



Academic Regulations for the Award of Foundation Degrees

Section C Regulations Governing Assessment and Progression

2023/2024 Edition

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C1 Introduction

- C1.1 This section of the Regulations sets out the assessment framework for the Collegiated awards of Foundation Degrees. The Regulations may be varied to meet the particular requirements of Professional Statutory and Regulatory Bodies (PSRBs). Approval would normally occur at the time of validation. A programme specific regulation that requires approval at an alternative timeframe from validation must be approved by the Principal.
- C1.2 The Regulations are subject to annual review at the end of each academic year. Any approved revisions will be incorporated into the definitive set of regulations applying to the following academic year of study. This will be published at the commencement of the academic year. The Regulations apply to higher education students entering the College in or after September of an academic year. They will progress through each level of their programme of study under these assessment regulations.

C2 Definition and Purpose of Assessment

- C2.1 Assessment is the means used to confirm whether a student has achieved the learning outcomes associated with the programme, and the level of that performance.
- C2.2 The measurement of a student's performance is expressed as a percentage unless there is a competency-based assessment whereby performance may be expressed using an alternative scale such as pass/fail. Student assessment is attached solely to performance in the modules making up the programme of study.
- C2.3 Summative assessment provides a reference point for students and academic staff, recording achievement and progress within a programme. It also informs the determination of the overall classification which a student achieves. An award classification is of value to employers in making judgements about the suitability of applicants for jobs, and to higher education institutions and professional bodies when making decisions about the potential of applicants seeking to undertake further qualifications offered by such bodies.

- C2.4 These assessment regulations are underpinned by the requirement that students are entitled to receive feedback on both their formative and summative assessment, which is timely and evaluative, to enable them to develop and strengthen the quality of the work they submit for assessment purposes as they progress through their programme. Feedback should normally be made available to a student no later than four College weeks following the submission of the assessment.
- C2.5 Students are entitled to expect guidance regarding the criteria being used to measure their performance in assessments before they begin the assessment activity.

C3 Definitions of Essential Terminology

- C3.1 The following definitions are adopted within the College Regulations.
- a. **Compensation:** the mechanism for allowing marginal underperformance in one module resulting in that module being failed to be offset by a stronger performance in other modules.
 - b. **Assessment criteria:** descriptions of the standards required to achieve a particular mark or set of marks in assessed activities in a given subject area and at a specified level. The College's generic criteria define a basis for the academic standards expected at each level. Subject-specific criteria are aligned to the generic criteria.
 - c. **Component of assessment:** an agreed assessment activity, an examination or a piece of course work, defined in the module specification and given a weighting to indicate the contribution of the mark for that work to the assessment of the module as a whole. Where several pieces of work make up a component of assessment, the marks for all the pieces of work must be aggregated and a single mark returned for the component of assessment. When a programme is validated, the assessment strategy for each module is required to identify how many components of assessment are used for the module. (If more than one component is included, the strategy must state whether there is a pass mark attached to each component or there is an overall grade).

- d. **Summative assessment:** Assessments which contribute marks used to determine a student's ability to progress from one stage of a programme to the next, and which are used to determine an overall award classification, are referred to for the purpose of these Regulations as summative assessments.
- e. **Formative assessment:** Assessments which are non-contributory in this way are referred to as formative assessments. They are used to assist students in their learning by preparing them for summative assessments and providing them with feedback which identifies strengths and areas for development.
- f. **Reassessment:** there are two types of reassessment opportunities
 - a) resubmission and b) resit. Resubmission will require a student to redo and resubmit a failed piece of work, based upon feedback from the tutor. A resit will require a new assessment task being undertaken.

Normally the circumstances for the latter have been determined by the type of assessment e.g. exam, practice assessment, presentation etc.

- g. **Generic programme regulations:** Regulations which automatically apply to all validated foundation degree programmes of the College.
- h. **Programme specific regulations:** Regulations which are specific to an individual named programme and are additional to the College generic regulations. Such regulations require the specific approval of a validation panel, and where they involve a variation to the College Regulations the variation must be approved by the Principal. Such regulations should be communicated to students in the programme and/or module handbook(s), as appropriate.
- i. **Level:** the indicator of challenge, complexity, depth of study and student autonomy. All modules are attributed to an academic level and an individual module cannot span more than one level. There are eight credit levels used in England, Wales and Northern Ireland and of these levels 4 to 8 represent the types of work undertaken in HE as described in the Framework for HE Qualifications (FHEQ) and the related national credit guidelines. Foundation degrees sit within Levels 4 and 5 of the FHEQ.

