

MARYVALE HIGHER INSTITUTE OF RELIGIOUS SCIENCES



Regulations

2021–22

PREFACE

These Regulations were approved by the Council of FND on 14 December 2018.

The emergency of the last eighteen months has made it impossible to enact revisions. Temporary ordinances have been passed where necessary and these regulations will be revised as soon as possible.

They include matters pertaining to the government of the HIRS. They also include changes to Student Regulations, mainly a new section 11 on Data Protection and a change to the amount of prior learning that is normally allowable, reflecting current UK University practice.

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ORDINANCES

These ordinances were duly approved by the Council of HIRS in July 2021.

1.

(a) references to the Trustees in the Statutes or Regulations shall be deemed to mean the Trustees of the Archdiocese of Birmingham;

(b) while the position of Director of Maryvale Institute is vacant, references to the Institute Director in the Statutes or Regulations shall be deemed to mean the Academic Dean.

2. Until 31 August 2022 the Institute Regulations on safeguarding and Prevent policy (4.3, 4.4), and GDPR (10) prevail over the existing HIRS Regulations.

3. The Programme Director may replace the written examinations by timed tests or oral examinations. Detailed regulations for these shall be approved by the Faculty Board and submitted to Council as soon as possible.

4. The Appointments Committee for permanent faculty (Statute 7.1) shall be appointed by the Director. Advertisement of a vacancy may, in exceptional circumstances, be limited to existing Maryvale Institute employees. Council shall vote on making specific appointments by secret ballot.

REGULATIONS

These Regulations are subject to the HIRS Statutes.

The regulations concerning students are adapted from those applying to Higher Education (HE) students on non-OU validated courses at Maryvale Institute.

In addition to these regulations, each Programme shall also have its own specific regulations.

1. Maryvale HIRS

1.1. The Moderator

1.1.1 The Moderator shall designate a Delegate to be a member of the HIRS Council (hereafter 'Council') under Statute 5.7.

1.1.2 He may empower the Delegate to sub-delegate his role to a member of the Maryvale Academic or senior Administrative Staff for a particular occasion.

1.2. The Director

1.2.1 In unforeseen emergency, the Director may dispense from these Regulations after consulting, where possible, the members of the Permanent Faculty, and having regard to the requirement to report extraordinary administrative actions to the Moderator under Statute 5.5.7.

1.2.2 Where he is unable to act, the Director may appoint one of the Permanent Faculty as his delegate for a particular occasion.

1.2.3 The Moderator may, at the request of the Director or of Council appoint a Vice-Director from among the Permanent Faculty for a term not exceeding that remaining to the Director.

1.3. Council

1.3.1 The Academic Administrator for a meeting of Council (Statute 5.7) shall be an administrator nominated by the Registrar whenever necessary.

1.3.2 Major amendments to these Regulations require the approval of the HIRS Council, having sought where appropriate the opinion of the Maryvale Academic Board, and the final approval of the Council of FND.

1.3.3 The HIRS Council may itself approve amendments it considers to be minor, provided that the President of FND has been informed and does not object.

1.3.4 Amendments affecting finance or legal liability by Maryvale Institute require the consent of the Director of Maryvale Institute or its Board of Trustees.

1.3.5 Changes to annual fees, including other charges specified in these Regulations, may be made by the Financial Controller under Statute 17.6.

1.3.6 Nominations for the appointment of the Director under Statute 5.8.2 may be made by any member of Council. Council shall seek the opinion of the Institute Director on each name. Council shall then rank the names of those willing to serve in order in a secret ballot by Alternative Vote as if one person was to be elected. If there is a tie, even on all preference votes, Council shall vote by secret ballot to rank the tied. The names so ranked, or the top three names if there are more than three, shall then be proposed as the terna and approved by Council by secret ballot. If this terna is not approved the President of FND's representative shall propose other lists of names until one is approved by secret ballot. If none are approved the President's representative shall himself produce the terna.

1.3.7 The HIRS Council may enact and amend ordinances to provide for matters not covered by the Statutes.

1.4. The Faculty Board

1.4.1 There shall be a Faculty Board consisting of the Permanent Faculty and up to two members of the non-permanent Faculty co-opted by the Council for a term of up to two years. The Board may itself co-opt up to two further members for a particular meeting. The Academic Registrar shall also be invited to all meetings.

The objects of the Board shall be:

- i. to facilitate the day-to-day running of the HIRS in a collegial way;
- ii. to propose matters for discussion at Council;
- iii. to advise the HIRS Director and Programme Directors on the management of Programmes;
- iv. to carry out such other duties as are prescribed in the Regulations.

1.4.2 The Faculty Board shall:

- i. receive a report on student admissions and approve any exemptions and advanced standing;
- ii. in the case of individual students, consider medical or other evidence for special consideration under a code of practice approved by the Maryvale Academic Board;
- iii. agree guidelines for the conduct of examinations and other forms of assessment and for moderation within all approved academic courses.

1.5. Other Responsible Bodies

1.5.1 Each HIRS Programme shall have a Programme Board consisting of:

- The Programme Director;
- The Pathway Leader (if there is one);
- The Registrar;
- All members of the Faculty Board;

- Other representatives of the non-permanent Faculty if possible or convenient;
- The Librarian or his representative
- One student representative from each year and pathway of the Programme;
- The Programme Administrator as non-voting clerk.

Programme Boards shall monitor the efficacy of course assessment and examination requirements and regularly review all External Examiner comments, consider proposals for changes to the Programme's assessment or examination requirements, and other changes to the structure or content of the Programme.

1.5.2 A Hearings Panel of 10 people chosen from the Faculty and the Maryvale Senior Management Board shall be elected by Council every two years. Members of this panel shall be chosen to sit on Disciplinary, Appeals, and Review panels as required by these Regulations. Should there not be sufficient impartial members of the Hearings Panel, the Faculty Board may appoint extra members to sit until the next meeting of Council.

No interested party shall sit to determine any disciplinary, appeal, or review matter.

Should the Director be an interested party his powers in disciplinary, appeal, or review matters shall devolve upon a member of the permanent faculty nominated by the Moderator.

1.5.3 The Maryvale Academic Board shall have the right to submit to Council its opinion on any major academic decision made by the HIRS and before the submission of such a decision to FND Council.

The Maryvale Academic Board shall receive copies of the minutes and decisions of Council concerning academic matters.

1.6. Faculty

1.6.1 All Faculty are expected and encouraged to devote part of their time to study, personal development, and academic research and publication.

1.6.2 Permanent Faculty and also those non-permanent Faculty who shall by appointment become employees of Maryvale Institute shall be appointed according to Statute 7. The vacation of their posts and termination of their employment shall be governed by Statutes 10 and 11.

1.6.3 The non-permanent Faculty shall consist of those involved in assessment of students or those who have lectured on assessed modules, or written or contributed to Coursebooks in recent years.

1.6.4 The Moderator may delegate the appointment of non-permanent Faculty to his Delegate on Council.

1.6.5 Non-permanent Faculty who are not employees of Maryvale Institute shall be nominated by the Director for appointment by the Delegate of the Moderator for a fixed period. They shall not be bound by Statute 10.2.

1.6.6 The appointment of non-permanent Faculty who are not employees of Maryvale Institute nor appointed thereto by their Ordinary may be revoked by the Director, who shall consult the Faculty Board, and the Delegate of the Moderator. The provisions of Statutes 11.4 shall apply in all cases.

1.6.7 Two representatives of the non-permanent Faculty on the Council along with one substitute shall be elected for two-year terms by the active non-permanent faculty as defined in a list approved by the Faculty Board. One of the representatives shall normally be an employee of Maryvale Institute. The election shall be conducted by the Director. Should a poll be necessary the rules for it shall be drawn up by the Faculty Board for that occasion.

1.6.8 Non-permanent faculty shall be regarded as active if they are employed by Maryvale Institute or have participated in the work of the HIRS during the current or previous academic year or are planned to be asked to participate in the coming year.

1.6.9 Should it be necessary to convoke the Maryvale Institute Appeals Committee under Statute 8.3 its membership shall be approved by the Director.

1.7. Students

1.7.1 The Licence students shall elect a representative on Council along with a substitute by 1 February each year.

1.7.2 Each B.Div year group of each pathway studying at Maryvale, and those students lectured in Scotland shall elect a representative each year. The B.Div representatives shall choose one of their number along with a substitute as the other student representative on Council by 15 December each year.

1.8. Qualifications

1.8.1 The academic responsibility for the HIRS lies with FND under Statute 5. The HIRS shall endeavour to comply with best UK Higher Education practice and its Programmes shall be defined with reference to the frameworks for Higher Education Qualification in England, Wales and Northern Ireland (2008). The HIRS shall also have due regard for the academic requirements of the Holy See.

1.8.2 Council or the Faculty Board shall/**may** seek the opinion of the Maryvale Academic Standards Committee or the Maryvale Academic Board to establish best UK practice.

1.8.3 Programme Directors shall be appointed by the Maryvale Institute Director from among the Permanent Faculty.

1.8.4 Each Degree Programme shall have a Handbook produced by the Programme Director and approved by the Faculty Board for each academic year.

1.8.5 ***Licence in Religious Sciences (Ecclesiastical Licence in Divinity)***

- i. *Pathway in Catechetical Sciences.* To gain the Licence in this Pathway, students must first successfully complete the modules indicated below and the dissertation of the two-year Maryvale Institute Master of Arts in Catholic

Applied Theology (Religious Education and Catechesis Pathway) or possess an equivalent qualification. They are then eligible for admission as HIRS Licence students and must spend a year successfully completing the three Licence modules indicated below and successfully defend their developed M.A. dissertation.¹

M.A. modules & Dissertation	ECTS
Christian Anthropology	7.5
God and Salvation in Jesus Christ	7.5
Catechesis: Purpose, Nature, Method	7.5
Scripture for RE and Catechesis	7.5
The Church	7.5
Either Liturgy and Sacraments	7.5
Or Prayer and the Spiritual Life	
Moral Formation	7.5
Research Methods	7.5
Dissertation	30
Licence Modules	
Analysis of primary texts in Catechetics	7
Research into a prominent figure in Catechetics	7
Research into a contemporary debate in Catechetics	7
Oral Defence of the M.A. Dissertation	9

The required modules are as specified in the Module Descriptors which shall be made available to students and Faculty. The credit for and assessment of each module and the rules for the conduct of the defence shall be specified in the Programme Handbook.

1.8.6 ***Baccalaureate in Religious Sciences (Ecclesiastical Bachelor of Divinity)***

- i. To gain the Baccalaureate students must first successfully complete the modules indicated below including all required examinations.
- ii. Students must also show some theological knowledge of a modern language and successfully complete a dissertation and defend it by a final oral examination.

¹ The ECTS for the Licence were corrected and approved by Faculté Notre Dame on 7 June 2019.

- iii. The modules required for students who transfer from one Pathway to the other shall be specified by the Programme Director with the approval of the Faculty Board.
- iv. The credit for and assessment of each module and the rules for the conduct of the final oral examination shall be specified in the Programme Handbook.

PATHWAY 'A' MODULES	ECTS (Total 180)
Faith and Revelation (with Anthropology)	7.5
Church History (with Patrology)	7.5
Systematic Philosophy	7.5
History of Philosophy	7.5
Introduction to the Scriptures & Old Testament I	7.5
Old Testament II	7.5
Intro to the New Testament & Synoptic Gospels	7.5
Holy Trinity, One God	7.5
Christology	7.5
Paul and Acts of the Apostles	7.5
Fundamental Moral Theology	7.5
Creation, Fall and Redemption	10
Ecclesiology and Mariology	10
Grace and Glory	10
St John (<i>half module</i>)	5
Canon Law (<i>half module</i>)	5
Special Moral Theology	10
Sacraments	10
Eucharist (<i>half module</i>)	5
Liturgy (<i>half module</i>)	5
Spirituality (<i>half module</i>)	5
Research Dissertation and Oral Examination	15

PATHWAY B (Ecclesial Service) MODULES	ECTS (Total 180)
Theology, Doctrine and Transmission of the Faith	4
Foundations of Faith	4
Christology	4
Ecclesiology	4

Introduction to the Old Testament	4
Introduction to the New Testament	4
<i>Catechetical Method I</i>	6
Ecclesial methods for transmission of the faith	4
Introduction to Spirituality and Prayer	4
Introduction to Liturgy	4
Introduction to the Sacraments	4
Introduction to Moral Theology	4
Mariology	4
<i>Catechetical Method II</i>	6
Church History I	5
History of Philosophy I	5
Introduction to Systematic Philosophy	5
Patrology and Trinity	5
Anthropology	5
Special Moral Theology I (Bio-ethics and family)	5
<i>Catechetical Method III</i>	10
Church History II	5
Special Moral Theology II (Catholic social teaching)	5
Canon Law	5
The Gospel of Matthew	5
Grace and Glory	5
<i>Catechetical Method IV</i>	15
History of Philosophy II	5
Choice of Elective(s)	10
The Eucharist	5
Empirical Research Dissertation	20

1.9. Credit rating

- 1.9.1. Maryvale HE courses use a UK credit-based system for the qualification level and volume of credit required. The main determinant for the volume of UK credit is notional learning time, i.e. the reasonable measure of time it would take to achieve the learning outcomes of the course activities: including formal study, assessment and independent learning.

- 1.9.2. The number of credits is based on the estimated notional learning hours (where one credit represents 10 notional hours of learning).
- 1.9.3. A UK credit value is twice its European Credit Transfer (ECT) equivalent (e.g. a 20 UK credit module equates to 10 ECT credits).
- 1.9.4. 10 UK credits are equal to 3 credits in the higher education system of the United States of America.
- 1.9.5. Each module of a course is assigned a single designated credit level (module assessment is unique to a given credit level). The assignment of credit to learning should be understood in the following terms:
 - 1.9.5.1. Credit is allocated to a learning activity on the basis of its stated learning outcomes.
 - 1.9.5.2. A student shall only be assigned credit after demonstration through assessment of the achievement of the stated learning outcomes. Credit cannot be assigned if no assessment has taken place or if the assessment has not been appropriately conducted.
 - 1.9.5.3. The number of credit points assigned is independent of the standards (grades awarded). Students achieving higher standards are not allocated more credit points. The higher standard is reflected in the grade and classification of the pass.

2. Admissions

- 2.9. The admission procedures shall be influenced by the requirements and expectations of Maryvale validating bodies to maintain the standards of its awards and with good practice throughout HE in the UK.
- 2.10. The acceptance of a student on to a course offered by the HIRS is at the discretion of the HIRS, and decided by the Admissions Committee in accordance with the Statutes (see Statutes 13 and 14).
- 2.2.1 Secular clergy shall be deemed to satisfy the requirements of Statute 12.1.
- 2.2.2 Non-Catholics may be admitted to the B.Div. (Pathway A) Programme with the consent of FND.
- 2.11. Individual applicants may be admitted on the basis of a wide range of qualifications and/or experience, provided the following principles of admission are met:
- 2.11.1. That the applicant has been adjudged as possessing those attributes that would indicate a reasonable expectation that he/she would be able to fulfil the objectives of the course concerned and achieve the standards required for the award.
- 2.11.2. That the applicant has provided sufficient indication of his/her willingness to respect the ethos and standards of the Institute and abide by the Institute's regulations and course requirements through signing to this effect at the point of application.
- 2.12. The Institute in its pursuit of ensuring equality of opportunity for all potentially qualified applicants shall seek evidence of personal, professional, and educational experiences that provide the Institute with sufficient indication of his/her ability and motivation to meet the demands of the selected course.
- 2.13. Should difficulties of judgement against the above principles of admission arise, the Admissions Committee may seek the advice of the Registrar or Institute Director and, if necessary, FND.

2.14. Admissions processes

General admissions

- 2.14.1. Candidates shall complete an application form, together with a 500-word statement of their reasons for applying for the course. This statement will assist in assessing the suitability of candidates for the programme, particularly in the case that they do not already possess a higher education qualification.
- 2.14.2. All applicants shall provide details of their nationality, religious state (lay, cleric, religious), current contact address, email address, and home and mobile telephone numbers. Once accepted on to a course the student shall keep the Institute informed of any changes in contact details.

- 2.14.3. Applications shall include the submission of two references which are sent directly to Maryvale Institute by the referee. (These references are treated as confidential between the referee and the Institute). Applicants for the B.Div (Ecclesial Service) pathway also require the written consent of the Parish Priest under whom they intend to do the portfolio work required by the syllabus.
- 2.14.4. On receipt of the application form, personal statement, references and application fee the application shall be considered by the Programme Director and then the Admissions Committee.
- 2.14.5. Applicants may be asked to visit the Institute for an interview, or a telephone or Skype interview may be arranged, in order to clarify any details in the application.
- 2.14.6. On acceptance of the application the Programme Team shall issue the applicant with an Acceptance Pack providing further information about Maryvale Institute, the HIRS, the course, and details of how to apply for a student card. The applicant shall sign a statement agreeing to abide by the regulations and support the ethos of Maryvale Institute, and shall be sent an invoice for course fees.
- 2.14.7. Once the signed statement and fees for the first year of study have been received the applicant is formally enrolled as a student of the HIRS.
- 2.14.8. If for any reason an application for a place on a course is unsuccessful, the Institute reserves the right, because of the elements of confidentiality involved in the admissions process and the collection of references, not to give the reasons for this decision. An applicant who is dissatisfied with the admissions process may follow the Admissions Appeals procedure of the Institute set out below in section 2.7 of these Regulations.
- 2.14.9. An applicant for the status of ordinary student may instead be accepted as an extraordinary student or non-degree seeking student. An applicant accepted as an extraordinary student (Statute 13.2) must be informed of the specific requirements to be fulfilled to gain the status of ordinary student.

Accreditation of Prior and Experiential Learning (APEL)

- 2.14.10. Students who are able to demonstrate that they have already fulfilled some of the learning outcomes of the course by means other than attendance on the planned course, and will be able, by completing the remaining requirements, to fulfil the learning outcomes of the course and attain the standard required for the award, may be admitted with advanced standing, thus exempting them from some modules or stages of the course.
- 2.14.11. A student admitted to a course through prior learning is subject to the same principles of admission as all other students on that course.
- 2.14.12. Normally, an applicant shall be admitted with specific credit for exemption to a point of no more than two thirds of the course.
- 2.14.13. Credit for prior learning (certified, experiential or uncertified) is not normally allowed at the final stage (credit level 6) of a Bachelor's Degree.

