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Academic Regulations 16:

Exceptional Arrangements (Force Majeure)

2024-2025

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Acronyms and summary of definitions used in this Regulation

Acronym	Definition
PAB	Programme Assessment Board
PSRB	Professional, Statutory and Regulatory Body
PVC	Pro Vice-Chancellor
QAE	Quality Assurance and Enhancement
Confirmed Outcomes	Final outcomes, to be recorded on formal certification and HEAR. Outcomes will not be changed except in the event of a successful appeal
Provisional Outcomes	<p>A provisional outcome may be determined if missing marks for work that has been submitted mean that, in the first instance, a confirmed outcome cannot be determined, but the conditions set out in tables 2 and 3 are met.</p> <p>Students for whom a provisional outcome has been determined will be offered the choice of:</p> <ul style="list-style-type: none"> • accepting the provisional outcome, in which case it will be recorded as the confirmed outcome. • waiting until the marking of the outstanding assessment(s) is completed, at which point their final outcome (which may be of a higher, lower or the same classification as their provisional outcome) will be determined. <p>This choice will be offered at the point the student receives the provisional outcome. There will be a deadline for responses, otherwise it will be assumed that the provisional outcome is accepted.</p>

Section 1

Introduction

1. The University takes all reasonable steps to ensure that teaching and assessment activity is not significantly disrupted and that the marks for student assessment are available to assessment boards. However, in cases where the academic business of the University is disrupted by force majeure such as natural disaster, disease, acts of terrorism, fire, flood or industrial action, it is necessary to have Exceptional Arrangement regulations which can be invoked by the Vice-Chancellor on behalf of Academic Council when circumstances require.
2. The University wishes to ensure that decisions about student progression or final awards are as timely as possible. The measures outlined below are intended to best protect the interests of students given any constraints that may be imposed upon the University.
3. Where courses are governed by Professional, Regulatory and Statutory Body (PSRB) requirements, these PSRB requirements may need to take precedence over the Exceptional Arrangement Regulations.
4. This paper sets out the key principles under which such regulations would be framed, the areas that such Exceptional Arrangement Regulations should cover and how these regulations might be invoked.

Section 2

Key Principles

5. Consideration will be given to whether the learning outcomes for the programme as a whole, or the specific level of the course, have been met.
6. Maintaining academic standards and professional requirements will remain paramount.
7. Students will be treated in a fair and equitable manner.

Section 3

Use of Exceptional Arrangements (Force Majeure) Regulations

8. The Academic Registrar may be notified by faculties or departments that case(s) of missing marks have occurred or are likely to occur or may be made aware of other circumstances that are likely to significantly impact the University's academic business.
9. The Academic Registrar will request that the Exceptional Arrangements are invoked by the Vice-Chancellor. This will be recorded at the next available Academic Council meeting and Regulatory Framework Committee for information. Once it is determined that the period of disruption has passed, the Academic Registrar will request that the Vice-Chancellor revokes these

Exceptional Arrangements. This will be recorded at the next available meeting of Academic Council and the Regulatory Framework Committee.

10. These regulations may take precedence over other academic regulations relating to student assessment, classification and progression including the Undergraduate Regulations (AR2), Postgraduate Regulations (AR3), Degree Apprenticeship Regulations (AR10), Mitigating Circumstances Regulations (AR5) and Conduct of Examinations Regulations (AR12).
11. These regulations may also take precedence over the information relating to Interruptions of Study contained within the University's General Student Regulations (GR1). For example, the exceptional circumstances may be such that the University recognises that there may be compelling reasons why a student may wish to request an interruption once formal teaching has concluded. Under these Exceptional Arrangements, it is possible for Course Leaders to exceptionally approve a request for an interruption of study once formal teaching has concluded. In order for the request to be approved, the Course Leader must be satisfied that the request is based on the student's individual personal circumstances.
12. The University's Research Regulations (AR4), Academic Misconduct (AR6 & AR7), Academic Appeals (AR8 & AR9), Professional Doctorate – Doctor of Education (EdD) (AR13), Student Complaints Procedure (GR2), Student Conduct and Behaviour Procedure (GR3) and the Fitness to Practise Regulations (GR4a and GR4b) will normally remain in force during periods of disruption caused by force majeure although published time periods may be impacted, including but not limited to the number of working days by which students can expect to receive outcomes to submitted academic appeals or complaints, the method for undertaking hearings or interviews (see annex 1) and the number weeks by which oral examinations should take place following research submissions.
13. The process for submitting, considering and approving extension and mitigation requests will normally continue as described within the relevant Regulations (see AR5). However, the University may agree amendments to the list of acceptable and not acceptable reasons for claiming extensions or mitigation depending on the specific circumstances and there may be some amendments to published timescales. The University may also decide to make amendments to the Fit to Sit policy as described within the Mitigating Circumstances and Student Assessment Regulations (AR5). Any amendments made will be published alongside the Mitigating Circumstances regulations on the [University's Academic Regulations Website](#).