- j. **Stage:** an indication of the structure of a programme such that each stage normally equates to one academic year of study irrespective of the level(s) of the modules taken within that stage.
- k. **Year:** an indication of the progress of study of a student defined by the number of years (usually academic years) for which they have been registered for a programme. This is irrespective of the stage of study and of the level(s) of the modules involved.
- l. **Weighted Average:** is the calculation of a classification based on the weighted average of the whole of the module grade points.

C4 Management of Assessment Results

C4.1 Assessment outcomes are determined in two phases: that for the module and that for the programme. To manage this process, the College operates Module Assessment Boards and Progression and Award Boards for each programme.

C4.2 Module Assessment Board (MAB)

C4.2.1 Programmes with modules which are due to be completed at the end of a semester will have a Module Assessment Board to confirm the marks of modules.

C4.2.2 A module outcome, pass or fail, is determined by a Module Assessment Board and is based upon the aggregation of the component parts of assessment, each separately weighted, to determine an overall grade. The outcome decision is taken at a point when the final assessment component has been completed.

C4.2.3 The responsibility of each Module Assessment Board is to make its judgment on student performance based upon approved terms of reference and to record these using the approved assessment codes and recording templates.

C4.2.4 All modules must be assessed in accordance with their published assessment methods. Module assessments must be submitted by fixed dates during the year. These deadlines are determined by the programme team at the beginning of each academic year. Students must be given details at the start of a module of the assessment scheme for the module, and of the arrangements and timetable according to which assessed work must be submitted. Students are required to submit coursework as prescribed by the relevant module guide.

C4.2.5 Module assessment marks are normally presented to the first scheduled Module Assessment Board after the last component of assessment is due for that module where an overall grade for the module will be determined.

C4.2.6 It may be necessary for a decision to be determined by Chair's Action within an allocated time period before the next full Board meeting is scheduled to take place. This is only permitted where clear guidance on the decision outcome has been pre-determined by the Module Assessment Board at the time of the re- assessment decision being made. The outcome of the Chair's Action must be presented as matters arising at the next full meeting of the Board.

C4.3 Progression and Award Board (PAB)

C4.3.1 The responsibility of each Progression and Award Board is to make its judgment on student performance based upon approved terms of reference and to record these using the approved progression codes and recording templates.

C4.3.2 The outcome at a programme level is based upon a student's achievement profile across a level, or stage if a student is studying a level over more than one academic year. A progress decision and, where relevant, an award classification is determined by the Progression and Award Board. This progress decision or award classification is based upon overall module grades and module outcomes received from the Module Assessment Boards. Where deemed to be appropriate, combined Module Assessment Boards and Progression and Award Board may be held. These are referred to as Module and Progression Award Boards (MPAB).

C4.3.3 Progression and Award Boards are held when students on a programme have completed each stage and/or level of their programme. At the end of Level 4, a Board has to decide whether a student is eligible to progress to the next level. If a student is studying in stages which do not fit with the normal delivery of a full level per academic year, a Board will be required to progress a student to the next academic year if they have not yet reached the end of a level.

C4.3.4 At the end of Level 5, the Board has to decide whether the student is eligible for the award of foundation degree, and if so, what their classification is. These Boards are usually held at the end of the second semester of delivery of each year of study, after the Module Assessment Board for the programme has met. If a Progression and Award Board is unable to complete all its work because there are students on the programme who have to undertake further assessment it will reconvene on a further occasion to consider the result of these further assessments. This will normally be at the end of the next semester of delivery (or after summer recess, where applicable).

C4.3.5 As specified in regulation A8.3 an award is calculated on the basis of the marks obtained from the modules taught and assessed by New College Durham.

C4.3.6 The classification of an award is calculated on the basis of graded marks obtained from modules delivered and assessed by New College Durham.

The classification categories are pass, merit, distinction and distinction* (Section A.8). The classification a student is eligible to receive is determined by the Progression and Award Board through the application of the Regulations as they apply to Foundation Degree classifications.

C4.3.7 A student who has studied additional modules to those which make up their award may not use the assessment of such modules to contribute to the assessment of the student's primary programme of study nor classification of their award.