- 2.14.14. Applications for entry with credit to the beginning or later stages of a defined course shall be assessed against bona fide documentary evidence or other such acceptable evidence submitted for consideration.
- 2.14.15. Such evidence shall be judged as to its congruence (i.e. content, length, level) with those stages or elements of the Institute's course for which application for exemption is being made
- 2.14.16. Applications for admission with APEL shall be assessed by the Programme Director and the Admissions Committee who shall seek the advice of the Academic Registrar as needed in regard to the bona fide documentary evidence or other such acceptable evidence submitted for consideration.
- 2.14.17. Should the evidence submitted by an applicant for prior learning credit be insufficient for the necessary judgments to be made with confidence, the Institute shall require the applicant to be assessed under procedures approved by the Faculty Board. These may include one or more of the following:
 - 2.14.17.1. Requiring the applicant to take the normal progression assessments of the course;
 - 2.14.17.2. Prescribing a specific task to be assessed which would provide a valid indicator of a candidate's status and potential to be able to fulfil the objectives of the course and attain the standard required for the award;
 - 2.14.17.3. Conducting an oral examination.
- 2.14.18. Where relevant or required, Programme Board reports and reports from the Academic Registrar shall be made available to the Faculty Board.

Admission of students with learning difficulties or disabilities

- 2.14.19. The admission of students with learning difficulties or disabilities shall follow the general principles and regulations with the addition of an assessment of the needs to facilitate specific support. These procedures refer to declared learning difficulties or disabilities; the Institute cannot be held accountable for undisclosed learning difficulties or disabilities.
- 2.14.20. The application form shall seek information on learning difficulties or disabilities.
- 2.14.21. All applications shall first be scrutinised by the Programme Director to determine whether or not the applicant is considered to have the appropriate level of academic ability for the course. If the application passes this stage the Programme Director will pass details of those applicants who have declared a disability to the Disability Co-ordinator, who shall seek advice from external consultants as required.
- 2.14.22. Based on the advice of the external consultants the applicant will be contacted to discuss his/her situation and any potential difficulties and to consider reasonable adjustments.

- 2.14.23. Following this discussion, the Academic Registrar shall discuss with the Programme Director any reasonable adjustments that may be required, given the facilities available at the Institute, in order for the applicant to have equal opportunity to follow the course for which they have applied. These requirements shall be submitted to the Admissions Committee.
- 2.14.24. The effectiveness of these adjustments shall be monitored through ongoing discussions with the student.
- 2.14.25. Students who develop a learning difficulty or disability whilst in the course of their studies should declare this to their Course Director to prompt a discussion about support mechanisms and reasonable adjustments.

Admission of international students

- 2.14.26. The Institute has a mission to provide opportunities for Catholic formation and education in all places where English is spoken. As such it is committed to offering all of its international students the full support necessary for the successful completion of its courses. If the Institute is not able to provide the level of support it deems necessary for a particular student, the student will not be accepted onto one of its programmes.
- 2.14.27. All higher education courses offered by Maryvale HIRS are written, delivered and assessed exclusively in English.
- 2.14.28. Students from outside of the European Economic Area (EEA) wishing to attend a residential at Maryvale can apply for a short-term study visa. For details see www.gov.uk/study-visit-visa
- 2.14.29. Provided that the student meets the Visa requirements a letter can be provided from the Registrar on request in support of the Visa application. The request must be submitted well in advance of the intended visit.
- 2.14.30. The visiting student must present his/her passport, biometric card if relevant and Visa details, on arrival at the Institute where a copy will be taken of the documents and placed in the student's file.
- 2.14.31. Non EEA nationals resident in the UK must also present any 'Leave to remain' documentation, a copy of which shall be taken and placed in the student's file. Such applicants unable to provide adequate proof of leave to remain may not be accepted on to a course.
- 2.14.32. If a student holding a short-term study visa fails to attend a residential as expected the Institute has a duty to inform UK Visas and Immigration.

Use of English

- 2.14.33. On application the Institute requires evidence of proficiency in written and spoken English; the evidence of proficiency required for entry into courses is as follows:
 - 2.14.33.1. International English Language Testing System (IELTS): minimum average of 6.5 overall, with no sub-test below 6.0.

- 2.14.33.2. Michigan Test of English Language Proficiency (MTELP): minimum equated score of 90.
 - 2.14.33.3. Test of English as a Foreign Language (TOEFL): minimum paper-based total of 550, computer based total of 213, or internet-based total of 79.
 - 2.14.33.4. Cambridge Certificate of Proficiency in English (CPE): minimum grade of C.
- 2.14.34. Students who cannot demonstrate proficiency in English to the satisfaction of the Institute are required to take a short written examination which tests reading level and understanding and facility in written English. This is designed, provided and assessed by the Institute.
- 2.14.35. Students who demonstrate a minimal level of proficiency may be accepted at the discretion of the Admissions Committee, provided that they give clear evidence of their plans for further improving their English.
- 2.14.36. Students for whom English is not their first language may be allowed the use of an approved English dictionary in the examination room when sitting examinations on their course with the prior agreement of the Examinations Secretary. The dictionary will be checked for annotations and insertions by the invigilator immediately before the examination.
- 2.14.37. English dictionaries are not allowed in the examination room when sitting English proficiency tests.
- 2.14.38. As a standard procedure, all students for whom English is not their first language shall be identified to the relevant Programme Director by the Admissions Committee. Students who are deemed not to have passed as a result of language difficulties may retake the examination without penalty within twelve months once they have demonstrated that they have undergone further instruction in English.

Use of English in Research Projects and Dissertations

- 2.14.39. Students on the Licence Programme for whom English is not their first language and who may wish to draw upon relevant literature and research in their own language may be assigned an Associate Supervisor.
- 2.14.40. The role of the Associate Supervisor is to:
- Give bibliographical advice to students concerning literature and sources for research in the student's first language, and in areas which are culturally specific, pointing the student towards helpful sources, techniques and contacts while warning him/her off unhelpful ones.
 - Provide guidance and an initial approval of any research instruments (including questionnaires, interview questions, covering letters, interview and questionnaire schedules) which the student intends to use in his/her own language.

- The English language translation of the instrument, together with the research plan overall, is then approved by the Ethics Committee at the Institute and by the lead supervisor.
- Play a quality assurance role on behalf of the Institute, being able to assure the Institute through a written report at the conclusion of the student's study that the work is the student's own, and not plagiarised from sources in the student's own language.

2.15. Process of appeal against admissions decisions

- 2.15.1. Should an applicant believe their application to have been unfairly rejected the decision may be appealed within four weeks of the date of the original decision.
- 2.15.2. An appeal will only be considered where there are adequate grounds, as set out below:
- 2.15.2.1. Where there is substantial new information which, for good reason, was not made available either on the original application or during the selection procedure, and where that new information is significant and directly relevant to the original decision. The new information must relate directly to the original application and cannot include activities or achievements which have taken place or been ratified subsequently.
- 2.15.2.2. Where there is evidence that the Institute's admissions policy has not been followed.
- 2.15.3. In the first instance the applicant should present any additional evidence to support his/her application to the Programme Director of the course to which he/she applied, seeking further consideration of the application by the Admissions Committee.
- 2.15.4. If after this the application is still rejected and the student has evidence of an error in the process or failure to follow Institute policy an appeal may be made in writing to the Academic Registrar within five days of receipt of the rejection.
- 2.15.5. The Academic Registrar shall examine the evidence against Institute process and policy and either conclude that there is no evidence of error in the process or failure to follow Institute policy and advise the appellant accordingly or, if the evidence presented indicates an error in the process or failure to follow Institute policy, shall request the Faculty Board to determine the appeal or convoke an independent panel of HIRS Faculty members to do so. The Registrar or nominee shall act as Secretary to such a panel.
- 2.15.6. The process of the appeal shall follow that for an Appeals Committee – see from section 7.2.10 of these regulations.

2.16. Policy on the Payment of Fees

Maryvale Institute is privately funded and almost totally dependent on student fees in order to carry out its mission. In common with other Further and Higher Education Institutions, Maryvale's policy is that it is the student's responsibility to ensure that all fees are paid in full and in accordance with the following procedures:

- 2.16.1. When a student signs an application for participation in a course at Maryvale Institute, the student also signs an agreement to abide by the Institute's policy on the payment of course fees.
- 2.16.2. Once a student has been accepted onto a course an invoice shall be raised and forwarded to the student.
- 2.16.3. For subsequent years, an invoice shall be sent to the student about six weeks before that year's course commences. Those invoices shall still be raised even if the examination board for the closing year has not yet discussed the final results for the year.
- 2.16.4. Tuition fees must be paid **before** commencing the course and **before** the start of each academic year.
- 2.16.5. Course fees must be paid even if the examination board has yet to determine the formal results of the closing year. If, exceptionally, a student is deemed to have failed the year and any subsequent re-take of examinations, the fees which have been paid will be refunded.
- 2.16.6. Payment **in full** must be made within 28 days from the date of the invoice or before the first residential, whichever is earlier.
- 2.16.7. Students are responsible for payment of their course fees by the prescribed date. Where a third-party (e.g. a diocese or parish) has agreed with a student that the third-party will pay or contribute to payment of the fees, that agreement is understood to be between the student and the third-party. Subject to the very specific exception noted in 2.8.8 below, under no circumstances will the Institute arrange to invoice a third-party or pursue a third-party for payment. It is for the student to recover the funds from the third-party. Such an arrangement does not allow for late payment of fees.
- 2.16.8. The only exception to 2.8.7 above is in a small number of very specific cases where a group of students is being sponsored as a body. Under the specific arrangements entered into formally by the Institute and that sponsoring body, those fees will be paid centrally.
- 2.16.9. Where a student is eligible to seek financial support by way of an external grant, donation, bursary etc., the process of applying for such external financial support cannot be used as a means of postponing payment of fees; the student must still pay the full fees by the prescribed date. If any grant is subsequently received directly by Maryvale, the Institute will refund that portion of the fees previously paid by the student.
- 2.16.10. Students shall not be allowed to participate in the first residential of the year unless their fees have been paid **in full**.

- 2.16.11. Furthermore, students are not allowed to participate in subsequent residential, sit examinations, progress to the next year's studies, or graduate until all outstanding tuition fees have been paid **in full**.
- 2.16.12. All payments should be made in £Sterling.
- 2.16.13. Payment is accepted by any of the following means:
- By cheque (payable to Maryvale Institute) sent with a copy of the invoice and addressed to the Finance Director at Maryvale;
 - By credit/debit card – in which case, students must contact the main office at Maryvale (enquiries@maryvale.ac.uk) to make the necessary arrangements;
 - By credit card cheque (as for personal cheques);
 - Electronically direct to Maryvale's bank account. In this case students are required to email the Finance Controller at (finance@maryvale.ac.uk) to ask for the relevant details. In addition to the Course Fees, bank charges of £10 need to be added to payments made from bank accounts from outside the UK;
 - By PayPal. In this case students must email the dedicated email address for PayPal requests (payments@maryvale.ac.uk).
- 2.16.14. In all cases, payment by cheque and requests to pay by other alternative means, **MUST** be accompanied by an invoice or covering letter which must include the full name of the student, the student ID, and the title and year of the appropriate course. These details are essential to ensure that the Institute can record the payment against the correct student record.
- 2.16.15. In the case of credit/debit cards and bank transfer payments, it is also essential that the instructions to the student's bank include these same details.
- 2.16.16. Except for non-EU students denied a Visa (see below), fees will not be refunded once the course has started.
- 2.16.17. For non-EU students who have been denied a Visa and therefore are unable to study on the course due to an inability to attend residential, fees will be reimbursed less an administration charge of £250.
- 2.16.18. In cases of exceptional need, it may be possible for a student to apply for an internal, Maryvale bursary to assist with their course fees. The Institute's bursary funding is very limited, but any student who believes they can demonstrate that their circumstances are such that a bursary award might be appropriate, should contact the Bursary Secretary at Maryvale for a 'Bursary Application Form'. The form must be completed and returned well before a course is due to commence. In practice, this means that applications for courses starting in September must be made by early July; for courses commencing in January, application must be made in early November.
- 2.16.19. All fees payable under these Regulations shall be specified to the students by the Financial Controller at the start of each academic year.

3. Registration

All those registered as HIRS students are also registered as Maryvale students and are subject to the provisions of Statute 12.

Student names and contact details may be submitted to FND if requested solely for the purposes of recording student details and progression information. By enrolling on a Maryvale course the student agrees to the sharing of their information with FND for this purpose. Under normal circumstances students will not be contacted directly by FND.

3.1. Registration period

- 3.1.1. The minimum period expected for completion of a part-time undergraduate course is normally 5 years; the maximum is normally 8 years.
- 3.1.2. The minimum period expected for completion of a part-time postgraduate course is normally 30 months; the maximum is normally 5 years.
- 3.1.3. The period of registration may be reduced or extended by the Faculty Board if:
 - 3.1.3.1. the student has had to resit or repeat a part of their course of study, see Section 4.12 below;
 - 3.1.3.2. the student has been unable to study or complete a year of study due to extenuating circumstances, see Section 4.15 below;
 - 3.1.3.3. the student has been given permission to take a study break as described in section 3.4 below.

3.2. Policy and Procedure for the Suspension or Termination of Student Registration

- 3.2.1. Maryvale Institute reserves the right to suspend and/or terminate the registration of a student on academic or disciplinary grounds or where a student fails to fulfil his/her financial obligations to the Institute.
- 3.2.2. The decision to suspend or terminate registration shall be taken only after careful consideration and a period of consultation and counselling between the student and the Programme Director.
- 3.2.3. In all cases the student shall be advised of the decision to suspend or terminate his/her registration in writing by the Academic Registrar, with the agreement of the HIRS Director.
- 3.2.4. Appeal against a decision to suspend or terminate registration shall follow the procedures in Section 7.2 below.
- 3.2.5. A student's registration may be terminated:
 - 3.2.5.1. by the HIRS Director or nominee if the student has committed a serious disciplinary offence or has been deemed as unfit to study

- 3.2.5.2. by the HIRS Director if the student has exhausted all opportunities to remedy failure or has made insufficient progress through their course of study at the required stage;
- 3.2.5.3. by the Registrar if the student has formally notified the institution that they wish to discontinue their studies and so discontinue their programme.
- 3.2.5.4. by the Maryvale Institute Director if the student has failed to comply with their financial commitment to the Institute.
- 3.2.5.5. by the Faculty Board if the student has failed to complete the Programme within the required time.

Academic grounds

- 3.2.6. Every student has the right to resubmit failed work once. On resubmission the highest grade that can be achieved is a pass. A second failure of an assessed piece of work may result in termination of student registration and removal from the course. The decision to terminate registration on academic grounds rests with the Faculty Board.
- 3.2.7. Further resubmissions in the case of students studying for credits and awards, up to and including level 6, are at the discretion of the Programme Director.

Disciplinary/misconduct grounds

- 3.2.8. The definitions of academic misconduct and subsequent disciplinary actions and actions to be taken in cases of behavioural misconduct can be found in section 6.2 of these regulations.
- 3.2.9. Suspension or termination on disciplinary grounds may include repeated failure to attend residential sessions, or repeated failure to submit work to agreed deadlines. In these cases, the student shall be offered two opportunities in writing to explain and/or rectify the situation, four weeks apart. Failure to respond to the first opportunity shall result in suspension of registration. Failure to respond to the second opportunity shall result in a recommendation of termination of registration by the Programme Director to the Faculty Board.
- 3.2.10. In the case of gross misconduct, suspension shall be immediate until the case can be considered by the Student Disciplinary Committee. The student may be suspended by the Programme Director or the Institute Director, dependent on the nature of the misconduct. Suspension is highly likely to result in termination of student registration.

Financial grounds

- 3.2.11. Students are not allowed to participate in a course or receive learning materials without payment of required fees. In the case of ongoing failure of the student to comply with financial agreements as set out in section 2.6 "Payment of fees" the student will receive two warnings from the Finance department, four weeks apart.

- 3.2.12. Failure to respond to the first warning shall result in suspension of registration and the Programme Director shall be made aware of the situation.
- 3.2.13. Failure to respond to the second warning shall result in a recommendation of termination of registration by the Finance Controller to the Maryvale Institute Director (financial decisions being a management rather than academic matter).

Appeals against suspension or termination

- 3.2.14. Students may appeal against the decision to suspend or terminate registration using the appeals procedures as set out from section 7.2.10 of these regulations.

3.3. Attendance requirement

- 3.3.1. Residentials are an integral part of the academic and pastoral support offered on Maryvale courses. They provide face to face teaching of valuable course content, academic stimulus and offer valuable opportunities for students to meet, worship, discuss and study together.
- 3.3.2. Students shall only be accepted on to a course if they agree to the residential requirements of the course for which they have applied, as determined by these Regulations or by the Admissions Committee in a particular case, and to be eligible for awards associated with a course, students must attend the required residentials.
- 3.3.3. If for medical, compassionate or other serious reasons a student is unable to attend a particular residential, he/she should explain the situation to the Programme Director, who shall decide whether or not the student is to be exempted on that occasion.
- 3.3.4. In such cases any reading and assignments set at the residentials are to be completed by the student within the normal timescales unless otherwise agreed by the Programme Director.

3.4. Intercalation and study breaks

- 3.4.1. A student may apply, or be required, to take a study break for a maximum period of twelve consecutive months for reasons of ill health or other extenuating circumstances.
- 3.4.2. Under normal circumstances requests for intercalation or a study break must be submitted in writing and approved by the Faculty Board and shall only be considered for medical, compassionate or other serious reasons on the provision of corroborating evidence (e.g. medical certificate).