Section 4

Force Majeure that impacts teaching and assessment

14. There may be circumstances in which teaching and learning activity cannot take place as scheduled. This could be due to impact on the availability of physical and/or teaching resource. The University will endeavour to organise alternative arrangements for students to minimise the impact to their scheduled learning, teaching and assessment.

15. Chairs of Faculty Education Committees should liaise with the Academic Registrar, Head of QAE and/or PVC (Education) to agree what, if any, changes can be exceptionally applied to assessment strategies and deadlines to mitigate the impact of the particular circumstances and the process for approving and recording these changes
16. When determining alternative arrangements, the following principles will be applied:
 - Consistency of approach, as far as possible
 - Focus on the delivery of content that allows students to meet the learning outcomes of the module or programme affected
 - Fairness to students in terms of the weighting and bunching of assessments
 - Prioritising of necessary guidance, support and supervision for students whose assessment methods/requirements have changed
 - Treatment of students with a Summary of Support Needs should be consistent with all relevant policies and regulations
17. If scheduled teaching and learning has been significantly impacted, Chairs of Faculty Education Committees should liaise with the Academic Registrar and/or PVC (Education) to agree necessary amendments to assessments, including examination papers and practical examination briefs. In such circumstances staff should ensure assessments relate only to material that has been taught to students, and, that where applicable, they reflect limitations in access to resources. These changes will normally be made by the paper setter or module leader. Module Leaders should double-check that alternative assessments allow students to meet all module learning outcomes, and/or PSRB requirements. If timescales permit, External Examiners should be informed of amendments made to examination papers and provided with an opportunity to comment but they will not necessarily be required to approve the amendments made.
18. The Conduct of Examinations Regulations (AR12) summarise the arrangements for sudden and unplanned disruptions that occur immediately prior to an exam or examination period and that are likely to last for a short period of time.
19. In the case of more serious circumstances that have impacted, or are likely to impact, the academic business of the University for a lengthier period of time, the Academic Registrar may revise the Examinations Timetable. This may include rescheduling the whole examination period, if it is feasible to do so within the published term time dates or deferring it to the retake period. The PVC (Education) may also decide to replace Examinations with alternative assessments, where this is appropriate.

Section 5

Force Majeure leading to missing marks or moderation

20. There may be circumstances that lead to missing marks, for example if appropriate academic staff are not available to teach or mark work or if a significant number of students are not able to engage with assessments due to the emergency circumstances.

21. As a guiding principle, if a module cohort has been able to submit work but it has not been possible to mark and moderate it in time for assessment boards, boards will normally determine provisional outcomes. However, for modules where it has not been possible to set assessments or in instances where module cohorts have not been able to engage with assessments due to emergency conditions, boards will normally consider whether there is enough information available to determine final outcomes. Please see following sections.
22. Heads of Department must make all reasonable efforts to ensure that assessed work can be set, marked and moderated in line with the University's Fairness in Assessment Policy and by the internally agreed deadlines. However, Heads of Department, in liaison with Chairs of Faculty Education Committees are able to adjust standard marking and moderation procedures in line with these Exceptional Arrangements if necessary. Any such adjustments must be reported to the relevant Assessment Board(s).

Marking and internal moderation

23. The University will exceptionally allow single marked results for assessments for which double marking is required under the University's Fairness in Assessment Policy to be considered by the assessment board.
24. The University will exceptionally allow results which have not undergone the internal moderation process to be considered by the assessment board.

External Examiner audit of work

25. If an External Examiner is not available to undertake an audit of work for a module which leads to classification, Academic Registry will check the most recent External Examiner reports in order to determine whether there have been concerns about standards or quality associated with the module(s) in question.
26. If no concerning issues are identified, the assessment board will receive confirmation of this together with assurance that the University's double-marking/internal moderation processes have been applied so that this can be explicitly recorded in the minutes of the assessment board. The assessment board will accept the exceptional circumstances and the assurances given and consider the marks as they are presented. The agreed outcomes will be confirmed.
27. If concerning issues are identified as a consequence of checking the External Examiner report, or if it has not been possible to complete double-marking/internal moderation processes, Heads of Department, in consultation with QAE, will seek to appoint an appropriate replacement to audit the work. The assessment board will then consider and agree the marks as normal. If it is not possible to secure a replacement External Examiner in time for the assessment board, the University will exceptionally allow the module outcomes to be considered by the board.

28. The PVC (Education) may instruct boards to take into consideration reports benchmarking module marks against those from the previous year, and, should the assessment board conclude that the cohort's marks have been impacted by the exceptional situation, to appropriately scale marks.

Section 6

Decision making at Boards

29. In general, boards should convene at the scheduled times, regardless of any prospective limitations in the availability of information which may impact on the ability of the board to provide confirmed outcomes.
30. As a guiding principle, if a module cohort has been able to submit work but it has not been possible to mark and moderate it in time for the boards, boards will normally determine provisional outcomes (which students may choose to accept as confirmed awards – Acronyms and Summary of Definitions Table). If it has not been possible to set or run assessments for modules, or in instances where module cohorts have not been able to engage with assessments due to emergency conditions, boards will normally consider whether there is enough information available to determine confirmed outcomes. Please see following sections.

