

The University of Leeds

EXTERNAL EXAMINER'S REPORT

ACADEMIC YEAR: 2012– 2013

Part A: General Information

Subject area and awards being examined

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|-------------------------------|--|
| Faculty / School of: | LAW |
| Subject(s): | Constitutional Law; Media Law; Privacy, Free Speech and the Media; and Terrorism and the Law; selected dissertations. |
| Programme(s) / Module(s): | LLB Law; LLB Law & French Law; BA Crim Justice and Criminology; LLB/BA Accounting & and Law; LLB/BA Management and Law |
| Awards (e.g. BA/BSc/MSc etc): | LLB, BA |

Name and home Institution / affiliation of Examiner

Completed report

The completed report should be attached to an e-mail and sent as soon as possible, and no later than six weeks after the relevant meeting of the Board of Examiners, to exexadmin@leeds.ac.uk.

Alternatively you can post your report to: **Head of Academic Quality and Standards**
Academic Quality and Standards Team
Room 12:81, EC Stoner Building
The University of Leeds, Leeds LS2 9JT

Part B: Comments for the Institution on the Examination Process and Standards

Matters for Urgent Attention

If there are any areas which you think require urgent attention before the programme is offered again please note them in this box

None

Only applicable in first year of appointment

Were you provided with copies of previous relevant External Examiners' reports and the response of the School to these?

Not that I recall – but I was appointed mid-way through the year just before or at about Christmas and this may have meant the provision of some information did slip by.

For Examiners completing their term of appointment

Please comment on your experience of the programme(s) over the period of your appointment, remarking in particular on changes from year to year and the progressive development and enhancement of the learning and teaching provision, on standards achieved, on marking and assessment and the procedures of the School

N/A

1. Please indicate the extent to which the programme Aims and Intended Learning Outcomes (ILOs) were commensurate with the level of the award

- *The appropriateness of the Intended Learning Outcomes for the programme(s)/modules and of the structure and content of the programme(s);*
- *The extent to which standards are appropriate for the award or award element under consideration.*

I have no doubts that on the modules I am responsible for the aims and ILOs match and are appropriate for the various levels within an LLB and for an LLB overall. I am not sure I am able to plot module aims and ILOs to the LLB as a whole – if this is what is being sought – as I am not sure I have ever seen the latter (or been pointed towards it). If I have, apologies to the admin/exams team and if not, it has only just dawned on me that I have not –again, a function of a mid-way start

2. Did the Aims and ILOs meet the expectations of the national subject benchmark (where relevant)?

- *The comparability of the programme(s) with similar programme(s) at other institutions and against national benchmarks and the Framework for Higher Education Qualifications.*

At module level, again no doubts – but see above for LLB programme as a whole

3. Please comment on the assessment methods and the appropriateness of these to the ILOs

- *The design and structure of the assessment methods, and the arrangements for the marking of modules and the classification of awards;*
- *The quality of teaching, learning and assessment methods that may be indicated by student performance.*

These to me seemed fine and appropriate. Though have had sight only of the assessment in a handful of modules, so cannot speak for the LLB as a whole, I wonder if some thought (by course directors strategically?) might be given to expanding the variety of assessment. This could be at the level of examination – using open-book, pre-release – by setting a piece of “take home” coursework or continuous assessment or assessed presentations (much harder in cohorts of anything over about 20). A recent JASB course review urged UEA consider it and it might assist better to chime with some of the more difficult to achieve benchmarks –difficult for traditional, pre1992 research intensive Law Schools in any event perhaps?

