 If the External Examiner declines or is unable to fulfil their contract, the Head of College will be responsible for identifying an alternate external, normally from the team of externals for the discipline. Where an external takes on an additional duty under these Emergency Regulations additional fee payment(s) will be agreed accordingly, in discussion with the Academic Services Team.
- 5 If it is not possible to identify an alternate from the existing team of External Examiners, one of the following alternatives should be adopted:
 - (i) The Head of College or Faculty Executive will seek alternate external input for PABs, eg by agreement with neighbouring universities;
 - (ii) If necessary, alternate internal arrangements for cross Faculty independent oversight may be adopted, with the agreement of the PVC (Education) – eg a Faculty / other Pro Vice-Chancellor with no involvement in the discipline can verify that due process has been followed at a PAB.

Module Assessment Boards (MABs) / Progression and Award Boards (PABs)

- 6 As set out in 2.3 above, MAB and PAB Chairs will be responsible for establishing a membership which provides adequate coverage of the subject areas under consideration so that the MAB and PAB can perform its function in maintaining the integrity of the assessment process and academic standards.

10. Communication

- 1 Throughout the emergency, as required, the PVC (Education) and Academic Registrar will coordinate global communications to staff, students and partners.
- 2 Faculties will manage module and course specific communication to staff, students, partners, PSRBs etc. To avoid any inconsistency, the Assistant Director (Academic Services) will coordinate messages to partners and ensure that partner students are informed.
- 3 Faculty Registrars will maintain a record of all communications related to the emergency sent by the Faculty and Colleges to students.

11. Complaints and appeals

- 1 In dealing with an emergency and the impact on assessment, at all stages the University must take action that is reasonable in the circumstances at the time, balancing the need to uphold academic standards and to ensure that students are not disadvantaged by circumstances beyond their control. It is nevertheless the case that students retain their right to make complaints or appeals about the impact of the emergency and the University's response. Complaints and appeals should be handled in the normal manner with no variation in practice, unless the emergency scenario necessitates specific variations. The Assistant Director (Student Services) will however compile a report on complaints/appeals related to the emergency.

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