Intercalation

- 3.4.3. Intercalation is where a student is admitted to a year of study and for any reason does not submit the complete course work for the year or sit the examination (if relevant). This student does not intend to withdraw from the course but works with the Programme Director to devise a timetable for completion of the year's

work over the subsequent year; thereby taking two years to complete one year of study.

- 3.4.4. The intercalating student is charged an intercalating fee for the additional year. This fee does not include the cost of attendance at residential which, if the student chooses to attend, must be paid for separately.
- 3.4.5. Intercalation ceases when either all work relating to the study year has been completed, or the student advises the Programme Director that he/she has withdrawn from the course.

Study break

- 3.4.6. A study break is normally where a student, on completion of a year of study and before the commencement of the next, advises the Programme Director in writing that he/she intends to take a break from study of one year.
- 3.4.7. There is no charge for the study break year(s) as the students will not be receiving course materials, will not be attending residential or submitting work to be marked, and will not have formative contact with the Course Director or Tutor.
- 3.4.8. Once a year of study has commenced the option of a study break is no longer available and the rules of intercalation apply, except that the Faculty Board may grant a study break for serious reasons and after consulting the Financial Controller.

Limits on intercalation and study breaks

- 3.4.9. Students choosing to intercalate or take a study break must complete all work and submit themselves for a final award within the maximum time allowance; see section 3.1 above.

Withdrawal

- 3.4.10. Before making the decision to withdraw from a course students are encouraged to discuss their situation with the Programme Director as other options may be available.
- 3.4.11. If withdrawal is agreed upon the student must inform the Registrar in writing giving, where possible, the reason for withdrawal.
- 3.4.12. The student ID card must be returned to the Registrar.
- 3.4.13. In all cases course fees are non-refundable.

3.5. Student ID Cards

- 3.5.1. All Maryvale students must be in possession of a valid student ID card, which must be kept about the student's person at all times while attending Maryvale and presented on arrival at examination rooms as proof of identity.

- 3.5.2. New students shall submit a digital photograph to Registry with details of their name and the course on which they are enrolled.
- 3.5.3. ID cards shall be issued to students at the first residential after receipt of the photographs. Students may receive their cards earlier than this on provision of a stamped addressed envelope or advance payment of the appropriate postage costs.
- 3.5.4. In the event of a student arriving at an off-site examination room without his/her ID card, the examination script must be annotated by the invigilator, signed by the student and the signature checked against that held on file once the script arrives at Maryvale.
- 3.5.5. Should a student lose the ID card he/she shall be charged a fee for a replacement.
- 3.5.6. On withdrawal or exclusion from the course the student ID card must be returned to the Institute.
- 3.5.7. If any cases of impersonation or falsification are discovered the students involved shall be subject to disciplinary proceedings according to section 6 of these regulations.
- 3.5.8. A student ID card is for Maryvale identification purposes only. It is not part of any national ID card scheme and does not guarantee any student discounts. It should, however, allow access to University libraries.

4. Assessment

4.1. Introduction

- 4.1.1. The term 'assessment' in these regulations is used comprehensively to incorporate all forms of examination employed to judge that a student has fulfilled all requirements and attained the standard required for the award in question. 'Assessment' in these regulations is also to be defined according to the specific regulations of each Programme.
- 4.1.2. Assessment shall be carried out in accordance with normal best current Maryvale practice.
 - 4.1.2.1 The Faculty Board shall have power to make general decisions in relation to assessment and approval of assignments. The Registrar may require such decisions to be made at a meeting of the Faculty Board at which the Registrar and/or the Examinations Secretary is present.
 - 4.1.2.2 Each Programme shall also be subject to its own specific assessment regulations which shall be compatible with these Regulations.
- 4.1.3. Assessment in any instance may be:
 - 4.1.3.1. **Diagnostic**, providing an indicator of a learner's aptitude for a course of study and possible areas of need;
 - 4.1.3.2. **Formative**, informing development through providing feedback;
 - 4.1.3.3. **Summative**, providing a measure of achievement in relation to the learning outcomes in a programme;or a combination of these.
- 4.1.4. The process of assessment seeks to:
 - 4.1.4.1. Enable students to demonstrate that they have fulfilled the objectives of the course of study and achieved the standard required for the award they seek.
 - 4.1.4.2. Inform students of the judgment made about the quality of their work;
 - 4.1.4.3. Provide guidance to the student as to how the quality of his/her work may be developed and enhanced;
 - 4.1.4.4. Provide recorded information on which the progression and final decision on a student's fulfilment of a course's objectives may be based.
- 4.1.5. For these reasons students shall be apprised of the assessment processes that will apply within their course.
- 4.1.6. The Examination Board shall be responsible for interpreting the assessment regulations for the course in individual cases if any difficulties arise; and shall be

guided by the Institute's and the FND's requirements together with good practice in Higher Education.

- 4.1.7. Therefore, the Examination Board operating within its terms of reference may not have its academic judgements in themselves questioned or overturned.
- 4.1.8. Major dispensations from Regulations, for example to allow assignments to be submitted after examinations or more than one month late, shall normally be granted by the Programme Director with the approval of one other member of the Faculty Board and reported to the next meeting of the Board. In the case of disagreement or appeal the matter shall be decided at a Faculty Board meeting.

4.2. Principles of assessment

- 4.2.1. Examiners, acting impartially and using methods providing comparability and equity of treatment, are required to formulate their judgments on student performance within the specific programme assessment regulations.
- 4.2.2. Assessment criteria, processes and judgements should seek to establish the achievement of individual students in fulfilling course objectives.
- 4.2.3. In order to ensure that these assessed achievements are consistent with national standards for comparable awards, the Institute requires that an External Examiner be associated with all assessments counting towards a validated award.
- 4.2.4. Programme Boards shall monitor the efficacy of course assessment and examination requirements and regularly review all External Examiner comments
- 4.2.5. Any recommendations to the HIRS Council from a Programme Board for changes to its Programme's assessment or examination requirements shall be reviewed in the first instance by the Faculty Board. The Faculty Board shall then seek the opinion of the Maryvale Institute Academic Board and include this opinion in its proposal to Council.
- 4.2.6. In collaboration with the Academic Registrar, Programme Directors are required to ensure that the assessment requirements together with progression regulations for their courses are made known to students.
- 4.2.7. Students shall also be informed about regulations and procedures that relate to the grounds on which requests to the Examination Board to review their decisions may be made; and about the arrangements for dealing with any such requests, including the responsibilities of students in the appeals process, see Section 7.2 below.
- 4.2.8. It is the responsibility of students to attend examinations and to submit work for assessment as required. If a student fails to attend examinations or submit work for assessment without good cause, the Examination Board may deem the student to have failed the assessments concerned, see Section 4 below.
- 4.2.9. If a student with special needs is unable to be assessed by the methods specified in the assessment regulations, the Faculty Board in consultation with the

Disability Co-ordinator shall examine all possibilities of alternative forms of assessment and examination.

- 4.2.10. The Examination Administration Committee shall where necessary judge on the reasonableness and practicality of proposed alternative assessment methods and advise the Faculty Board accordingly.
- 4.2.11. If special arrangements cannot be made the reasons for this shall be communicated in writing to the student. Failure to implement any special arrangements formally agreed constitutes a ground for an appeal.

4.3. Assignment and examination questions

- 4.3.1. For each Programme there shall be a sub-committee of the Faculty Board to determine the suitability of new assignment and examination questions and the relationship between them.
- 4.3.2. Each such sub-committee shall normally consist of two or three members: the Programme Director and two tutors.
- 4.3.3. All new assignment and examination questions shall be submitted to the External Examiner for comment and approval.

4.4. Submission of assessed work

- 4.4.1. Details of how and when to submit work for assessment shall be prescribed by the Programme Director.
- 4.4.2. Submission shall normally be electronic.
- 4.4.3. Work submitted for a summative assessment component cannot be amended after submission or re-submitted.

4.5. Marking and moderation

The individual course regulations shall explain the marking process specific to each course.

Moderation policy

- 4.5.1. A minimum of 25% of assignments and examination scripts from across the grades shall be chosen for moderation.
- 4.5.2. All dissertations shall be individually moderated.

Moderation procedure

- 4.5.3. The Programme Director or Leader is responsible for day-to-day moderation of assignments and for moderation of exams by sampling academic tutor comments and marks and also for general monitoring of the quality of tutoring and grading by members of the course team by reading all feedback sheets from markers. This involves:

- 4.5.3.1. the moderation of assignments and examination work for consistency across the course and for appropriate standards, matching tutor grading against the assessment criteria;
- 4.5.3.2. monitoring the quality and helpfulness of feedback from markers to students, both on the students' work and on the feedback forms;
- 4.5.3.3. providing useful feedback to tutors on their tutoring and grading.
- 4.5.4. Should there be a significant difference of opinion between the marker and the Programme Director, this shall be brought to the attention of the relevant Examination Board for a final decision.
- 4.5.5. External Examiners may not change the marks of individual students, but should they have concerns about the internal marking and moderation, they may recommend either a change to the marks of an entire cohort or that the work be re-marked.
- 4.5.6. In certain circumstances, in the case of students with learning difficulties or disabilities, the student shall be assessed in a manner which takes into account their specific needs.
- 4.5.7. The Maryvale Academic Standards Committee may monitor the overall implementation of this process on behalf of the Maryvale Academic Board.

4.6. Assignment and examinations feedback

Comments on assignments

- 4.6.1. Comments from markers shall be annotated with each assignment. A brief summary and targets for improvement should also be given.

Comments on examination scripts

- 4.6.2. Examination markers shall provide a brief comment of 1 to 2 lines on each script by way of justification and comment. This goes to the moderator of the scripts and the Examination Board.

Written feedback to students after examinations

- 4.6.3. The grades for the examination and for the year shall be disclosed to students. Scripts and comments on the scripts shall not be returned. When an award stage has been reached, e.g. HE Certificate or HE Diploma, students shall receive a transcript of their achievements for that award.

Tutorial feedback

- 4.6.4. Tutorial feedback is available during residential sessions following the examinations, or arranged individually with students by agreement with the Course Director at the individual student's request.

4.7. Tutorial protocols and chaperones

For the comfort, support and protection of staff and students Maryvale Institute has set out protocols for the conduct of one-to-one tutorial sessions and has introduced a chaperone system whereby a chaperone may be requested by the student or a member of staff to sit in on such sessions.

Protocols

- 4.7.1. Staff and students are expected to develop professional relationships with students. Although such relationships may require a strong element of pastoral care, it is important to maintain a level of professional distance. Under no circumstances are staff allowed to share their personal contact details or those of others with students.
- 4.7.2. All one-to-one tutorials (or other one-to-one student/staff meetings) must be held in a ground floor space. Suitable rooms include the Bromwich, Newman or Dwyer rooms, the small lecture hall, or a quiet corner of the Couve de Murville room.
- 4.7.3. Computer and network access is available in the Bromwich room and the lecture halls if required.
- 4.7.4. The door to the room must remain open and the users of the room must sit far enough into the room to be seen but not heard by passers-by.
- 4.7.5. It is recommended that the tutor and student sit across a desk from each other; with the student seated nearest to the exit.
- 4.7.6. The student should make a note of the key points discussed during the tutorial to share with the tutor either at the conclusion of the tutorial or shortly thereafter, to form part of the student's personal development. The notes would then be referred to at the next tutorial to clarify areas of improvement or those still in need of development.
- 4.7.7. Either party has the right to terminate a tutorial if he/she feels uncomfortable. The reason(s) for the termination must be made clear to the other party at the time and a record made of the event, to be kept on the student file.
- 4.7.8. If both parties believe it would be helpful, an attempt should be made to put right any disagreements through discussions in the presence of a third party. If successful, the student/tutor relationship can continue.
- 4.7.9. If the third party discussion is either not agreed to or is unsuccessful the tutorial would need to be re-arranged with a different tutor and/or the presence of a chaperone.

Chaperones

- 4.7.10. Through the application process potential students will be advised of the possibility to have a confidential chaperone sit in during one-to-one tutorials or student/staff meetings and will be asked to indicate whether or not they Maryvale Institute Regulations 2016-17 Page 20 wish to take up this offer. They

may also make this request at a later stage in their studies in the circumstances in point 4.7.9 above or point 4.7.11 below.

- 4.7.11. It may be possible, as part of reasonable adjustments, for a student with a declared disability to have a chaperone to support him/her by taking notes on his/her behalf during the tutorial.
- 4.7.12. If the request is made via the application process the identity of the chaperone will be agreed at, or shortly after, the first residential session; once the student has had opportunity to get to know the staff and his/her fellow students.
- 4.7.13. Students requesting a chaperone later in their studies must submit a request to the Programme Administrator or the Disability Co-ordinator and make appropriate suggestions for two people who could fulfil this role. The student must not suggest potential chaperones without first speaking to the person(s) to confirm that he/she would be willing and able to fulfil the role.
- 4.7.14. The Programme Administrator or Disability Co-ordinator will discuss the requirement and names suggested with the Programme Director and a nominated chaperone will be agreed.
- 4.7.15. Tutors requesting a chaperone must first discuss the requirement with the Programme Administrator; unless the tutor is the Programme Director, in which case he/she can make his/her own arrangements.
- 4.7.16. The chaperone may be:
 - 4.7.16.1. another tutor;
 - 4.7.16.2. a member of the academic staff;
 - 4.7.16.3. a member of administrative staff;
 - 4.7.16.4. a fellow student of the tutee's choice.
- 4.7.17. The nominated chaperone would be approached by the Programme Administrator, or the Disability Co-ordinator, on the student's or tutor's behalf to seek agreement to take on the role.
- 4.7.18. Once the chaperone is agreed the Programme Administrator or the Disability Coordinator will confirm the appointment to all involved.
- 4.7.19. The chaperone would be bound by a confidentiality agreement signed at the outset of the arrangement.
- 4.7.20. It is the responsibility of the person who made the request for the chaperone to advise him/her of the dates and times when he/she will be needed.
- 4.7.21. Unless specifically asked to speak and/or note take as part of additional support arranged for students with declared disabilities, the chaperone's role would be to observe only; he/she would not be expected to pass comment on the student's progress or on the tutor's considered comments on the student's work.

4.8. Policy on Late Assignments

- 4.8.1. The importance of meeting deadlines for submitting assignments cannot be over-emphasised. The discipline of doing so is an essential part of all academic courses, and is a particularly important aspect of distance-learning degree programmes, in that the effort to meet deadlines assists the student in developing regular patterns of study.
- 4.8.2. It must also be said that once a student begins to miss deadlines and falls behind with work, it becomes increasingly difficult to do justice to the course. Assignments are inevitably rushed and produced in a hurried fashion in the attempt to make up for lost time. Once one assignment is late, the next tends to be as well, making it difficult to return to a steady pattern of study. Moreover, the learning which takes place on the degree course is sequential and this feature is lost if a student is trying to write two assignments more or less simultaneously in an attempt to catch up with work.
- 4.8.3. For these reasons, then, and also to ensure the smooth running and administration of the course, it is important that there are clear guidelines concerning assignment deadlines.
- 4.8.4. Students must do their utmost to submit all their work by the assignment deadlines.
- 4.8.5. Work submitted late without permission being given shall incur the following penalties:
 - 4.8.5.1. Up to one week: lowest mark within the grade given
 - 4.8.5.2. One to three weeks: lowest mark one grade below that given (for example one grade below = reduction from a B grade to a B-, or a C+ to a C)
 - 4.8.5.3. Three to five weeks: lowest mark two grades below that given
 - 4.8.5.4. Over five weeks: lowest mark three grades below that given
- 4.8.6. The Programme Director shall contact any student who fails to submit an assignment. A student who fails to submit three consecutive assignments without explanation may be deemed to have withdrawn from the programme.
- 4.8.7. Course work shall not normally be accepted beyond the final deadline set in any academic year. Permission to submit after this deadline may only be granted by the Programme Director for medical, compassionate or other serious reasons on the provision of corroborating evidence (e.g. medical certificate) and upon completion of the appropriate form. The Programme Director may, at his or her discretion, grant an extension subject to the penalties shown above. An extension beyond one month from the original deadline shall normally only be granted by the Programme Director with the approval of one other member of the Faculty Board. In the case of disagreement or appeal the matter shall be decided by the Faculty Board.

- 4.8.8. Any extension of more than two-thirds of the time to the deadline for the next assignment shall not normally be granted without a revised timetable for that student's remaining assignments being agreed.

4.9. Assignments which exceed the word length

- 4.9.1. It is important that assignments submitted by students are of a standard length, both because of the importance of writing with clarity, precision and conciseness, and because of the need to ensure comparability in terms of student assessment.
- 4.9.2. The expected word length for assignments is specified in course handbooks
- 4.9.3. Assignments should include a word count. Footnotes are not included in the word count unless they are discursive rather than referential. Bibliography and quote references are not included in the word count.
- 4.9.4. Assignments which exceed or fail to reach the word length by anything up to 10% are acceptable.
- 4.9.5. Assignments which exceed the word length by more than 10% must be agreed beforehand with the Programme Director who will agree to this only in certain circumstances – for example, where necessary appendices form part of the assignment; e.g. Lesson plans or schemes of work or supporting empirical data in some postgraduate material.
- 4.9.6. If a student submits work which exceeds the word length by more than 10% without prior permission being gained from the Programme Director, the academic tutor may mark only that part of the assignment which falls within the agreed word length plus 10%.

4.10. Minimum requirements

- 4.10.1. To obtain an award students are required to complete all parts of the programme's approved assessment and comply with all regulations relating to their course of study.
- 4.10.2. The minimum aggregate pass marks for awards are:
 - 40% for undergraduate programmes
 - 50% for postgraduate programmes.
- 4.10.3. These minima apply to assessments, modules, stages and qualifications.

Assessment scores

- 4.10.4. All undergraduate assessment shall be marked on a percentage scale of 0-100.

% Scale Score	Performance Standard
70+ (A- to A+)	Excellent pass (1 st Class (Hons))

61-69 (B to B+)	Very Good pass (Upper 2 nd Class (Hons))
53-60 (C+ to B-)	Good Pass (Lower 2 nd Class (Hons))
45-52 (C- to C)	Pass (3 rd Class (Hons))
40-44 (D)	Borderline Pass
0-39 (E)	Fail

- 4.10.5. All postgraduate assessment shall be marked on a percentage scale of 0-100. Taught postgraduate awards may include merit and/or distinction classification.