4. Were students given adequate opportunity to demonstrate their achievement of the Aims and ILOs?

- *The academic standards demonstrated by the students and, where possible, their performance in relation to students on comparable courses;*
- *The strengths and weaknesses of the students as a cohort.*

I thought in general achievement – both in terms of formal aims and ILOs and less formally – was good, in some places high. Certainly I was impressed with the overall level of performance – achievement of 1st years in Constitutional Law, better than at either other institution I have recent experience and which would be comparable to Leeds. Some were very impressive. Those taking optional modules I thought broadly on a par – a few really high class candidates, many decent ones, some average and some shockers. The only quibble is that a 20% minimum mark for an exam does not allow truly poor papers to be marked as such. This is without compare in my experience - it does create a skew towards what one might call “adequate fails” not “beyond redemption” fails. I cannot understand the reasoning behind awarding a student 20% simply for walking in the door. It can make a difference at award when classifying on averages. On the other hand, I did recommend marking higher into the 70% bracket on a few occasions.

5. For Examiners responsible for programmes that include clinical practice components, please comment on the learning and assessment of practice components of the curriculum

N/A

6. Please comment on the nature and effectiveness of enhancements to the programme(s) and modules since the previous year

It would be particularly helpful if you could also identify areas of good practice which are worthy of wider dissemination.

Not able to do so – 1st year of appointment and w/out sight of previous reports

7. Please comment on the influence of research on the curriculum and learning and teaching

This may include examples of curriculum design informed by current research in the subject; practice informed by research; students undertaking research.

I could see evidence of this certainly in the Media Law module(s) and in Terrorism and the Law – where faculty research interests come through. Similarly in dissertations, obviously. In order to reward (and perhaps reflect ILOs and benchmarks) has any thought been given here (and perhaps in other modules with lengthy CW elements) to separate submission, and separate marks for production of a reflective research report – that rewards engagement with the process rather than simply the outcome of it? It has been used at UEA for several years – in my own module – but is admittedly v hard to mark/grade objectively

8. If you have acted as a mentor to a new External Examiner or have received mentor support please comment here on the arrangements

N/A

The Examination/Assessment Process

9. The University and its Schools provide guidance for External Examiners as to their roles, powers and responsibilities. Please indicate whether this material was sufficient for you to act effectively as an External Examiner.

- *Whether External Examiners have sufficient access to the material needed to make the required judgements and whether they are encouraged to request additional information.*

Yes

10. Did you receive appropriate documentation relating to the programmes and/or parts of programmes for which you have responsibility, e.g. programme specifications or module handbooks, marking criteria?

- *The coherence of the policies and procedures relating to External Examiners and whether they match the explicit roles they are asked to perform.*

As indicated earlier, I do not recall getting – or being pointed in direction of – programme specs etc. I did receive module handbooks for each of the modules I am responsible for. I was also sent on request (don't recall it being sent in my introductory bundle – have now checked and it was sent, sorry!) the Law School's Code of Practice on Assessment but this was in response to a request asking for marking criteria. These – i.e. "for a paper to be given 70% it must demonstrate XYZ qualities" – are included in appendix I and II but not tied to numerical marks so seem to me to be less use than could be, especially (perhaps) for students?

11. Were you provided with all draft examination papers/assessments? Was the nature and level of the questions appropriate? If not, were suitable arrangements made to consider your comments?

Yes. This process worked well – and it was especially useful to be given indicators at this stage of what the internal examiner(s) were looking for, in the shape of examiners' notes. This is very much a strength. So far as I can tell, all adjustments I suggested were made or if not, explained not – though in one case I did urge (as I recall) that I see a whole question again as, in my view it needed more than minor revision. This did occur, though the end paper when I did receive it with the scripts was fine.

12. Was sufficient assessed / examined work made available to enable you to have confidence in your evaluation of the standard of student work? Were the scripts clearly marked/annotated?

Yes, though not all markers on the same module – nor across modules – followed a standard policy – some was, in truth, very slight. Markers offering varying degrees of detail is perfectly acceptable. The more there is, within reason, in my view aids the external's task on understanding both the mark given and the process that has been undergone.

It was not always easy to see which scripts had been subject to internal 2nd marking – some were annotated on their face but not all are/were. Does an external conclude the absence of some mark means it has not? Easier might be (and this is UEA practice) to note on the marksheet which ones have been. This has the advantage of allowing an external to verify the 2nd marking process has been adhered to and knowing what % that have been 2nd marked have been sent/retained.