C5 Assessment of Modules

C5.1 Module leaders are responsible for providing in a timely fashion all relevant information regarding an assessment, including details as to date, time, place and format of submission and any arrangements for obtaining a receipt for work handed in. Students are responsible for ensuring they meet the deadline and requirements of the assessment submission. Failure to comply without appropriate evidence of extenuating circumstances will determine a fail.

- C5.2 The overall pass mark for each module is 40% unless specified otherwise. Components of assessment where marked with a numerical grade will be marked and presented in whole percentages. The calculation for weighted overall grade for a module should be rounded up if 0.5 or above and rounded down if 0.4 or below.
- C5.3 To pass a module, a student must attempt all component parts of assessment. Failure to attempt a component without appropriate evidence of extenuating circumstances will determine a fail.
- C5.4 The overall pass mark for each module is 40%. Where a module assessment comprises two or more components, the student must achieve at least 30% in each assessed component and an overall average for the module of 40% to achieve a module pass. This will have been approved at validation.

Additionally, a minimum level of achievement for any of the components for the module may be required to meet PSRB requirements or the credit of other awarding bodies. This will have been approved as part of the validation for the programme.

- C5.5 Extension to Assessment Deadline - A student may apply for an extension to an assessment deadline up to 24 hours before the deadline with evidence. If the evidence is accepted by a programme leader, a period of 7 days will be granted without penalty. Application for extension must be completed in writing and be reported to the relevant module assessment board and progression and award board.
- C5.6 An assessment which is submitted after the published deadline without an approved extension will be subject to penalty. The penalty is that the student will automatically have the assessment capped at 40% immediately after the deadline has passed and will have 7 days to submit the assessment following the assessment deadline. The first working day will be the next working day after the original assessment deadline. Work submitted after the 7 days will be determined as a non- submission and a fail.

It is permissible for a student to be granted an extension without penalty for 7 days by the module leader and take a further 7-day extension with penalty. The regulation applies equally to full-time and part-time students.

- C5.7 An assignment which is not submitted to the correct published place which is authorised to receive it will be treated as a non-submission and determined a fail unless previously agreed.
- C5.8 A student who fails to attend an examination or other form of assessment whose performance requires attendance at that published time and date, such as a presentation, without prior authorisation or extenuating circumstances will be treated as a non-submission and determined as a fail.
- C5.9 Where a module has a specific pre-requisite module, that module must be passed before a student may proceed to the requiring module. A compensated failure is counted as a pass for these purposes.
- C5.10 A student who has passed a module at the first attempt may not re-take the module in order to achieve a higher mark, unless the student's performance is judged to have been affected by extenuating circumstances and where the Progression and Award Board approves it.
- C5.11 Where a student has failed to submit a component of assessment, has been given the opportunity to re-submit and has failed to do so without any extenuating circumstances having been established, they will be deemed to have failed the module and will be required to repeat the module with attendance at their own cost and, where relevant, will not be allowed to progress to the next level or achieve the award.

C6 Re-assessment of Modules

- C6.1 When a student fails to meet the criteria for an assessment at the first attempt, they will be offered the opportunity of reassessment in that component, once only.
- C6.2 Students must be given clear guidance within a module guide whether a piece of assessed work can be resubmitted in case of referral or whether the nature of the assessment will require completion of a new assessment task. Opportunities for this type of reassessment will be at the next published point for this assessment.

C6.3 Some modules are delivered and assessed across semester one and semester two. Where a component of assessment is failed at the first attempt in semester one, a resubmission date will be given at the time the student receives feedback. A student will normally need to undertake the resubmission within six weeks. Details of reassessment opportunities, both resubmission and resit, must be issued to the student in writing with their feedback. The initial grade and the reassessment grade will be presented to the next meeting of the Module Assessment Board, where an overall grade for the module can then be determined.

C6.4 When a student is re-assessed in a module, the marks obtained in the component of assessment passed at the first attempt shall stand whereas the maximum mark that may be awarded for the reassessed component is 40%. Reassessed work will be marked from a full range of marks and feedback given based on that mark.

The overall mark for the module will be calculated on the basis of the original marks for the components passed at the first attempt and the capped marks gained in the reassessed component(s).