% Scale Score	Performance Standard
70+ (A- to A+)	Distinction
60-69 (B- to B+)	Merit
54-59 (C to C+)	Good Pass
50-53 (C-)	Pass
0-49 (D)	Fail

- 4.10.6. The final grade for an individual assessment component shall be determined after completion of a quality assurance process (e.g. moderation).

4.11. Determining outcomes

Module outcomes

- 4.11.1. The overall module mark or grade shall be determined as set out in the assessment strategy detailed in the module specification and published in the Programme Regulations.
- 4.11.2. In order to pass a module a student must achieve the requirement of the module as set out in the module specification and published in the Programme Regulations.
- 4.11.3. A student who passes a module shall be awarded the credit for that module. The amount of credit for each module shall be set out in the course specification and published in the Programme Regulations.

Progression and qualification outcomes

4.11.4. The paths through which students are required to progress through the programme, and the elements identified as compulsory or optional shall be set out in the Programme Regulations.

4.11.5. Honours degrees are classified as:

First class	Aggregate mark of 70% or above
Upper Second class	Aggregate mark between 60% and 69%
Lower Second class	Aggregate mark between 50% and 59%
Third class	Aggregate mark between 40% and 49%

Stage requirements

4.11.6. Each stage of an undergraduate programme, i.e. HE Certificate and HE Diploma is expected to consist of a total of 120 credits, usually studied over two years part time.

4.11.7. In order to complete and pass a stage of a programme, a student must acquire the total credit set out in the course specification at the approved qualification level for the award, or have been exempted through advanced standing.

4.11.8. Where a student fails a module, the following may apply in the first instance:

4.11.9. Resit (see 4.12 below) – a second attempt at an assessment component following a failure at first attempt.

4.11.10. Compensation – the award of credit by the Examination Board for a failed module(s) on account of good performance in other modules or other assessments in the same module at the same credit level where the learning outcomes have been met.

Borderlines

4.11.11. The Examination Board for each Programme shall produce its own established regulations for the identification and resolution of borderlines.

4.11.12. In general, where the result of the assessment calculation creates a mark of 0.5% or greater this will be rounded up to the next full percentage point (e.g. 69.5% is rounded to 70%; 59.5% to 60%; and so on). Where the calculation creates a mark below 0.5% this will be rounded down to the next full percentage point (e.g. 69.4% is rounded to 69%; 59.4% to 59%; and so on). For the purposes of rounding up or down, only the first decimal place is used.

Failed assessments

4.11.13. No work which has passed can be re-submitted in order to improve a grade.

4.11.14. Every student has the right to re-submit failed work once. Further resubmissions in the case of students studying for credits and awards up to and including level 6, are at the discretion of the relevant Assessment and Examinations Board.

4.11.15. On re-submission the highest grade that can be achieved is 'PASS'.

4.12. Sitting examinations

- 4.12.1. No candidate may sit an examination unless all coursework for the subject in which the examination is being taken has been completed or written permission has been given by the Faculty Board.
- 4.12.2. Students wishing to sit examinations must submit their entry forms by the deadline date stated: normally the end of February for examinations taken in June/July and the beginning of October for examinations taken in November/December. Failure to submit the entry form in time may result in the student not being entered for the examination.
- 4.12.3. Under certain circumstances any candidate who is unable to take an examination on the date given in the course calendar may apply to the Faculty Board in advance to be allowed to sit the examination on the date allocated for resit examinations.
- 4.12.4. The application to defer the sitting of the examination must be submitted to the Examinations Secretary in writing by the deadline given on the examination entry form.
- 4.12.5. In order to ensure justice for all students, permission for deferral of an examination sitting shall only be granted for medical, compassionate or other serious reasons and not for the simple reason of non-completion of work. Requests for such permission shall require the provision of corroborating evidence (e.g. medical certificate).
- 4.12.6. Written examinations can only be taken on either the set date or the date of the resit examinations. Any candidate who fails an examination which is being taken for the first time on the date of the resit must wait until the following year's examination date to resit that examination.
- 4.12.7. Should a candidate be unable to attend an examination due to illness or emergency he/she must contact the Institute to inform the Examinations Secretary as soon as possible, preferably at least one hour prior to the examination start time if circumstances allow.
- 4.12.8. The Faculty Board shall have power to make such decisions in regard to a particular student as are necessary in cases of extenuating or unforeseen circumstances, but all such decisions must be communicated to the meeting of the Examination Board.

Examination centres

- 4.12.9. Students from within the British Isles are expected to sit their examinations at Maryvale or, by prior arrangement with the Examinations Secretary, at one of the established centres, currently London, Kinnoull, Dublin, Portglenone.
- 4.12.10. In exceptional circumstances, a candidate from the British Isles who is unable to take his/her examinations at one of the approved centres listed above, may apply to the Faculty Board to be allowed to sit at a specially arranged centre agreed with the Examinations Secretary. The setting up of additional centres

incurs additional costs for the Institute, therefore permission shall only be given for very serious reasons.

- 4.12.11. Centre arrangements for students from outside the British Isles are made with the Examinations Secretary with the approval of the Examinations Administration Committee.
- 4.12.12. Any student failing to attend an examination at a specially arranged centre shall be charged a cancellation fee.

Students with learning difficulties or disabilities

- 4.12.13. Students with learning difficulties or disabilities requiring additional support should discuss with Institute staff their preferred method of examination based on their respective disability.
- 4.12.14. The Disability Co-ordinator shall liaise with the student, the Programme Director and the Examinations Secretary and will seek approval of the Examinations Administration Committee so that any changes to the original method of examination agreed may be considered and so that the existing method may be monitored.
- 4.12.15. The Institute shall assist the student within the framework of assessment as far as is possible, providing that any alterations to the standard method of examination are accepted by the Examinations Administration Committee and the Faculty Board.

Special arrangements for examinations

- 4.12.16. Examinations shall normally be handwritten. Any student for whom this causes serious difficulties and who wishes to use a computer or to have the services of an amanuensis must notify the Examinations Secretary by the deadline date for submission of entry forms for examinations, for the application for special arrangements to be considered by the Examinations Administration Committee.
- 4.12.17. The candidate applying for special arrangements must provide written evidence of the medical need for such arrangements.
- 4.12.18. Appeal from a decision of the Examinations Administration Committee may be made to the Faculty Board.

Use of computers

- 4.12.19. Permission to use a computer shall only be given to candidates sitting the examination at Maryvale.
- 4.12.20. The computer and the means of saving the work (disk or memory stick) will be provided by the Institute.
- 4.12.21. In the event that the student needs to use his/her own computer he/she must certify in writing that no material is stored on the computer which could give them an unfair advantage and must submit the computer to an officer of the Institute for checking at least 24 hours before the start of the examination. Such

candidates must also bring their own printers and hand in the printouts at the end of the examination; the disk or memory stick by itself is not acceptable.

- 4.12.22. Printing of hard copy does not constitute part of the examination time allowance and should be carried out by the invigilator immediately after the examination is finished.

Amanuensis

- 4.12.23. Permission for the use of an amanuensis will normally be given only to candidates sitting the examination at Maryvale.
- 4.12.24. The candidate will be set up in a room separate to the other examinations and may be given an additional time allowance, by the agreement of the Examination Administration Committee.
- 4.12.25. If permission is given for the use of an amanuensis at a centre other than Maryvale, there must be present, in addition to the amanuensis, an independent invigilator, who must have been approved by the Institute and whose remuneration will be charged to the student at a rate to be decided by the Finance Controller of the Institute.
- 4.12.26. When taking dictation from the student the amanuensis is to write exactly what is dictated, including punctuation.
- 4.12.27. An amanuensis may not speak, except to ask the candidate for confirmation of what was said.
- 4.12.28. An amanuensis should not, through writing, gestures, or by any other means give factual help, offer suggestions, or give advice on how to organise responses.
- 4.12.29. Candidates using an amanuensis shall be allowed to take a drink into the examination room.
- 4.12.30. Candidates are advised to check the answer sheets before handing them in. This must be done within the examination time allowance.

Dictating examination answers onto a recording device

- 4.12.31. In certain circumstances permission may be granted for a candidate to record his/her answers on to a recording device. As with other special arrangements, this permission will be given only to candidates sitting examinations at Maryvale and with the agreement of the Examinations Administration Committee.
- 4.12.32. This option should only be used after careful consideration: although it allows the candidate to dictate at his/her own pace, it requires organised thinking and it can be difficult to make changes to a recorded answer.
- 4.12.33. The candidate shall be set up in a room separate to the main examinations, in the presence of an Institute approved invigilator.
- 4.12.34. Recording equipment shall be provided, along with note paper and instructions for the use of the recording equipment.

- 4.12.35. The candidate should arrive 15 minutes before the start of the examination in order to familiarise him/herself with the equipment. The candidate shall not be allowed to view the examination paper during this preparation time.
- 4.12.36. Candidates shall be allowed to take a drink into the examination room.
- 4.12.37. Any notes drafted by the student will be collected by the invigilator and sent to the marker along with the recording.

Oral examinations

- 4.12.38. All oral examinations must be recorded and invigilated by a third party; the role of this invigilator is to:
 - 4.12.38.1. Ensure that the examination, and the preparation for it, is conducted fairly, in accordance with Institute regulations and procedures;
 - 4.12.38.2. Remain impartial throughout the examination; the invigilator does not contribute in any way to the examination or assessment procedures;
 - 4.12.38.3. Take notes on the conduct of the examination as appropriate, these notes should be retained by the invigilator and made available in the event of an appeal;
 - 4.12.38.4. Complete a report to be submitted to the Examination Board following the examination to confirm that correct procedures were observed at all times. This report shall be filed securely with the papers from the Examination Board;
 - 4.12.38.5. Provide testimony to the conduct of the examination should an allegation of irregularity be made.
 - 4.12.38.6. The examiner(s) shall record comments and marks on an assessment sheet which, together with the recording, shall be made available to the External Examiner, submitted to the Examination Board, and archived.
- 4.12.39. The detailed requirements for oral examinations shall be prescribed in the Programme Regulations. Candidates shall be assessed according to the usual assessment criteria for the programme
- 4.12.40. In exceptional circumstances the Faculty Board or Examination Board may judge that an oral examination may be advisable in place of a written exam.
- 4.12.41. This may be required for one of the following reasons:
 - 4.12.41.1. to confirm the progression/result status of a student;
 - 4.12.41.2. to determine the result status of unusual or borderline cases;
 - 4.12.41.3. when there is conflicting evidence from the various assessment components;
 - 4.12.41.4. as an alternative or additional assessment in cases where poor performance in assessment is the result of exceptional circumstances verified through due processes.

Illegible examination scripts

- 4.12.42. Legibility of handwriting is the responsibility of the student. Markers should be able to read an examination script with reasonable effort.
- 4.12.43. If a script is difficult to decipher, the marker may deduct up to 5% of the marks allotted for it.
- 4.12.44. Scripts that prove too difficult to read should be referred back to the Institute by the marker for a second opinion.
- 4.12.45. In a case of poor handwriting the student will be approached by a member of the institute staff to ascertain if there is a medical reason for the problematic writing. If a medical reason is claimed, evidence of this will need to be submitted to the Disability Support Co-ordinator; who will then discuss with the student what reasonable adjustments might be possible.
- 4.12.46. If there is no certified medical reason the student will be required to have the script(s) transcribed at his/her own cost.

Resit provision

Resit provision is subject to all of the following conditions:

- 4.12.47. A student may resit the failed assessment components of a module only once.
- 4.12.48. Where there are extenuating circumstances, the Examination Board has discretion to decide whether a further assessment opportunity shall be permitted, unless explicitly prohibited in the rules for the programme, as approved in the validation process.
- 4.12.49. A student who does not complete the resit by the date specified shall not progress on the programme, except in cases where the process for allowing extenuating circumstances has been followed.
- 4.12.50. Resits can only take place after the meeting of the Examination Board or following agreement by the Chair and the External Examiner of the Board.
- 4.12.51. A student who successfully completes any required resits within a module shall be awarded the credit for the module and the result capped at the minimum pass mark for the module.
- 4.12.52. Resit examinations are normally taken at Maryvale.
- 4.12.53. In exceptional circumstances a candidate may apply to resit an examination at a centre other than Maryvale.
- 4.12.54. All such requests shall be considered by the Faculty Board with the advice of the Examinations Administration Committee.
- 4.12.55. There shall be a charge for setting up a resit centre.

Options for the repeat of study

- 4.12.56. If, having exhausted all permitted resit and compensation opportunities, a student is still unable to pass, the Examination Board may, at its discretion, either

determine that the student has failed to complete the Programme or permit one of the following repeat options:

Partial repeat as fully registered student:

- 4.12.57. The student is not permitted to progress to the next stage of the course but must repeat the failed modules and/or components in full during the following academic year,
- 4.12.58. The student has full access to all facilities and support for the modules and/or components being repeated,
- 4.12.59. The marks that can be achieved for the modules and/or components being repeated will be capped at the module and/or component pass marks,
- 4.12.60. The student retains the marks for the modules and/or components already passed,
- 4.12.61. No further resit opportunities are permitted.

Partial repeat for assessment only:

- 4.12.62. As above, except that access to facilities and support will be limited to certain learning resources for the module(s) and/or component(s) being repeated. Participation will only be allowed for relevant revision sessions and assessments.

Full repeat:

- 4.12.63. This is only permitted where the student has extenuating circumstances;
- 4.12.64. The student does not progress to the next stage of the course but instead repeats all the modules in the current stage during the following academic year,
- 4.12.65. The student has full access to all facilities and support,
- 4.12.66. The marks that can be achieved are not capped, and the student is normally entitled to the resit opportunities available. However, a student is not able to carry forward any credit from previous attempts at the stage.
- 4.12.67. Where resit, compensation and repeat opportunities have been exhausted, the Examination Board may recommend a student for an exit award as defined in Section 4.12 below.
- 4.12.68. The Examination Board may also provide for a special assessment to allow a student to complete one failed module, it may authorize progression of that student subject to such completion, and it may authorize the Chair to certify such completion on its behalf.

4.13. Provision for exit awards

- 4.13.1. B.Div. students who satisfactorily complete all the requirements of Years 1 and 2 of the Programme shall receive as an exit award the Maryvale Certificate of credit – equivalent to a UK national CERT HE.

- 4.13.2. B.Div. students who satisfactorily complete all the requirements of Years 1 to 4 of the Programme shall receive as an exit award the Maryvale Diploma of credit – equivalent to a UK national DIP HE.

These are Maryvale awards and not made by the HIRS.

4.14. Posthumous and Aegrotat awards

- 4.14.1. Should a student be prevented by illness, or other circumstances, from completing the final assessed component of the programme, the Examination Board, having considered the relevant evidence (including medical certification) may make a recommendation that an Aegrotat award be made.
- 4.14.2. Such exceptions are limited to students who are permanently unable to continue their studies and are registered for the final module that would complete a qualification, and have been assessed on at least part of the module. The board must be satisfied that the student's prior performance shows beyond reasonable doubt that they would have passed but for the illness, or other circumstances.
- 4.14.3. Posthumous awards are permitted for all programmes. The classification for such awards is based on past performance and recommendation by the Examination Board to FND.

4.15. Extenuating circumstances

The Institute recognises that students may suffer from a sudden illness, or other serious and unforeseen event or set of circumstances, which adversely affects their ability to complete an assessment, or the results they obtain for an assessment.

Examinations

- 4.15.1. Under certain circumstances any candidate who, for serious reasons, is unable to take an examination on the date given in the course calendar may apply to the Faculty Board under Regulation 4.12.3 above.
- 4.15.2. In order to ensure justice for all students, permission for this shall only be given for medical, compassionate or other serious reasons and not for the simple reason of non-completion of work.
- 4.15.3. The application to defer the sitting of the examination must be submitted to the Examinations Secretary in writing by the deadline given on the examination entry form.
- 4.15.4. Medical evidence submitted in support of a claim for extenuating circumstances should be provided by a qualified medical practitioner and will be verified by the Institute.
- 4.15.5. Examinations can only be taken on either the set date or the date of the resit examinations. Any candidate who fails an examination which is being taken for the first time on the date of the resit must wait until the following year's examination date to resit that examination.

- 4.15.6. A candidate who is unable to attend an examination due to illness or emergency must inform the Examinations Secretary as soon as possible, preferably at least one hour prior to the examination start time if circumstances allow.
- 4.15.7. Upon receipt of recommendations from the Faculty Board, the Examination Board shall decide whether to:
 - 4.15.7.1. provide a student with the opportunity to take the affected assessment(s) as for the first time i.e. a 'sit' or 'submit', allowing them to be given the full marks achieved for the examination or assessment, rather than imposing a cap;
 - 4.15.7.2. determine that there is sufficient evidence of the achievement of the intended learning outcomes from other pieces of assessment in the module(s) for an overall mark to be derived;
 - 4.15.7.3. note the accepted extenuation for the module(s) and recommend that it is taken into account at the point of award and classification.
- 4.15.8. The Examination Board, depending on the circumstances, may exercise discretion in deciding on the particular form any reassessment should take, including an oral examination, additional assessment tasks designed to show whether the student has satisfied the course learning outcomes, review of previous work, or normal assessment at the next available opportunity. The student will not be put in a position of unfair advantage or disadvantage: the aim will be to enable the student to be assessed on equal terms with their cohort.
- 4.15.9. The module marks released following the meeting of the Examination Board should clearly identify results where extenuation has been considered and applied.
- 4.15.10. If a student fails, without good cause, to provide the responsible body with information about extenuating circumstances within the timescales specified that body may reject the request.

Residentials

- 4.15.11. If for medical, compassionate or other serious reasons a student is unable to attend a particular residential, he/she should explain the situation to the Programme Director, who shall decide whether or not the student is to be exempted on that occasion.
- 4.15.12. In such cases all reading and assignments set at the residentials are to be completed by the student within the normal timescales unless otherwise agreed by the Programme Director.