13. Was the choice of subjects for dissertations appropriate? Was the method and standard of assessment appropriate?

This to me seemed appropriate and assessment (subject to comment in 7 above) appropriate too.

14. Were the administrative arrangements satisfactory for the whole process, including the operation of the Board of Examiners? Were you able to attend the meeting? Were you satisfied with the recommendations of the Board?

This seemed to work well. Responses to queries were dealt with promptly and I did not feel like I had no points of contact. Faculty engaged too positively with my suggestions on draft papers and suggested revisions to marks such that the process seemed two-way.

I could not attend the Board – I was committed elsewhere, and (again as a mid-year starter) did not know of the date until a little too late. I assume Board date for 2013/14 will be known and told to me at the start of the year in usual circs?

15. Were appropriate procedures in place to give due consideration to mitigating circumstances and medical evidence?

Cannot comment

Other comments

Please use this box if you wish to make any further comments not covered elsewhere on the form

I have just two last thoughts; suggestions and recommendations can be found above in the various boxes.

- i. Perhaps, again, as I was appointed midway through a year, I was not sure I knew how many scripts I should be expecting. I cannot see anything in either the University's EE handbook or the School's CoP on assessment which indicates likely sample size or minima. The UEA rule/position, as a contrast, is that EE's should be sent 10% of the papers or 10, whichever is the greater. From memory in June, I received far more scripts in Terrorism and the LAW, and I think Media Law, as I did for 1st year Constitutional Law - or the numbers were not that far apart when cohort size (I imagine) is? This is not a complaint about how many were sent but an inquiry whether there is an underlying principle or policy on selecting samples?
- ii. Overall marks of 69%, 59%: I cannot see any formal policy for such cases. Some institutions take the view that a student should in such cases be awarded either 68% or 70%. I am less concerned about those left hanging on 69% if this is not the result of arbitrary logarithms – i.e. the average product simply of two constituent elements - but instead is a reasoned decision based on academic assessment of a particular candidate's overall ability. I understand – but cannot see this in the papers anywhere - that the latter is the position obtaining at Leeds but would appreciate confirmation, one way of another.

The Liberty Building
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Leeds LS2 9JT



UNIVERSITY OF LEEDS

24 October 2013

Dear

Thank you for your detailed report. We have noted carefully your constructive suggestions for developing our assessment processes. Another examiner also raised the issue of greater clarity about the moderation process. It does happen routinely in the School but we accept that the process is not always made transparent and we will try to address this in 13/14. You asked for clarity on a number of issues.

1. 20-90 scale: this is a University scale and we are not in a position to change it. Issues raised by external examiners are discussed at our Faculty Taught Student Education Committee so the wider University will be aware of your unease about awarding a mark of 20 in some circumstances. In recent years we have been asked by external examiners to reward excellent work appropriately so thank you for encouraging colleagues to use a wider range of marks.
2. We will forward further information to you about the programme and apologise if this was not sent to you previously. We are currently in the process of redesigning our curriculum and will be writing to our external examiners in due course. In developing it we have sought to diversify our assessment methods and move beyond the typical unseen exam and/or essay assessment methods for modules. As a consequence of this, we will be revisiting our marking criteria.
3. Our 'rule' is to send ten per cent of assessments to external examiners but this is not a hard and fast rule and on smaller modules we may need to send more to provide a range of marks. It is our practice to send all firsts and fails, which may account for the variation.
4. School policy is not to give marks ending in 39, 49, 59 and 69 for undergraduate modules. We will remind colleagues that these should be changed as part of the moderation process.

On behalf of the School, I would like to take this opportunity to thank you for your continued support and we look forward to working with you again in 13/14. The dates are provisionally set for 5 November 2013 and 1 July 2014.

Yours sincerely