C6.5 In exceptional cases i.e. where the assessment method is no longer available or appropriate, a module leader, with the approval of the External Examiner, has the discretion to set a different type of assessment for the reassessed piece of work as long as it assesses the same learning outcomes. The Module Assessment Board must be notified where this is the case.

C6.6 Up to 120 Level 4 and Level 5 credits may be re-assessed in this way, unless specified otherwise through a programme specific regulation.

C6.7 Module Failure after Reassessment

When a student has failed a module at both the first attempt and second attempt, they may attempt the module again, once only, with attendance. Up to 120 Level 4 credits and 120 Level 5 credits may be repeated in this way. In the case of a stage 4 student, they must remain at the same stage and may not register to study modules at level 5. The student will be required to retake all the components of module assessment and no marks from previous attempts will be carried forward. A student who fails assessment for a repeat module at the first attempt is entitled to one final reassessment. The marks for this reassessment and for the module as a whole will be capped at 40%.

C6.8 Carry Forward of Modules

- a. A Progression and Award Board has the discretion to allow a student to carry forward a module or a component of assessment of a module to the next academic year. This is only when a student has not been able to complete the assessment or reassessment process and this non completion is attributable to extenuating circumstances which have been accepted by the Progression and Award Board, and where related to a PSRB is permissible. A student will not normally be permitted to carry forward a module which is a pre-requisite to a module at a higher level and if approved to do so must successfully complete the pre-requisite module before starting the higher-level module.
- b. A student may only be permitted to carry forward a maximum of 20 credits.

C7 Progression from One Stage or Level of Study to the Next

- C7.1 A Progression and Award Board must make a progression decision on each student at the end of each academic year.
- C7.2 In circumstances where a PAB is unable to make a progression decision at the time of the meeting the Board may agree that the Chair can make a decision on their behalf. The Board must clearly define the parameters of the decision a Chair may take on their behalf based upon the different scenario outcomes of the circumstances. The progress decision noted at the time of the meeting will be a Chair's Action. This decision must be updated to a progression decision as shown in C7.1. Once an outcome has been confirmed by the Chair, detailed minutes of any decision of the Board must be made and detail:
 - a. the action to be taken in order for a progression decision to be made;
 - b. the outcomes that the Chair may ratify depending on the outcome.
- C7.3 A student may not progress to the next stage or level of study (as defined in Section B.2) until they have satisfied the requirements of the current stage or level of study for which they have been registered and may not register for modules from the next stage or level of study until they have progressed. Progression must be confirmed by the Progression and Award Board.

- C7.4 A student, providing the module is compensatable, and they have achieved a minimum mark of 30% in each assessment component and an overall level average of 40%, may be offered an in-year referral as specified in Section C.6 above:
- a. may be compensated at the end of the level by the Progression and Award Board on the basis of the original failed mark for the module, not the mark for the referral
 - b. may be compensated at the end of the level by the Progression and Award Board on the basis of the original failed mark for the module, without having taken up the opportunity of the referral;
 - c. may not be offered further referral opportunities in the failed module after the Progression and Award Board has confirmed a progression decision, unless that progression decision is to allow for those referrals to be completed
- C7.5 Where a student fails a module they have, following the final award board, the opportunity to repeat the module at their own cost. A student who does not achieve their qualification but achieves 120 credits at level 4 will be asked if they would like to receive an exit award (see Regulations A4.4). Where an exit qualification cannot be awarded, a Statement of Results outlining the credit successfully completed will be issued.

C8 Compensation of Modules

- C8.1 Where a student has attempted the required number of credits at Level 4 or Level 5, failure in up to 20 credits at each level may be compensated by the Progression and Award Board, providing that the module is compensatable and the student has;
- a. achieved at least a 30% in each component of assessment in the module;
 - b. a stage average mark across all modules of at least 40%.
 - c. a compensatable module is identified as such in the validation documentation
 - d. When compensation of a module is considered the Assessment Board must be assured that all programme level learning outcomes have been met.

C9 Discretion of the Assessment Boards

- C9.1 Module Assessment Boards and Progression and Award Boards have the power to exercise discretion through the application of their academic judgement to ensure that students are treated equitably and that academic standards are maintained. In exercising their discretion Module Assessment Boards and Progression and Award Boards must take account of recommendations from the Mitigation Panel and views of the external examiner(s) and should ensure that decisions are taken in the spirit of these Regulations. Decisions reached as a result of the exercise of their discretion must be minuted and be supported by a statement setting out the reasons for the decision.
- C9.2 Boards will be required to exercise their discretion in the case of:
- a. decisions relating to students with mitigating circumstances;
 - b. decisions relating to cohorts or to individual students whose academic experience has been disrupted for reasons beyond their control other than those which naturally fall within the terms of mitigating circumstances; and;
 - c. requests put forward by external examiners to raise or lower cohort module marks.