5. Examination Boards

5.1. Introduction

- 5.1.1. For every programme there shall be an Examination Board whose constitution and membership is approved by Council each year.
- 5.1.2. The Examination Board is accountable to Council for the fulfilment of its terms of reference.
- 5.1.3. The terms of reference of each approved Examination Board shall accord with the approved regulations for the course and must include the appointment of an External Examiner approved through procedures acceptable to FND.
- 5.1.4. The Examination Board is authorised to determine the progression of students in accordance with approved assessment regulations and to recommend progression or the conferment of validated awards upon students who, in the judgement of the Board, have fulfilled the objectives of the approved course and achieved the standard required for the award. All decisions related to a student's progression, final results, and awards, shall be approved by the Examination Board.
- 5.1.5. No recommendation for the progression of a student or for the conferment of an award shall be valid without the signed agreement of the External Examiner(s), the Chair of the Examination Board and the Academic Registrar (or nominee).
- 5.1.6. No other body has authority to recommend conferment of an award or progression, nor to amend the decision of an approved and properly constituted Examination Board acting within its terms of reference and in accordance with the regulations for the course of study. An Examination Board may, however, be required by Council to review a decision, or may have that decision annulled under the Appeals procedure.

5.2. Examination Board Terms of Reference

Board Responsibilities

- 5.2.1. to receive a report from the Examinations Secretary on the conduct of the examinations and other forms of moderated assessment;
- 5.2.2. to consider reports on the monitoring of tutor-marked assignments, examinations, student portfolios and dissertations, including any serious discrepancies between the judgements of markers and moderators;
- 5.2.3. to receive comments on the conduct of examinations/assessment from the External Examiner;
- 5.2.4. to approve examination/assessment mark lists;
- 5.2.5. to make recommendations about awards on each course under regulations approved by Council;
- 5.2.6. To undertake any other examination/assessment functions for a particular award;

- 5.2.7. To monitor longitudinal trends across successive cohorts with a view of monitoring continued maintenance of academic standards;
- 5.2.8. To make a written report to the Academic Board and to Council on its work and make any necessary recommendations for the conduct of the moderated assessment on the course.

Membership

- 5.2.9. The Chair of Examination Board shall as far as possible be a member of the Permanent Faculty not directly involved in the delivery of the Programme. A substitute Chair may be appointed by Council or, in emergency, by the Faculty Board.
- 5.2.10. The Examination Board shall consist of:
 - The Chair
 - The Programme Director;
 - The Pathway Leader where there is one or otherwise another member of the Faculty Board;
 - The External Examiner;
 - The Examinations Secretary (where appropriate).
 - The Registrar or nominee as Secretary – non-voting.

A meeting of the Examination Board shall only be quorate if the Chair, the Programme Director or Pathway Leader, the appropriate External Examiner, and the Secretary are present (if necessary by electronic means). The Examinations Secretary shall be invited where appropriate. In the case of resit boards, the External Examiner may take part in the meeting via conference call or *Skype*.

- 5.2.11. Under no circumstances may any student be a member of, or attend, an Examination Board.

Roles and responsibilities

- 5.2.12. The External Examiner's role is to ensure that all recommendations to the Academic Board, either about student progression or awards have been reached by means that accord with the Institute's, and FND's assessment requirements, and with normal practice in Higher Education.
- 5.2.13. The Academic Registrar (or nominee) as Secretary to each Examination Board, with the support of the Course Administrator, shall ensure that arrangements are in place to serve the administrative needs of the Boards and to maintain detailed and accurate records of each Board's proceedings.
- 5.2.14. The Examinations Secretary shall provide the Examination Board with a report on:
 - The conduct of the examinations, including a list of candidates by centre and a list of centres together with the details of invigilators;

- Instructions to invigilators, and guidelines for the conduct of the examinations at each centre;
- Any problems and any circumstances which might have affected candidates' performances either as individuals or as a whole;
- Any allegations raised by invigilators regarding attempts by any student to use unfair means in the assessment;
- Any special arrangements made for students for any or all of the assessments.

Declaration of interest

- 5.2.15. At the beginning of the meeting of the Examination Board for each Programme any member of the Board who has a personal interest in, involvement with or relationship to any of the students being assessed shall declare it.

5.3. External Examiners

Rights and responsibilities

- 5.3.1. The role of the External Examiner is to ensure that justice is done to the individual student and that appropriate academic standards are maintained.

5.3.1.1 The External Examiner for Year 5 of the B.Div. Programme and for the Licence Programme shall be the Representative of FND

5.3.1.2 There shall be an External Examiner for Years 1–4 of the B.Div Programme in accordance with these Regulations.

- 5.3.2. External Examiners are required to:

5.3.2.1. Judge students impartially on the basis of the work submitted for assessment.

5.3.2.2. Take account of the course's assessment standards in comparison with those generally upheld in similar courses of higher education elsewhere.

5.3.2.3. Approve the form and content of all proposed methods of assessment that count towards the award in question, including any alternative assessments and adjustments made for students with learning difficulties or disabilities.

5.3.2.4. Are consulted about and approve any proposed changes to the assessment regulations which will directly affect students on the programme.

5.3.2.5. Attend meetings of the Assessment and Examinations Board at which decisions on recommendations for awards are made and ensure that such decisions have been reached in accordance with the approved course regulations, the validating body's requirements and normal practice in higher education.

- 5.3.2.6. Have access to all assessed work and see the work of all students proposed for the highest and lowest categories, together with samples of the work of students in each of the categories, in order to monitor the consistency in standards across the categories of award.
- 5.3.2.7. External Examiners may not change the marks of individual students, but should they have concerns about the internal marking and moderation, may recommend either a change to the marks of an entire cohort or that the work be re-marked.
- 5.3.2.8. Have the right to meet students and, when appropriate, conduct a viva voce examination.
- 5.3.2.9. Endorse in writing the decisions of an Examination Board for the conferment of awards, and the progression of students. This endorsement, indicated by the External Examiner's signature, is taken to imply that examination and assessment processes have been carried out satisfactorily in accordance with the requirements of natural justice and as specified in course and institutional regulations and guidelines, unless an opinion is explicitly stated to the contrary at the meeting of the Examination Board. The External Examiner's signature also limits all further consideration of marks or awards except in the case of a formal appeal.
- 5.3.2.10. Participate as required in any review of decisions about individual students' awards taken during their period of office.
- 5.3.2.11. Report to the Academic Board and to Council, within four weeks of the final meeting of the Examination Board, on the efficacy of the assessment and examination methods adopted by the Examination Board; together with any other matters that concern the maintenance of appropriate standards of the course.

External Examiners' reports

- 5.3.3. The External Examiner shall submit an annual report for the Academic Board and to Council no later than four weeks following the final meeting of the Examination Board at which awards are decided. This annual report takes into account the headings and content of the report pro-forma supplied by the Institute that should provide the Board and the validating body with an external and comparative opinion concerning:
 - The overall performance of students in relation to their peers on comparable programmes;
 - The strengths and weaknesses of students;
 - The quality of knowledge, understanding and skills demonstrated by students, taking into account any agreed subject benchmarks and the national qualifications framework;
 - The structure, organisation, design, marking and fairness of assessments;

- The quality of course teaching, including teaching materials, as indicated by student performance;
- Any implications from the assessments regarding curriculum, resources and teaching methods;
- Feedback on whether and how previous issues raised have been addressed;
- Any recommendations arising from the assessments.

The Institute's responsibilities to External Examiners

5.3.4. In order to complement and underwrite the work and responsibilities of the External Examiners the Institute undertakes to:

- 5.3.4.1. Inform External Examiners of official actions taken in response to their reports. Reports are considered by the Programme Director and Programme Board, as part of the annual monitoring cycle of the programme; the analysis of the External Examiner report and proposed action arising from it appears in the annual monitoring report which is formally considered by Council and by Maryvale Institute's Academic Standards Committee and Academic Board.
- 5.3.4.2. Forward to FND, with the annual monitoring report, a copy of the responses to each External Examiner's report by the Programme Director and, if made, by the Academic Board. If an examiner's report raises questions which call in to question the quality of the course or the standard of the award, Council shall ensure an immediate account of the measures being put in place to consider the issues and identify and rectify deficiencies.

6. Misconduct

6.1. General Principles

- 6.1. Maryvale Institute expects its students to conduct themselves in a manner consistent with that normally associated with a community of learning and scholarship, respecting the ethos of the Institute.

6.2. Definition of Misconduct

- 6.2. The Institute defines three categories of misconduct: academic misconduct, misconduct in examinations, and behavioural misconduct; definitions for each are found below. Misconduct in any of the three categories is handled through the same processes, as outlined below, dependent on the seriousness of the offence.

Action to be taken

- 6.2.1. Suspicion of misconduct on the part of any student must be reported by the relevant member of staff to the Academic Registrar.
- 6.2.2. For misconduct in the examination room, as specified in 6.5 below, the invigilator shall make a report, complete with evidence, to the Examinations Secretary (unless the Examinations Secretary has observed the misconduct, in which case she would draft the report herself). The full report shall then be passed to the Academic Registrar.
- 6.2.3. Together, the Academic Registrar and the appropriate Programme Director shall make an assessment on the nature and seriousness of the offence.
- 6.2.4. The student shall be notified of the allegation in writing (by email or by 1st class letter from the Academic Registrar), provided with copies of any relevant evidence and advised of how the Institute intends to deal with the case (i.e. as minor or major).
- 6.2.5. The student shall be asked to provide a response to the allegation and evidence within 5 working days, unless he/she can provide a reasonable explanation for any delay.

Minor misconduct

For example, a first or minor incidence with limited impact, or if it is considered that academic misconduct is more a case of poor academic practice.

- 6.2.6. The Programme Director shall consider the report of the allegation, the evidence and the student response. In these considerations the Programme Director may speak to all involved, including telephoning or meeting with the student.
- 6.2.7. If no case of misconduct is found the Programme Director shall inform the Academic Registrar who shall issue the student with a completion of procedures letter.

- 6.2.8. If the Programme Director decides, on the balance of probability, that an offence has been committed he/she may decide merely to counsel the student, offering advice on how to avoid any repeat offence.
- 6.2.9. If appropriate the Programme Director may request the Faculty Board to consider the case and decide whether to impose penalties as described under the relevant section 6.4, 6.5.20 or 6.6.9.
- 6.2.10. The outcome and any penalties incurred shall be confirmed in writing by the Academic Registrar and a record of the offence, any warning or advice given, and any penalties imposed will be held on the student file.
- 6.2.11. The student shall be advised of his/her right to appeal. The appeal should be received within 10 working days, using the process set out in section 7.
- 6.2.12. If no appeal is submitted within the time limit the Academic Registrar shall issue a completion of procedures letter.

Major misconduct

- 6.2.13. Examples of major misconduct include (this list is not exhaustive, but intended to provide examples only):
 - Repeated incidents of misconduct of any kind;
 - Significant, intentional plagiarism;
 - Falsification or impersonation;
 - Serious breach of regulations;
 - Behaviour causing significant disruption.

For serious cases of misconduct or disruptive behaviour the student may be asked to leave the premises. (If the disruption takes place during examinations the student shall forfeit any marks to be awarded for that paper.)

- 6.2.14. In the case of serious disruption, the Programme Director may recommend to the HIRS Director that the student should be suspended until the case can be considered.
- 6.2.15. The student shall be advised by the Academic Registrar that evidence will be presented to the Student Disciplinary Committee for consideration.
- 6.2.16. The Student Disciplinary Committee shall be selected by the Academic Registrar and shall comprise:
 - 6.2.16.1. For academic misconduct:
 - Two internal academic members of the Hearings Panel not associated with the case or with the programme on which the student is studying, one of whom will chair the committee;
 - One student representative from a programme other than that of the student in the case;
 - The Academic Registrar as secretary.

- 6.2.16.2.1 For behavioural misconduct

- One member of both the Hearings Panel and the Maryvale Institute Senior Management Board not previously associated with the case, who will chair the committee;
 - One internal member of the Hearings Panel not associated with the case or with the programme on which the student is studying
 - One student representative from a programme other than that of the student in the case;
 - The Academic Registrar as secretary.
- 6.2.17 The student shall be invited to attend the meeting at which his/her case is to be considered to state his or her case and to be heard and may be accompanied by a fellow student, a family member, or a friend not otherwise associated with the Institute. It would not be appropriate for the student to be accompanied by a legal representative.
- 6.2.18. Should the student decline to attend, or not respond to the invitation to attend, and provided that the members of the Student Disciplinary Committee believe that they have sufficient evidence available to consider the case fully, then the Committee may proceed with its deliberations in the absence of the student.
- 6.2.19. If no case of misconduct is found the student shall be issued with a completion of procedures letter.
- 6.2.20. If the Student Disciplinary Committee decides, beyond reasonable doubt, that there is a case of misconduct they may impose penalties as provided below in 6.6.9.
- 6.2.21. The student shall receive the decision of the Student Disciplinary Committee in writing from the Academic Registrar, including sanctions imposed and advising him/her of the right to request a review within a set time limit.
- 6.2.22. If the student does not submit the request for review within the required time the matter will be considered closed and the Academic Registrar will issue a completion of procedures letter.
- 6.2.23. A full record shall be kept of these proceedings.

The format of the Student Disciplinary Committee

- 6.2.24 The Student Disciplinary Committee shall be provided with all written information, documentation and other pertinent evidence associated with the case. In particular:
- Any reports and evidence submitted by a member(s) of the Institute staff associated with the case;
 - The student's response to the accusation and any supporting evidence he/she cares to submit;
 - Any reports and evidence submitted by staff or students asked to bear witness in the case;

- 6.2.25 The format of the meeting shall normally be as follows:
- A private meeting of the Student Disciplinary Committee (SDC);
 - Hearing, in the presence of the student, the evidence of the member of staff bringing the allegation, followed by questions from the members of the SDC and the student to clarify points;
 - Hearing the evidence of the student, followed by questions from the members of the SDC and the member of staff bringing the allegation;
 - A summary from each party;
 - A private meeting of the Student Disciplinary Committee (SDC);
 - The Secretary shall take a full record of the proceedings. The formal minute of the Committee shall record those present and the decision of the Committee together with the reasons for that decision.

Review

- 6.2.26 A student may request a review of the disciplinary process on the grounds of:
- 6.2.26.1 a potential error in the formal proceedings;
- 6.2.26.2 new material evidence which, for valid reasons, the student was unable to provide earlier.
- 6.2.27 A request for a review must be submitted in writing to the Academic Registrar within 10 days of the student being informed of the decision of the Student Disciplinary Committee.
- 6.2.28 The request for a review shall be referred to a member of the HIRS permanent faculty not previously involved in the case.
- 6.2.29 The referee shall review the procedures, the outcome and any new material; but shall not re-consider the case.
- 6.2.30 If the decision is upheld the outcome should be communicated to the student by the issue of a completion of procedures letter.
- 6.2.31 If the decision is not upheld the student shall be advised of how and when any remedial action will be implemented by the Institute and, if requested, shall be issued with a completion of procedures letter.
- 6.2.32 A student, having exhausted the Institute's procedures, has the right of recourse to the HIRS Council, but only those members who have not previously been involved in the case shall sit upon such an appeal.

6.3. Academic misconduct

- 6.3.1 Academic misconduct is defined as 'the attempt to gain an unfair advantage or assisting another student to gain an advantage by unfair means'. This includes:

Impersonation

- 6.3.2 Taking an assessment on behalf of another student or allowing another student to take an assessment on one's behalf.

Plagiarism

- 6.3.3 Taking or using another person's thoughts or writing as one's own including:
 - 6.3.3.1 Making unacknowledged use of someone else's phrases or sentences;
 - 6.3.3.2 Paraphrasing someone else's argument or introducing someone else's line of thinking as if it were one's own;
 - 6.3.3.3 Failing to cite the source for a borrowed thesis or approach.
- 6.3.4 Study guides in Programme Handbooks offer guidance on avoiding plagiarism.

Collusion

- 6.3.5 Conspiring with others to produce a piece of work, unless joint work is called for as part of the programme. This shall not preclude reasonable discussion among students about any exercise set.
- 6.3.6 Copying or sharing another person's work, or lending work to another person in the knowledge that some or all of it will be copied.

Duplication

- 6.3.7 Submitting work for assessment that is the same as, or substantially similar to, work submitted earlier for academic credit, without acknowledgement of the previous submission (also known as self-plagiarism).

Contract Cheating

- 6.3.8 Use of essay mills or essay banks. This is a serious academic offence, attracting severe penalties – see tariff below.

Breach of Copyright

- 6.3.9 Excessive use of quotations in the text (e.g. over 400 words).

Falsification

- 6.3.10 False declarations in order to receive special consideration at an Examination Board.
- 6.3.11 The invention of data, quotations and/or references.

6.4. AMBeR Tariff

Introduction

- 6.4.1 From September 2015 the Institute adopted the use of the "AMBeR Tariff", a national tariff for the application of penalties for plagiarism. The tariff was developed in 2010 by the Academic Misconduct Benchmarking Research (AMBeR) project. It assigns points to history of offence, amount/extent of plagiarised work, level of study and the weighting or value of the piece of work.

Maryvale Institute adopted the tariff for the consideration of all academic offences and applies it as follows:

History

First time offence	100 points
First repeat	150 points
Second repeat	200 points

Amount / extent of work affected

Below 5% and less than two sentences	80 points
As above but with *critical aspects plagiarised (*critical aspects are key ideas central to the assignment)	105 points
Between 5% and 20% or more than two sentences but not more than two paragraphs	105 points
As above but with *critical aspects plagiarised	130 points
Between 20 and 50% or more than two paragraphs but not more than five paragraphs	130 points
As above but with *critical aspects plagiarised	160 points
Above 50% or more than five paragraphs	160 points
Work purchased from an essay mill or ghost writing service	225 points

This is considered serious misconduct

Level / stage

National Qualification Framework (NQF) level 4 & 5 (HE Certificate and HE Diploma)	70 points
NQF Level 6 (Bachelors degrees)	115 points
NQF Level 7 & 8 (postgraduate study and research)	140 points

Value of assignment

Standard assignment	30 points
Large project (e.g. final year dissertation)	60 points

Additional

Evidence of a deliberate attempt to disguise plagiarism by changing words, sentences or references to avoid detection 40 points

Penalties based on the points

Summative work

In all cases a formal warning is given and a record added to the student's file.

280 – 329	assignment awarded a mark of zero, resubmission required with penalty
330 – 379	assignment awarded a mark of zero, resubmission required with penalty assignment awarded a mark of zero, resubmission required and mark capped or reduced

- 380 – 479 assignment awarded a mark of zero, resubmission required and mark capped or reduced
assignment awarded a mark of zero with no opportunity to resubmit
- 480 – 524 module awarded a mark of zero, resit of module required and mark capped or reduced
module awarded a mark of zero with no opportunity to resit but credit still awarded
- 525 – 559 module awarded a mark of zero, resit of module required and mark capped or reduced
module awarded a mark of zero with no opportunity to resit but credit still awarded
module awarded a mark of zero with no opportunity to resit and credit lost
award classification reduced (e.g. Honours reduced to no Honours)
expelled from Institute but credits retained
expelled from Institute with credits withdrawn
- 560+ module awarded a mark of zero with no opportunity to resit and credit lost
award classification reduced (e.g. Honours reduced to no Honours)
expelled from Institute but credits retained
expelled from Institute with credits withdrawn

NB: Expulsion may only be imposed by the Director or the HIRS Council.

Formative work

280 – 379 informal warning

380+ formal warning with a record added to the student's file.

6.5. Misconduct in examinations

Examples: This is not an exhaustive list

- 6.5.1 Obtaining or attempting to obtain access to an unseen examination paper prior to the start of the examination.
- 6.5.2 The introduction or use in an examination or test of any crib sheets, revision or other notes, books, paper or devices of any kind other than those specifically permitted in the rubric of the paper. If after the examination has commenced any unauthorised notes (including anything written on part of the candidate's body or clothing) or equipment is found it will be assumed that cheating has taken place.
- 6.5.3 Failing to comply with the instructions of an invigilator or examiner, or with the printed instructions for candidates.
- 6.5.4 Removing from an examination or test any script, paper, or other official stationery.
- 6.5.5 Being party to any arrangement whereby a person other than the candidate fraudulently represents, or intends to represent, the candidate in an examination (impersonation).

- 6.5.6 Copying or attempting to copy the work of another student – whether by overlooking his/her work, asking him/her for information, or by any other means. Or, knowingly allowing your own work to be copied.
- 6.5.7 Making false declarations in an attempt to obtain modified assessment provisions or special consideration (e.g. of extenuating circumstances).
- 6.5.8 Attempting to persuade another member of the Institute (student, staff or invigilator) to participate in any way in actions which would be in breach of these Regulations.
- 6.5.9 Being party to any arrangement which would constitute a breach of these Regulations.

Immediate action

- 6.5.10 Any unauthorised material or equipment shall be confiscated and may not be returned until any misconduct case is fully considered.
- 6.5.11 If the candidate's equipment is essential for other purposes a photographic record shall be taken for evidence and the equipment returned.
- 6.5.12 If notes are found written on the body or clothing of the candidate a photographic record shall be taken for evidence and the notes cleaned off.
- 6.5.13 Suspicion of misconduct on the part of any exam candidate shall be reported immediately by the invigilator to the Examinations Secretary and a report, with relevant evidence, provided to the Examinations Secretary after the end of the examination.
- 6.5.14 For serious cases of misconduct or disruptive behaviour during examinations the student may be asked to leave the examination room immediately.
- 6.5.15 Together the Examinations Secretary, the Academic Registrar and the Programme Director will make an initial assessment of the offence.
- 6.5.16 The exam candidate will be notified of the allegation in writing (by email or by 1st class letter from the Academic Registrar), provided with copies of any relevant evidence and invited to respond within 5 working days of the date of the email/letter.
- 6.5.17 Allegations of cheating or misconduct in the examination room are dealt with through the misconduct processes as described in 6.2.

Penalties

In deciding on penalties the following must be considered

- 6.5.18 The year of study; such incidences occurring in the candidate's first year may, in some circumstances, be a misunderstanding of examination protocols and instructions. Clear instructions are, however, provided and the candidate would need to provide strong evidence to illustrate how the misunderstanding had occurred.
- 6.5.19 The amount of forethought and preparation: if it is believed that the candidate used considerable ingenuity and forethought in breaching the

regulations in the examination room, on the balance of probability the offence can be assumed to be deliberate.

Range of penalties

- 6.5.20 Exam paper awarded a mark of zero, resit allowed at scheduled resit time with mark capped at a pass.
- 6.5.21 Exam paper awarded a mark of zero, resit allowed at scheduled exam time for the following year with mark capped at a pass; i.e. if the incident took place in the summer examinations of 2016, resit would not be allowed until the summer of 2017. Student allowed to continue with other studies as scheduled.
- 6.5.22 Exam paper awarded a mark of zero, no opportunity to resit but credit awarded for the module. Student allowed to continue with other studies as scheduled.
- 6.5.23 Exam paper awarded a mark of zero, resit allowed at scheduled exam time for the following year with mark capped at a pass; i.e. if the incident took place in the summer examinations of 2016, resit would not be allowed until the summer of 2017. Student not allowed to continue with other studies as scheduled, i.e. temporary suspension (to be invoked only by the Institute Director or the HIRS Council).
- 6.5.24 Exam paper awarded a mark of zero, no opportunity to resit but credit awarded for the module. Student not allowed to continue with other studies as scheduled, i.e. temporary suspension (to be invoked only by the Institute Director or the HIRS Council).
- 6.5.25 Expulsion from the Institute, credits retained (to be invoked only by the Institute Director or the HIRS Council).
- 6.5.26 Expulsion from the Institute with no credits (to be invoked only by the Institute Director or the HIRS Council).

6.6. Behavioural misconduct

Definitions

The Institute reserves the right to treat incidences of misconduct as a disciplinary issue, which may result in suspension or expulsion. "Misconduct" may include, but is not limited to:

- 6.6.1 Wilful failure to comply with regulations.
- 6.6.2 Although failure to comply with regulations relating to attendance at assessments and submission of work within agreed deadlines is normally dealt with as a matter of progression; if the situation persists the Institute reserves the right to consider disciplinary proceedings for such failure.

Disruptive behaviour

- 6.6.3 Conduct which disrupts or is likely to disrupt teaching, study, examinations, assessment, research or administration in the Institute, including failure to comply with the instructions of an invigilator.

- 6.6.4 Conduct which disrupts or is likely to disrupt any student in the pursuit of his/her studies or any employee of the Institute in the performance of his/her duty.

Vexatious accusation

- 6.6.5 Bringing a charge of misconduct against another without supporting evidence.
- 6.6.6 Bringing a charge of misconduct against another which is subsequently concluded to be completely unfounded.
- 6.6.7 Making a formal complaint against a person or the Institute without following Institute procedures.
- 6.6.8 A complaint designed to cause disruption, annoyance or distress, or making unreasonable demands for redress.

Harassment/bullying

- 6.6.9 The Institute expects all relationships among its students and between staff and students to be conducted in a respectful and courteous manner. The following are examples of the type of behaviour which the Institute would consider to be harassment (this is not an exhaustive list).

- coarse or improper jokes, comments and pranks;
- display of improper material – written or pictorial;
- posting of improper material or unauthorised images on webpages;
- attempts to access improper material through the internet whilst on institute premises;
- inappropriate familiarity or bodily contact;
- persistent inappropriate level of personal contact;
- abusive, insulting, or threatening language;
- demands or threats to intimidate or obtain favours;
- threatened or actual violence;
- falsification of student record;
- behaviour which could constitute discrimination on the grounds of gender, sexual orientation, race, religion, disability or age;
- bribery or attempted bribery of another student or a member of staff;
- theft or misuse of property belonging to the institute, another student, a member of staff or visitor.

Penalties

- 6.6.10 The following penalties may be imposed individually or in combination:

6.6.10.1 Verbal caution;

6.6.10.2 Written caution;

6.6.10.3 An order of compensation for identified and quantified loss;

6.6.10.4 Temporary exclusion from residentials, provided with materials in electronic format;

- 6.6.10.5 Temporary exclusion from residential and restricted contact with specified person or persons;
 - 6.6.10.6 Permanent exclusion from residentials, provided with materials in electronic format;
 - 6.6.10.7 Permanent exclusion from residentials and restricted contact with specified person or persons;
 - 6.6.10.7 Suspension – temporary expulsion;
 - 6.6.10.8 Permanent expulsion.
- 6.6.11 Temporary or permanent exclusion or expulsion may only be imposed by the HIRS Director and are subject to the right of appeal to the HIRS Council under Statute 12.5.

7. Academic Appeals and Complaints

7.1. Which process to use

In the OIA Good Practice Framework for Handling Complaints and Academic Appeals (December 2014) the processes are defined as follows:

7.1.1. Appeals

A request for a review of a decision of an academic body charged with making decisions on student progress, assessment and awards.

This process cannot be used to challenge academic judgement, i.e. the decision made by academic staff on the quality of the student's work.

The procedure for making an academic appeal is set out in section 7.2 below.

7.1.2. Complaints

An expression of dissatisfaction by one or more students about an Institute's action or lack action, or about the standard of service provided by or on behalf of the Institute. Generally this is seen as anything relating to the student experience, particularly in the light of what the student has been led to expect through the student handbook.

This process cannot be used to challenge an academic decision.

The procedure for making a complaint is set out in section 7.3.

7.2. Academic Appeals

Regulations

- 7.2.1 An Examination Board is accredited by Council for each Programme, with responsibility for ensuring that students are assessed fairly under the HIRS and Programme regulations both as individuals and in relation to their peers.
- 7.2.2 As provided in 4.1.6 and 4.1.7 above, each Examination Board is responsible for interpreting assessment regulations if any difficulties arise, in the light of the FND's requirements and good practice in higher education. Therefore, , an Examination Board operating within its terms of reference may not have its academic judgements in themselves, questioned or overturned.
- 7.2.3 In unusual circumstances, as provided by 5.1.6 above, Council may request an Examination Board to reconsider its decision(s) and recommendation(s) to the Board. A student may only submit an appeal on the following grounds:
 - 7.2.3.1 That a student's performance in an examination or assessment was adversely affected by extenuating circumstances which he/she was, for valid reasons, unable to divulge before the Board of Examiners reached its decision;

- 7.2.3.2 That evidence can be provided of a material administrative error or that the assessment was not conducted in accordance with the Institute's regulations.
- 7.2.4 Students are to be reminded that disagreement with the academic judgement on the merits of an individual piece of work cannot in itself constitute grounds for an appeal.
- 7.2.5 It is the responsibility of students to provide the Examination Board in advance of its meeting with any relevant information on personal circumstances which may have affected performance, and which they wish the Examination Board to take into account. Failure to do so may result in the rejection of an appeal.
- 7.2.6 Personal extenuating circumstances, or evidence of procedural or administrative irregularity should normally be reported to the Programme Director or Academic Registrar before the relevant Examination Board meets. However, the Institute recognises that in exceptional circumstances this is not always possible.

Process

Stage 1: Early resolution

- 7.2.7 Students are given the opportunity during tutorials to seek clarification on marks and results with the Programme director/tutor. If preferred the student may raise a concern with the Academic Registrar.
- 7.2.8 The situation may also be resolved by either further explanation of the processes or, where required, an amendment to marks spreadsheets by the Programme Director.
- 7.2.9 A note shall be made on the student's spreadsheet of any resultant changes to marks and the reason for them.

Stage 2: Formal appeal

- 7.2.10 In the event that a student believes that his/her concern has not been dealt with adequately through early resolution he/she may submit a formal appeal to the Academic Registrar using an Academic Appeals Form available from the Institute's website.
- 7.2.11 Formal appeals may not be submitted unless there is evidence of a previous attempt at early resolution (Stage 1 above).
- 7.2.12 The appeal shall be given an initial evaluation by the Academic Registrar to check that it is submitted in a timely manner and in line with written procedures. If not it may either be referred back to the student for correction or rejected.
- 7.2.13 The Academic Registrar shall consider the appeal and any evidence provided and should discuss the matter with all concerned: e.g. the student, Programme Director, other staff. If it is concluded by the Registrar that the appeal has no grounds the student shall be advised of this in writing. If grounds for an appeal are identified the case shall be referred to an Appeals Committee comprising:

- two internal members of the Hearings Panel, if possible one member of the HIRS permanent faculty and one member of the non-permanent faculty.
 - a student rep from a programme other than that of the student involved.
 - the Academic Registrar or nominee as secretary.
- 7.2.14 The Appeals Committee shall be provided with all written information, documentary and other pertinent evidence associated with the appeal, and in particular, with any or all of the following:
- if relevant, the original medical certificate or doctor's letter; supplied by the student;
 - the student's written account of the case to be made to the Appeals Committee; together with all documentation and/or relevant evidence submitted by the student;
 - any written information submitted by a member(s) of the Institute staff associated with the case which might be of significance to the Appeal Committee's deliberations;
 - a schedule of the examination dates and coursework deadlines.
 - confirmation that the results of the examination(s) or assessment(s) appealed against contribute to the student's progression on the course, or to the classification of his/her award;
- 7.2.15 The student shall be invited to attend the meeting at which his/her case is to be considered to state his or her case and to be heard and may be accompanied by a fellow student, a family member or a friend not otherwise associated with the Institute. It would not be appropriate for the student to be accompanied by a legal representative.
- 7.2.16 Should the student decline to attend, or not respond to the invitation to attend, provided that the members of the Appeals Committee believe that they have sufficient evidence available to consider the appeal fully, then the Appeals Committee may proceed with its deliberations in the absence of the student.
- 7.2.17 If the appeal is upheld the matter shall be referred to an extraordinary meeting of the relevant Examination Board to ratify changes to the student's progress record to reflect the decision of the Appeals Committee, as provided below (7.2.23).
- 7.2.18 If the appeal is upheld the student shall be advised of the changes to be made to his or her progress record and, if requested, shall be issued with a completion of procedures letter. The Institute shall reimburse the student for any reasonable and proportionate expenses which he or she has necessarily incurred in the pursuit of the appeal.
- 7.2.19 If the appeal is not upheld the student shall be sent the decision of the Appeals Committee in writing advising him/her of the right to request a review within a set time limit. If the student does not submit the appeal for review within the

required time the matter shall be considered closed and the student shall be sent a completion of procedures letter.

- 7.2.20 A full record of these proceedings shall be kept.
- 7.2.21 An appeal may be dismissed if it is considered to be frivolous, vexatious or non-meritorious and disciplinary proceedings may then be brought against the student. The student shall be advised of this action and the reasons for it and shall have the same right of appeal as set out in these regulations.

Format of the meeting of the Appeals Committee

- 7.2.22 The format of the meeting shall normally be as follows:
- A private meeting of the Appeals Committee;
 - Hearing the evidence of the Programme Director, and any other member of the staff associated with the appeal;
 - The student will have submitted a full case in writing; he/she shall be asked to summarise the main points of his/her case, answer any questions raised by Committee members, and shall have the opportunity both to ask questions of Committee members and about the written evidence available to the members;
 - Private meeting of the Appeals Committee;
 - Exceptionally, to facilitate speedy consideration of a student's claim (but only after the student making the appeal agrees to this procedure in writing), the Chair of the Appeals Committee is empowered to ask the members to submit their recommendations in writing where this would avoid the necessity to hold a meeting. Within this procedure, if the recommendations of the members are unanimous, their decision shall be reported as having been achieved by correspondence; together with the names of those involved and the reasons for their decision. If the recommendations of the Committee members are not unanimous the Secretary to the Committee shall be required to convene a meeting of the Committee to discuss the student's claim.
 - The Secretary shall take a full record of the proceedings. The formal minute of the Committee shall record those present and the decision of the Committee together with the reasons for that decision.

The Examination Board receiving appeals

- 7.2.23 At the meeting of the Examination Board where the outcome of the appeal is to be received, the Chair of the Appeals Committee shall normally be in attendance.
- 7.2.24 Where an appeal has been upheld by the Appeals Committee the Examination Board shall agree to amend its original decision.
- 7.2.25 Should the Appeals Committee decide that the student has produced satisfactory evidence to support his/her appeal that their performance had been affected within either of the two categories of appeal (i.e. 7.2.3.1 or 7.2.3.2 of

these regulations), then that student shall be reassessed as if for the first time in any or all of the elements of assessment, as specified by the Examination Board.

- 7.2.26 If an assessment was itself a second attempt, the student shall be required to be re-assessed as if for the second time.
- 7.2.27 If the Appeals Committee finds that an error or irregularity has affected more than one candidate, Council may annul the whole examination and/or assessment, or any part of it, and take any further action necessary for the upholding of the standards of the awards.

Stage 3: Review

- 7.2.28 A student may request a review of their appeal if they remain dissatisfied with the outcome of the formal process.
- 7.2.29 A request for a review must be submitted in writing to the Academic Registrar within the time allowed – see 7.2.37 below.
- 7.2.30 A review is allowed on the grounds of:
 - 7.2.30.1 a potential error in the formal proceedings;
 - 7.2.30.2 new material evidence which, for valid reasons, the student was unable to provide earlier.
- 7.2.31 The request for a review will be allocated to a member of the Hearings Panel not previously involved in the case who will review the procedures, the outcome and any new material.
- 7.2.32 The Reviewer shall review the procedures, the outcome and any new material; but is not required to re-consider the case.
- 7.2.33 If the appeal is upheld the student shall be advised of how and when any remedial action will be implemented and, if requested, will be issued with a completion of procedures letter. The Institute shall reimburse the student for any reasonable and proportionate expenses which he or she has necessarily incurred in the pursuit of the appeal.
- 7.2.34 If the appeal is not upheld the outcome shall be communicated to the student by the issue of a completion of procedures letter.
- 7.2.35 A full record shall be kept of these proceedings.
- 7.2.36 A student, having exhausted the Institute's appeal procedures, has the right to submit an appeal to the HIRS Council, to be decided only by those members not previously been involved in the case.