C10 Mitigating Circumstances

- C10.1 It is the responsibility of students to attend examinations and submit work for assessment as required and to report to the Mitigation Panel, in writing, in advance of the published date(s) of the relevant Module Assessment Board(s), any mitigating circumstances which may have affected any aspect of their assessment.
- C10.2 If a student fails to provide information about mitigating circumstances in accordance with the procedures governed by these regulations but subsequently is able to show good cause why they were unable to do so the Mitigation Panel has the authority to make a determination based upon the evidence presented. The decision of the Mitigation Panel will be reported to the next meeting of the Module Assessment Board, and where relevant to the Progression and Award Board.

C10.3 If the Module Assessment Board (MAB) and/or Progression and Award Board (PAB) accepts the recommended outcome of the Mitigation Panel with respect to the mitigating circumstances presented by a student, the Board shall act in a manner appropriate to the case, in line with the following:

- a. a student has the right to be re-assessed as if for the first time in any or all of the components of assessment, as specified by the Module Assessment Board. If an assessment affected by illness, or other cause, was itself a second or subsequent attempt the student shall be permitted to re-sit as if for the second or subsequent time;
- b. where a student has failed a module and the Module Assessment Board accepts a plea of mitigating circumstances the Progression and Award Board may permit the student to pass the module by compensation with a maximum mark of 40%;
- c. where a student has passed a module and the Module Assessment Board accepts a plea of mitigating circumstances, the Board will not amend the mark but will report its findings to the Progression and Award Board.

C10.4 Any award listed in these Regulations may be conferred posthumously by a Progression and Award Board, provided that the normal conditions of award are satisfied. The Progression and Award Board may seek permission of the Principal to make an award where the normal conditions of the award are not fully met, but the Progression and Award Board is nevertheless satisfied that the student would have qualified for the award for which they were a candidate.

C11 Academic Integrity

C11.1 Students will be advised of the importance of academic integrity and the nature of cheating, plagiarism, and other forms of unfair practice at induction and at other appropriate times throughout their studies.

C11.2 Prior to any cases being presented at an Academic Malpractice Panel of Inquiry, all cases are investigated in line with the HE Academic Malpractice procedure and the Amber Tariff.

- C11.3 Where an Academic Malpractice Panel of Inquiry takes place, it will determine an outcome based on the Amber Tariff and evidence available at the time. Incidents of proven academic malpractice will be reported at the Module Assessment Board, or Progression and Awards Board.
- C11.4 Outcomes will depend on the nature and severity of the academic malpractice in accordance with the Amber Tariff which is included in the HE Academic Malpractice procedure.

C12 Professional Suitability

- C12.1 A student studying on a qualification regulated by a professional or statutory body may be governed by additional professional principles and practices. Students will be advised of the nature of professional suitability principles at induction and at other appropriate times throughout their studies.
- C12.2 The College will operate a Fitness to Practise panel to consider admitted or found cases of professional misconduct. All allegations of professional misconduct will be fully investigated prior to consideration by the Fitness to Practice Panel following the procedure laid down in the guidance and procedures for dealing with professional misconduct.
- C12.3 Where a panel finds a student guilty of professional misconduct the panel may impose a penalty. Penalties will depend on the nature and severity of the professional misconduct and are outlined in the guidance and procedures for dealing with professional misconduct.
- C12.4 Where a student has been found guilty of serious professional misconduct the relevant professional and/or statutory body will be informed where required.
- C12.5 Failure to meet these professional standards may result in the student being unable to practice professionally, and possibly asked to withdraw from the programme.

C13 Appeal against a Decision of an Assessment Board

- C13.1 All requests for reviews of assessment decisions will be conducted in accordance with the Academic Appeals Policy.

C13.2 A student may appeal against a decision made by a Module Assessment Board or a Progression and Award Board only on the grounds identified in the published policy and procedure. All academic appeals must be made in writing and within the required time period as stipulated in the published procedure.