Timing of the appeals process

- 7.2.37 Early resolution- Any concern must be raised within 10 working days of receipt of the decision of the Examination Board.
 - An explanation or resolution should be provided by the Institute within 10 working days.

- Formal appeal
- Formal appeals must be submitted within 28 working days of receipt of the decision of the Examination Board.
 - Appeals shall be acknowledged within 5 working days of receipt and an outcome provided within 28 working days or 40 working days if there is a need to convene an appeals panel.
- Review
- A request for a review must be submitted within 10 working days of the receipt of the outcome of the appeal.
 - Requests for reviews shall be acknowledged within 5 working days of receipt and an outcome provided within 28 working days.

Academic Appeal Form



ACADEMIC APPEAL FORM

Before completing this form please ensure that you have read and understood the policies and regulations relating to academic appeals found in the Institute-wide Policies, Regulations and Guidelines (IPRG) which can be found on the Institute website.

This process cannot be used to challenge an academic judgement.

You must have made an attempt to resolve your query through informal means, as described in the IPRG, before submitting a formal academic appeal.

(Please note boxes will expand as you type)

Section 1: Student details			
First name		Surname	
Student ID number		Contact email	
Address for correspondence about your appeal			
Telephone number			
Mobile number			
Course of study			
Year group		Postcode	
Section 2: Informal stage (Stage 1)			
Have you tried to resolve your query by informal means? YES / NO delete as applicable			
YES		NO	
With whom		Please indicate below your reason(s) for not following the procedure as described in the IPRG	
Date			
Outcome			
Why do you remain dissatisfied with the outcome (please explain below)			
Section 3: Details of academic appeal			
Academic appeals may only be submitted on the grounds of:			
<input type="checkbox"/> a) material administrative error or procedural irregularity			
<input type="checkbox"/> b) personal extenuating circumstances not previously divulged			
Please indicate <input checked="" type="checkbox"/> under which grounds you are submitting your academic appeal (refer to the IPRG for full definition) and enter the details under section 3a) or 3b) below			
3a) material administrative error or procedural irregularity			
Which assessment was affected? (Module title, form of assessment and date)			
Describe the error or irregularity			

7.3. Complaints

Introduction

- 7.3.1. Working relationships between students and Institute staff are intended to be open and professional and aim to seek prompt solutions to immediate needs, issues or grievances of students. However, the Institute has recognised that occasionally a more formal arrangement should be available to students to find a satisfactory solution to an unresolved complaint.
- 7.3.2. The scope of this procedure is restricted to complaints by a student against an individual member of staff or group of staff employed by the Institute in whatever capacity in respect of the student's educational experience at the Institute.
- 7.3.3. The Complaints Procedure cannot be used by the student as an appeal against an academic judgement.
- 7.3.4. The Academic Appeals and Complaints procedures cannot be pursued for the same matter, and employing the same grounds, at the same time.
- 7.3.5. The Institute maintains a register of all complaints, including informal ones, and how they are resolved. Records of informal complaints are held at programme level and formal complaints in the central Registry.

Process

Stage 1: Early resolution

- 7.2.6. Students may report to, or discuss with, their Student Rep any minor concerns they may have as soon as the concern arises. These will be reported to the programme team either immediately or at the next meeting of the programme committee, depending on the nature of the concern.
- 7.2.7. If preferred the student may raise any concerns directly with any member of staff. Again this should happen, where possible, as soon as the concern arises, preferably within the same study day or residential week(end) as the concern arose.
- 7.2.8. The member of staff is not expected to handle complaints made to them if they do not feel able, but is encouraged to refer the student to an appropriate individual to discuss the matter further.
- 7.2.9. A brief record of the conversation shall be made by the member of staff handling the complaint and, where proportionate, the student shall be provided with a written response, which may include further explanation of the Institute's processes, or an apology if necessary and an explanation of what will be done to prevent recurrence.

Stage 2: Formal complaints

- 7.3.10 In the event that a student believes that his/her complaint has not been dealt with adequately through early resolution he/she may submit a formal complaint to the Academic Registrar (unless the complaint is about the Academic Registrar when it

should be submitted to the Institute Director) using a Complaint Form available from the Institute's website.

- 7.3.11 Formal complaints may not be submitted unless there is evidence of an attempt at early resolution (Stage 1 above).
- 7.3.12 The complaint is given an initial evaluation to check that it is submitted in a timely manner and in line with written procedures. If not it will be referred back to the student and may ~~well~~ be rejected.
- 7.3.13 The Academic Registrar (or Institute Director) shall consider the complaint and any evidence provided and shall discuss the matter with all concerned.
- 7.3.14 The Academic Registrar shall produce a report with findings and recommendations, which shall be sent to the Institute Director for approval. If the complaint is about the Academic Registrar the Institute Director may consult with a member of the Board of Trustees.
- 7.3.15 If it is concluded that the complaint has no grounds the student shall be advised of this in writing. If grounds are identified the case may be referred to a Complaints Committee comprising:
- two members of the Hearings Panel, preferably including the HIRS Director.
 - one internal academic member of the Hearings Panel.
 - a student rep from a programme other than that of the student involved.
 - The Academic Registrar or nominee will act as secretary.
- 7.3.16 The student shall be invited to attend the meeting at which his/her case is to be considered to state his or her case and to be heard and may be accompanied by a fellow student, a family member or a friend not otherwise associated with the Institute. It would not be appropriate for the student to be accompanied by a legal representative.
- 7.3.17 Should the student decline to attend, or not respond to the invitation to attend, provided that the members of the Complaints Committee believe that they have sufficient evidence available to consider the complaint fully, then the Complaints Committee may proceed with its deliberations in the absence of the student.
- 7.3.18 If the complaint is upheld the student shall be advised of how and when any remedial action will be implemented and, if requested, will be issued with a completion of procedures letter. The Institute shall reimburse the student for any reasonable and proportionate expenses which he or she has necessarily incurred in the programme of the complaint.
- 7.3.19 If the complaint is not upheld the outcome should be communicated to the student by the issue of a completion of procedures letter, advising him/her of the right to request a review within a set time limit. If the student does not submit the request for review within the required time the matter shall be considered closed and the student shall be sent a completion of procedures letter.

- 7.3.20 A full record shall be kept of these proceedings.
- 7.3.21 A complaint shall not be proceeded with if it is believed that the it is being pursued in an unreasonably persistent or vexatious manner as defined in 6.6 above. “Unreasonably persistent”, for example, might be that the complaint is being made in a way that is obsessive, prolific or repetitious, or could be considered to be harassment. In these cases the Institute may instigate disciplinary proceedings against the student. The student shall be advised of this action and the reasons for it.
- 7.3.22 The student has the right to withdraw the formal complaint at any time without prejudice.

Format of the meeting of the Complaints Committee

- 7.3.23 The format of the meeting will follow that indicated for the Appeals Committee in point 7.2.23 above.

Stage 3: Review

- 7.3.24 A student may request a review of the complaint process if they remain dissatisfied with the outcome of the formal process.
- 7.3.25 A request for a review must be submitted in writing to the Academic Registrar within the time allowed – *see below*.
- 7.3.26 A review is allowed on the grounds of:
 - 7.3.26.1 a potential error in the formal proceedings;
 - 7.3.26.2 new material evidence which, for valid reasons, the student was unable to provide earlier.
- 7.3.27 The request for a review shall be allocated to a designated member of the Hearings Panel not involved at any previous stage of the complaint.
- 7.3.28 The Reviewer shall review the procedures, the outcome and any new material; but he/she will not be required to re-consider the case.
- 7.3.29 If the complaint is upheld the student shall be advised of how and when any remedial action will be implemented and, if requested, shall be issued with a completion of procedures letter. The Institute shall reimburse the student for any reasonable and proportionate expenses which he or she has necessarily incurred in the programme of the complaint.
- 7.3.30 If the complaint is not upheld the outcome shall be communicated to the student by the issue of a completion of procedures letter.
- 7.3.31 A student, having exhausted the Institute’s complaints procedures, has the right to submit a complaint to the HIRS Council, to be decided only by those members who had not previously been involved in the case.

Timing of the complaints process

The timing of the complaints shall follow the guidance given in 7.2.37 above, with the exception that, where possible, students are expected to mention concerns as soon as they arise.



STUDENT COMPLAINT FORM

Before completing this form please ensure that you have read and understood the policies and regulations relating to complaints found in the Institute-wide Policies, Regulations and Guidelines (IPRG) which can be found on the Institute website.

You must have made an attempt to resolve your complaint through informal means, as described in the IPRG, before submitting a formal complaint.

(Please note boxes will expand as you type)

Section 1: Student details			
First name		Surname	
Student ID number		Contact email	
Address for correspondence about your complaint			
Telephone number			
Mobile number			
Course of study			
Year group		Postcode	
Section 2: Informal stage (Stage 1)			
Have you tried to resolve your complaint by informal means? YES / NO delete as applicable			
YES		NO	
With whom		Please indicate below your reason(s) for not following the procedure as described in the IPRG	
Date			
Outcome			
Why do you remain dissatisfied with the outcome (please explain below)			
Section 3: Details of complaint			
Please set out concisely details of what happened/didn't happen, when it happened, who was involved, how you were affected.			
Section 4: Evidence			
Please list any documentary evidence you have supplied to support your complaint with a brief explanation of how it supports the case. Ensure each document is labelled with the item letter (Item A, Item B and so on). If you have just one or two items of evidence leave the other rows blank. If you have more than five items of evidence please include a supplementary list.			
Item	Title of document	How it supports your complaint	
Item A			
Item B			

8. Transcripts, Diploma Supplements and Certificates

8.1. Transcripts

- 8.1.1. An official transcript detailing results achieved is issued automatically to all students after completion of each stage of their programme (e.g. HE Cert/Dip) by the Registry.
- 8.1.2. The Registry can provide transcripts on request for students transferring to another Institute requiring evidence of their learning.

Content of transcripts

- 8.1.3. Student details
- 8.1.4. Details of the qualification, including any professional, statutory or regulatory body accreditation or recognition.
- 8.1.5. Up-to-date details of learning and achievement, i.e. modules or units studied, credits awarded, marks or grades achieved and the date and year in which credits were awarded.
- 8.1.6. Up-to-date details of non-completion, including the number of attempts taken to complete a module.

8.2. Diploma supplements

- 8.2.1. The Diploma Supplement is a document issued to all students by Higher Education Institutions (HEIs) on the successful completion of any higher education qualification. It describes the qualification they have received in a standard format that is designed to be easily understood and straightforward to compare. The Supplement contains information on the nature, level, context, content and status of the studies that were undertaken and successfully completed by the student. In addition, it places the qualification in the context of the structure of the higher education system within which it was issued.

Content of the Diploma Supplement

The following information is given in the diploma supplement:

- 8.2.2. Information identifying the holder of the qualification including: name, date of birth and student identification number;
- 8.2.3. Information identifying the qualification including: name of qualification, field of study, details of the delivering and awarding institutions and language of instruction;
- 8.2.4. Information on the level of the qualification;
- 8.2.5. Information on the contents and results gained including: mode of study, programme requirements and details, individual grades/marks/credits obtained, the grading scheme and overall classification;
- 8.2.6. Information on the function of the qualification, i.e.: access to further study;

- 8.2.7. Certification of the supplement, i.e. the signature of the official certifying the diploma supplement and in what capacity and the official stamp or seal;
- 8.2.8. Information on the England and Wales higher education system
- 8.2.9. Graduating students receive their final transcript with their certificate at the awards ceremony; those not attending the ceremony receive their transcript with their certificate in the post after the ceremony.

8.3. Requesting an additional/replacement Transcript or Diploma Supplement

- 8.3.1. Students are entitled to one copy of their transcript and diploma supplement. These are official records of studies and must be stored carefully to avoid loss or damage.
- 8.3.2. Requests for additional transcripts or supplements must be submitted to the Academic Registrar in writing and signed by the student or ex-student. The written request should detail the student's name at the time of receipt of the document, award title, year of completion and the address for posting.
- 8.3.3. Requests may be accepted by fax, faxed requests must be marked for the attention of the Academic Registrar. Transcripts and supplements are official documents containing the Institute seal and cannot be emailed or faxed.
- 8.3.4. There is an administration fee for processing additional transcripts or supplements; £7.50 for current students and £15 for ex-students; this fee includes postage. Documents will not be released until payment has been received. Payments should be made by sterling cheque or sterling bankers draft made payable to Maryvale Institute and sent with a written request to the Academic Registrar. Regrettably the Institute is unable to accept payments made in foreign currencies.
- 8.3.5. Requests for replacement documents should be made at least 10 working days before they are required. The Registry will aim to process requests within 10 working days of receipt of a signed request accompanied by the relevant fee. Extra time for is required for posting if the documents are to be posted to somewhere outside the UK.
- 8.3.6. For queries regarding the provision of transcripts or supplements contact regasst@maryvale.ac.uk

8.4. Certificates

- 8.4.1. Degree Certificates are awarded by FND according to the Statutes. Other exit certificates and diplomas are awarded by Maryvale Institute.
- 8.4.2. Certificates are presented to graduating students at the awards ceremony each December. Those graduating but not attending the ceremony will receive their certificate and transcript in the post following the ceremony.
- 8.4.3. Students awarded any qualification will be issued with a certificate in respect of that qualification in the name held in formal records at the point when the qualification is conferred. A certificate will not be amended or reissued in a different name if a change of name is notified after the date the qualification is

conferred, except in the case of an error by Institute in recording personal details, or if a valid request is made under the Gender Recognition Act 2004. A duplicate certificate will be issued in the same name as the original certificate (unless amended as above), even if a change of name may subsequently have been notified.

- 8.4.4. Maryvale certificates can be provided on request to students reaching certificate or diploma level who intend to continue to the full final award. There is an operational charge for this of £54. The written request must be sent to the Academic Registrar and should detail the student's name, programme of study and year of study and must bear the student's signature.

8.5. Requesting duplicate certificates

- 8.5.1. The certificate issued as proof of the conferment of a validated award is a unique and valuable document which should be carefully preserved by its recipient.
- 8.5.2. The loss or destruction of a certificate is a serious matter and a duplicate or replacement shall only be issued at the discretion of the Institute and FND. The Institute reserves the right not to issue a duplicate certificate or to specify reasons for its decision.
- 8.5.3. Under no circumstances shall a certificate be issued to any applicant who holds an original.
- 8.5.4. A duplicate certificate shall not be issued where a previous duplicate has already been issued.
- 8.5.5. Duplicate replacement certificates may be requested via the Academic Registrar. Requests must be made in writing and signed by the student or ex-student.
- 8.5.6. On receipt of the written request the student shall be sent an application form. The completed form must be returned to the Academic Registrar with the required fee.
- 8.5.7. The operation fee for duplicate certificates is £54.
- 8.5.8. Requests for duplicate or replacement certificates should be made at least 30 working days before they are required. The Registry will aim to process requests within 30 working days of receipt of a signed request accompanied by the relevant fee. Extra time for is required for posting if the document is to be posted to somewhere outside the UK.
- 8.5.9. Any queries regarding the awarding of certificates or obtaining duplicates or replacements should be directed to the Registry on registry@maryvale.ac.uk

9. Record keeping

The Institute has a legal requirement to retain student records for a specified period.

9.1. Student files

- 9.1.1. As a student enrolls on a course a file is created which will hold all essential Institute information relating to that student. This file will be maintained for as long as the student continues to study with the Institute and will include the following:
- The original application and references;
 - Copies of documentation provided to support his/her application, e.g. certificates, transcripts and references;
 - Copies of invoices and records of payment;
 - Spreadsheets showing assessment and examination marks; Information on any action taken to address poor performance;
 - Records of any appeals, complaints or disciplinary action concerning the student;
 - Copies of assignments and examination scripts may either be kept on the individual student file or grouped by assignment or examination by year.
- 9.1.2. For Non-EU students copies of the following documents will be kept in a secure file in the Registry:
- Passport front cover;
 - Passport personal page – photo, date of birth etc;
 - Passport visa page;
 - Residence permit and/or Leave to Remain details
 - Biometric ID card (if applicable)
 - Passport and permit details will be entered by the Registrar into a secure area of the database.
- 9.1.3. At the end of the student's period of study with the Institute the content of the student file, except for copies of assignments, will be archived for seven years after completion or withdrawal.
- 9.1.4. It is impossible for the Institute to retain all assignments from all students on all courses. Following each Examination Board a sample of assignments will be gathered which illustrated performance across the range of grades. This sample will be archived for one validation period (five years).

10. Additional policies

10.1. Data Protection Act

- 10.1.1. Maryvale Institute is a data controller in terms of the current legislation and has a policy in matters of data protection.
- 10.1.2. The Institute requires a certain amount of personal information for the administration of studies, and to ensure the proper completion of chosen courses or degrees. All personal information provided by students is treated strictly in terms of the Data Protection Act. This means confidentiality will be respected, and that all appropriate security measures will be taken to prevent unauthorised disclosure. The data provided will be used for stated purposes only. Students would be advised about any further uses.
- 10.1.3. The Institute equally needs to process some data which current legislation refers to as sensitive personal data (e.g. racial or ethnic origin, marital status, health records, etc.). Again appropriate security will be in place to ensure that documents such as medical certificates (possibly required by examination boards) are retained confidentially and that they are retained for no longer than is necessary.
- 10.1.4. The administration of studies may extend beyond the Institute's central administration (e.g. transmission of data to academic departments, the library, the IT services, residential unit, or other professional bodies who accredit degrees). In other words it may include all aspects of student progress through to eventual graduation.
- 10.1.5. Results of examinations are advised by letter from Programme Directors and Graduation results are posted on notice boards maintained by the Institute's Registry and may include names and grades. Information on degree results is regarded as public information and is published as such.
- 10.1.6. In common with other Universities and institutes student records are archived for a limited number of years after graduation, in order to be able confirm requests from prospective employers etc. Details are also passed to our Alumni Office so that we can keep in touch with former students.
- 10.1.7. Under certain circumstances prescribed by the Data Protection Act we might have to make data available without consent. For example, in common with all other universities and institute, we are obliged to pass on information to the Higher Education Statistics Agency (HESA).
- 10.1.8. At various times students may be asked for personal data by the Institute's departments or services. This does not affect a student's rights under the Data Protection Act, and he/she may, if preferred, chose to withhold personal data from publication in, for example, web-based directories.
- 10.1.9. The Institute does all it can to ensure that all data remains up-to-date and accurate. It is important that students keep the Institute informed of any changes to personal details, for example a change of name or contact address.
- 10.1.10. Any queries on these issues may be raised directly with the Institute's Data Protection Officer, who is the Academic Registrar.

10.2 Health and Safety Policy

- 10.2.1. Maryvale Institute is committed to ensuring the safety of its staff, students and visitors. All employees have a duty of care in respect of the Health and Safety of not only themselves but of other employees, students and visitors.
- 10.2.2. The Institute undertakes to take all reasonable measures to provide a safe environment within Maryvale House, its grounds and its approved centres.
- 10.2.3. It also undertakes to ensure that the activities of the Institute will take reasonable account of the well-being of every person.
- 10.2.4. The Institute cannot accept responsibility for personal health and students are expected to take reasonable precautions, such as bringing with them any essential medications and not taking unnecessary risks while visiting.
- 10.2.5. A Health and Safety talk is given at the opening residential session of each course each year.
- 10.2.6. Each student in residence is issued with a key to their bedroom for their own safety and security.
- 10.2.7. All students must take time to read the fire instructions in their rooms and acquaint themselves with the location of the fire exits, fire alarm points and fire extinguishers.
- 10.2.8. All accidents, however minor, must be reported to the residential warden or responsible member of staff without delay. An accident report book is held at the reception desk.
- 10.2.9. First Aid kits are available at Maryvale in the general office and library areas; and several members of the resident community are trained in first aid, as are a number of the Institute staff.
- 10.2.10. Healthcare in the UK is not free to overseas visitors. Students attending residential are expected to ensure that they have adequate health insurance before visiting.
- 10.2.11. It is realised that in the provision of courses at Maryvale, the subject matter of lectures, seminars and written materials may touch on areas of sensitivity. The Institute will endeavour to inform students of the nature and content of these activities and, where required, to provide the opportunity of help for anyone who may be affected by these activities.

10.3 Smoking policy

- 10.3.1. Maryvale Institute is a “smoke free” building; those wishing to smoke may only do so in the Institute grounds.
- 10.3.2. Maryvale is fortunate to have attractive grounds which play a part in the spiritual life of the Institute. We ask those who smoke to respect this and to dispose of their cigarette/cigar stubs carefully in the receptacles provided.

10.4 Liability

- 10.4.1. The Institute will not be liable for death or injury to any person attending the premises or for any claims, demands, action, proceedings, damages costs or expenses, or other liability; except where such death, injury or loss is due to the negligence of the Trustees.
- 10.4.2. The Institute will not be liable for damage or loss to any vehicle (including cycles) or its contents whilst using the Institute car park.
- 10.4.3. The Institute will not under any circumstances accept responsibility of liability in respect of damage or loss of any goods, articles or property of any kind brought onto or left at the premises.

10.5 Internet usage policy

- 10.5.1. Maryvale Institute recognises that the Internet is a valuable tool for study and communication; and WiFi access is now provided at Maryvale House and its approved centre in Scotland. Students are encouraged to make use of the Internet access provided by the Institute whilst at Maryvale or the Scottish centre for residentials and study time; however the Institute and the HIRS have a legal and moral responsibility to ensure that all users are aware of what constitutes acceptable usage.
- 10.5.2. In particular the following is deemed unacceptable use or behaviour:
 - 10.5.2.1. Visiting either legal or illegal internet sites that contain obscene, hateful, or pornographic visual or literary material.
 - 10.5.2.2. Using the computer to perpetrate any form of fraud; or software, film or music piracy.
 - 10.5.2.3. Using the internet to send offensive or harassing material to other users.
 - 10.5.2.4. Downloading commercial software or any copyrighted materials belonging to third parties.
 - 10.5.2.5. Hacking into unauthorised areas.
 - 10.5.2.6. Creating or transmitting defamatory material.
 - 10.5.2.7. Undertaking deliberate activities that waste bandwidth or impact significantly upon the efficacy of Institute administration.
 - 10.5.2.8. Knowingly propagating any form of computer virus.
 - 10.5.2.9. Sharing usernames or transferring them to other users; or divulging passwords to others.
- 10.5.3. All students wishing to make use of the internet whilst at Maryvale or the Scottish centre or seeking access to the Institute's resources remotely, are expected to abide by the terms of this policy, which seeks to enable student internet usage which is not only legal and moral, but also reflective of the ethos of Maryvale Institute and the moral and pastoral teachings of the Catholic Church.

- 10.5.4. Students are to be advised that the Institute Firewall detects and reports on attempted access to unacceptable internet sites. Students found to be attempting to access such sites will be dealt with through the Institute disciplinary procedures.

10.6 Social Networking

- 10.6.1. It is recognised that Social Networking Sites (SNSs), such as *Facebook, Myspace* etc. are becoming increasingly useful communication tools. Students are, however, advised to use such sites carefully.
- 10.6.2. Whilst the Institute does not wish to inhibit freedom of expression; students are reminded that any libellous, defamatory or personally abusive comments about staff or other students, or the posting of images of individuals without their consent could be viewed as bullying or harassment, and could have legal or disciplinary implications.
- 10.6.3. The Institute will not seek to monitor the use of such sites, but if issues of concern are raised by individuals, it has a duty of care to investigate and take appropriate action. In the first instance this would typically be a request to remove or amend the relevant text or images. However if this request does not lead to a resolution, disciplinary action may be taken under the guidelines and regulations in section 6 of these regulations. The individuals concerned might also wish to initiate legal action independently of the Institute.
- 10.6.4. The Institute reserves the absolute right to require students to remove its name from any publicly accessible site should it be concerned that the reference to the institute might in any way be damaging to its public reputation.
- 10.6.5. If students have genuine concerns or complaints about their course or any other provision from the Institute, the most effective route to having these addressed is to use the established procedures; including raising the issue with their Programme Director, the Academic Registrar, or other members of Institute staff; or through student representation on Institute committees. Students may also of course use the Institute complaints procedure, details of which can be found in section 7 of these regulations or on the Institute website.

10.7 Academic Freedom

- 10.7.1. Maryvale Institute and the HIRS are Catholic foundations, motivated by Catholic faith, and operating as an agency of the Catholic Church. As such, its educational efforts are in the first place directed towards the Catholic community, but it is open also to others outside that community, and indeed is anxious to form links and develop points of contact and mutual understanding with those of other religious traditions.
- 10.7.2. The Institute's principal purpose is to promote systematic reflection on the meaning and implications of the Christian message, according to the Roman Catholic tradition, and on the relationship of that message to the whole realm of human knowledge, life and culture.

- 10.7.3. It approaches this task from a perspective of faith and in the hope of fostering and informing faith. It hopes that its efforts may help to equip Catholic students to engage more fruitfully in the life and mission of the Catholic Church, and that they may assist all students to play a more discerning and constructive role in the life of the society in which they live. Its immediate aim, however, is the promotion among all of a critical understanding of the substance and implications of Catholic faith and of the relationships that exist between this and other fields of enquiry. A necessary aspect of the development of such understanding is the honest examination and evaluation of divergent positions and arguments in a reasoned, responsible and balanced manner. Every enterprise of intellectual enquiry rests upon initial presumptions, whether acknowledged or otherwise. One advantage, in the case of Maryvale, is that such presumptions are clear to all and fully acknowledged. They are moreover themselves open to examination and critique.
- 10.7.4. Maryvale courses are often concerned with elements of a variety of disciplines, in addition to theology – such as philosophy, history, archaeology, sociology, psychology, biology. The aim always is to study each of these elements with due academic objectivity, and in accordance with their own methodologies and principles. This approach accords with that set out in the Declaration on Christian Education of the Second Vatican Council.
- 10.7.5. “In the institutions under its control the Church endeavours systematically to ensure that the treatment of the individual disciplines is consonant with their own principles and with their own methods, and with a true liberty of scientific enquiry.” (*Gravissimum Educationis*, 10)
- 10.7.6. Catholic Theology itself operates within certain parameters and according to certain norms. As one of the most important authoritative Church documents concerning Catholic Higher Education observes, 15.4.2.1 “It has proper principles and methods which define it as a branch of knowledge. Theologians enjoy this same freedom so long as they are faithful to those principles and methods.” (*Ex Corde Ecclesiae*)
- 10.7.7. The Institute supports the freedom of academic teachers, including teachers of Catholic Theology, to enquire, publish and teach within the norms proper to their discipline. In regard to students, it encourages open enquiry and debate; it makes no attempt at any inquisitorial enforcement of orthodoxy, and while it may well, in assessments and examination, require evidence of accurate understanding of Catholic positions and teachings, it does not base the assessment of students on the perceived conformity of their views with Catholic orthodoxy.

10.8. Intellectual property

- 10.8.1. Unlike staff, the general principle is that students who are not in the employment of the Institute will own any intellectual property they create in the course of their studies or research activities.

- 10.8.2. Maryvale keeps copies of theses and dissertation in its Registry and its Library as a permanent record of research and academia at the Institute. At the time of submission of a dissertation or thesis consent will be sought from the student to hold these copies.
- 10.8.3. Students may, if they wish, share their work with their fellow students, however this must be unmarked work only; marks and tutor comments are not the students' property.
- 10.8.4. Care must be taken when sharing work to avoid the encouragement or facilitation of plagiarism.
- 10.8.5. It is not recommended for students to share their work through Facebook or student forums, this is classed as publishing and may restrict future use of the work.

10.9. Library policy

- 10.9.1. The main purpose of the Institute Library is to support its students in their studies and research. The Library staff are available to help students to maximise their use of the Library resources.
- 10.9.2. Students using the Library are expected to respect the right of other Library users to work in peace, without disturbance or interruption. Anyone found to be creating a disturbance will be asked to leave the Library. A report of the incident will be submitted to the Academic Registrar and the student may be subject to disciplinary proceedings.
- 10.9.3. Students are also expected to respect Copyright laws and to follow the instructions of the Library staff when using materials obtained for them, particularly those from other libraries or other outside sources.
- 10.9.4. There are charges associated with obtaining books and materials from outside sources. These charges must be settled by the student on the receipt of the resources.
- 10.9.5. Maryvale Library is primarily a reading library however, where stocks allow, students may borrow books with the agreement of the Library staff. Up to seven books may be borrowed at any one time; on the condition that these are returned on the student's next visit to the Institute (i.e. the next study day or residential). Holding on to books for an extended period denies other students access to important and useful resources; therefore failure to return loaned books in a timely manner will result in restrictions being placed on future lending.
- 10.9.6. All outstanding books and materials must be returned before graduation from a programme. Failure to do so may result in the graduate being charged for the cost of replacement(s).
- 10.9.7. A bank of computers and computer points are available in the Library for student use. When making use of these resources students are expected to abide by the general Institute regulations and policies for internet usage.

10.9.8 The Library also makes available a photocopier for student use, with the agreement of the Library staff. There will be a small fee per copy sheet to cover the cost of paper and toner; all such fees must be settled immediately.

11. General Data Protection Regulation (GDPR) Policy

Definitions

- a) Data Controller – the entity that determines the purposes, conditions and means of the processing of personal data, i.e. the Institute.
- b) Data Officer – the individual appointed within the Institute responsible for overseeing the *data protection* strategy and implementation to ensure compliance with GDPR requirements, i.e. the Institute Academic Registrar.
- c) Data Processor – the person or persons who process data on behalf of the Data Controller, i.e. Institute administrators.
- d) Data Subject – a natural person whose personal data is processed by a controller or processor, i.e. students, staff and associates.
- e) Privacy statement - document informing the data subject what data is gathered, why it is gathered, what it is used for and how long it is retained. The Maryvale privacy statements can be accessed through the website.

It is essential for Maryvale Institute (the Institute, we, us, our) to retain and process personal and sometimes sensitive data in the exercise of its mission. Under the Data Protection Act of 1998 (DPA) and the General Data Protection Regulation of 2018 (GDPR), the Institute is classified as a data controller and as such, we are legally responsible for personal and sensitive data we collect and hold about our students, staff and associates. The gathering, use, storage and disposal of such data is governed by the following principles:

11.1 Principles

- 11.1.1. Consent is sought before any personal or sensitive data is held or processed.
- 11.1.2. Consent may be withdrawn by the data subject at any time.
- 11.1.3. A record of consent given or withdrawn is kept on the Institute database, except where a data subject has asked for all records to be erased.
- 11.1.4. Personal or sensitive data is retained for lawful purposes only² (as identified by the GDPR 2018) and is retained and used as set out in the Institute's privacy statements, available on the website.

² Lawfulness of processing conditions

- 6(1)(a) - Consent of the data subject
- 6(1)(b) - Processing is necessary for the performance of a contract with the data subject or to take steps to enter into a contract
- 6(1)(c) - Processing is necessary for compliance with a legal obligation, eg. submitting data to regulatory bodies
- 6(1)(d) - Processing is necessary to protect the vital interests of a data subject or another person
- 6(1)(e) - Processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller – reporting to the validating bodies
- 6(1)(f) - Necessary for the purposes of legitimate interests pursued by the controller or a third party, except where such interests are overridden by the interests, rights or freedoms of the data subject.

- 11.1.5. Personal or sensitive data is retained for no longer than is necessary, in accordance with the Institute's retention schedule, available on the website.
- 11.1.6. Data Processors conduct an annual audit of data held and delete/dispose of any that has reached its retention limit.
- 11.1.7. As part of our validation relationships we are obliged to share personal student and staff data with our validating bodies. This will be done according to our sharing agreements with the validating bodies and in the most secure format possible.
- 11.1.8. Data Protection impact is considered at the proposal stage of any new initiative.

11.2. Subject Access Requests (SARs)

- 11.2.1. Guidance on how to submit an SAR can be accessed through the Maryvale website.
- 11.2.2. The Institute has two Request Handlers: the Academic Registrar and the Registry Assistant, who would cover in the absence of the Academic Registrar.
- 11.2.3. SARs must be accompanied by proof of ID, to ensure personal and sensitive data is not sent to anyone other than the data subject to whom it applies.
- 11.2.4. SARs may only be submitted to request data about you as an individual, you may not request data about anyone other than yourself. The only exception to this is if, due to incapacity, you give someone permission to request data on your behalf. In this case verifiable proof of such permission must be provided.
- 11.2.5. Data requested via a SAR must be provided by the Institute within 40 days of receipt of the request, or within 40 days of the receipt of any additional information required to fulfil the request.
- 11.2.6. Data is provided in an accessible and intelligible format, according to the preferences of the data subject making the request (e.g. if the request is made electronically the data will be provided in a commonly used electronic format) and will include explanations of the data as required.
- 11.2.7. Certain categories of data are exempt from the DPA and GDPR, e.g. examination scripts, confidential references issued by staff of the Institute to other bodies and any data that mentions other data subjects.
- 11.2.8. Records of SARs and our response to them are kept for reporting purposes, in accordance with the Institute retention schedule.

11.3. Exercising your rights

- 11.3.1. As well as the right to access your data, you have:
 - The right to rectification - Individuals are entitled to have personal data rectified if it is inaccurate or incomplete.

- The right to erasure - also known as “the right to be forgotten”. Individuals have a right to have personal data erased and to prevent processing in specific circumstances.
- The right to restrict processing - Individuals have a right to ‘block’ or suppress processing of personal data.
- The right to data portability - This allows individuals to obtain and reuse their personal data for their own purposes across different services.
- The right to object - Individuals have the right to object to processing based on legitimate interest or the performance of a task in the public interest/exercise of official authority; direct marketing and processing for purposes of scientific/historical research and statistics.
- Rights related to automated decision making and profiling - Provides safeguards for individuals against the risk that a potentially damaging decision is taken without human intervention. (Maryvale Institute does not use automated decision making or profiling.)

11.3.2. To exercise any of the above rights you must apply to the Academic Registrar, Maryvale Institute, either via email or in writing.

11.4. Data breaches

- 11.4.1. A breach is defined as a breach of security leading to the destruction, loss, alteration, unauthorised disclosure of or access to personal or sensitive data, which is likely to result in a high risk to the rights and freedoms of individuals.
- 11.4.2. All necessary steps are taken to avoid such an event, but in the case of a breach as above, data subjects affected must be informed.
- 11.4.3. If the breach is likely to result in a risk to the rights and freedoms of individuals, e.g. result in discrimination, damage to reputation, financial loss, loss of confidentiality or any other significant economic or social disadvantage, it must be reported to the Information Commissioner’s Office (ICO) within 72 hours of discovery.
- 11.4.4. Breaches will be investigated by the Data Officer, unless the breach was caused by the person in that role, in which case it will be investigated by the Institute Director.
- 11.4.5. A record must be kept of any breaches, reported or not reported, and the action taken in response to the breach.

DATA PROTECTION REQUEST FORM

NAME:.....

NAME IF DIFFERENT AT TIME OF CONTACT WITH THE INSTITUTE

ADDRESS

.....

.....

TELEPHONE NUMBER EMAIL

DATE OF BIRTH..... STUDENT ID NUMBER

(Used to identify correct person in case of several contacts having the same name)

TYPE OF REQUEST, please tick as appropriate

The right of access to your data

The right to rectification of data

The right to erasure

The right to restrict processing

The right to data portability

The right to object

Definitions of these rights can be found in the Privacy Statements available on the Institute website

Rights related to automated decision making and profiling (*Maryvale Institute does not use automated decision making or profiling)

DETAILS OF REQUEST, e.g. what data is required; dates from and to; what amendments are necessary etc.

FOR INSTITUTE USE ONLY

Date request received __/__/__

Proof of ID seen

Acknowledgement of request sent __/__/__

Form of ID.....

Further clarification sought by phone __/__/__

By.....

Request responded to __/__/__

By.....