Module level

31. There may be circumstances that lead to missing marks at module level due to assessments not being set, run or marked, or to students not being able to engage with set assessments or placement requirements because of the emergency situation. The assessment board can agree overall module outcomes on the basis of completed assessments or elements of assessment as long as:
 - the board determines that sufficient information exists to enable a decision to be reached on a consistent basis about each student's overall performance and achievement of an appropriate range of learning outcomes; and
 - at least 50% of the weighted module assessment is available to the board or there is evidence that the student has completed at least 50% of the minimum time prescribed for placement modules
32. If the board considers that it is not possible to determine a mark, it may consider whether or not the student has achieved a pass standard so that the assessment board can decide whether or not to set reassessment or agree progression or provisional award (which students may choose to accept as confirmed awards – Acronyms and Summary of Definitions Table). Boards will need to exercise caution about academically failing students and so, if a decision is not possible based on available information, the decision is better deferred.
33. Detailed records of all decisions taken and the reasons for them must be made in the minutes of the board.

Programme level – Progression Boards

34. The Undergraduate Regulations already allow the practice of trailing up to 30 credits into the next level unless courses have an approved variant in place. Under these Exceptional Arrangements, all undergraduate courses within the University will be permitted to allow students to trail up to 60 credits into the next academic year if at least 60 credits have been passed. Where courses are governed by PSRB requirements, these PSRB requirements may need to take precedence.
35. In circumstances where a board has agreed that students can trail 60 credits, module outcomes should be reviewed once marks become available and student should be offered additional options/support where modules have not been passed. This may include the following:
 - Provision of additional retake opportunities if possible in teaching block 1
 - Providing students with an option to repeat the credit. The board would need to give careful consideration to the feasibility of this option and might need to consider the repeats taking place in a later year
36. In some circumstances, the PVC (Education) or nominee may agree to review the University's progression rules and allow boards to determine whether there is enough information available to make a judgement about students' likely attainment of programme learning outcomes at the relevant level to permit progression to the next stage to be confirmed.
37. Detailed records of all decisions taken and the reasons for them must be made in the minutes of the board.

Programme level – Award Boards

38. The award of a final qualification is normally dependant on a student's accumulation of all necessary credit for that award. However, for the duration of these Exceptional Arrangements, boards may permit impacted students at the final stage/level of a degree to be considered for a final award and classification if the student has accumulated at least half of the final level/stage credits (including credits for modules in which outcomes have been determined despite missing marks).
39. Students who have accumulated at least **half** of their final level/stage credits, may be considered for a **provisional** award and classification.
40. Students who have accumulated at least **two-thirds** of their final level/stage credits, may be considered for a **confirmed** award and classification, unless they have submitted work that has not been marked and moderated in time for the boards (in accordance with paragraph 30).
41. In some circumstances the PVC (Education) or nominee may review a student's profile of available marks and make an academic judgement to determine a provisional award and classification (which students may choose to accept as confirmed awards – see Acronyms and Summary of Definitions Table).

Provisional awards and classifications

42. Boards should consider making provisional awards and classification in cases where a student has accumulated at least half of the final level/stage credit for their qualification in line with the framework provided in tables 1 and 2 below.
43. Students who have accumulated at least two-thirds of the final level/stage credit for their qualification but have submitted work that has not yet been marked and moderated in time for the boards, should be considered for a provisional award (which students may choose to accept as confirmed awards – see Acronyms and Summary of Definitions Table).

UG Framework

44. Table 1 provides undergraduate boards with a criteria-based framework for considering students for a confirmed or predicted award. Detailed records of all decisions taken and the reasons for them must be made in the minutes of the board.

Table 1: Criteria-based framework for determining undergraduate awards

Profile	Possible outcome	Things to consider
At least two-thirds of credits (normally 90 credits) passed at final stage and a student has passed at least 50% of the weighted module assessment in the module(s) with missing marks where the work could not be submitted	Board can agree to ratify module grades and calculate module mark based on available marks only. They can agree a confirmed award. An overall confirmed classification can be calculated in line with standard Undergraduate Regulations.	Board should consider the weighting and significance of the missing component marks to the academic integrity of the qualification (i.e. that there is sufficient information cf para 31) and any PSRB requirements.
At least two-thirds of credits (normally 90 credits) passed at final stage and student has less than 50% of the weighted module assessment available in the module(s) with missing marks where the work could not be submitted.	Board can agree a confirmed or a provisional award and classification on the basis of the passed credits in line with the standard Undergraduate Regulations, suitably adjusted Students may choose to accept provisional awards as confirmed – see Acronyms and Summary of Definitions Table.	Board should consider the weighting and significance of the missing component marks to the academic integrity of the qualification and any PSRB requirements

Profile	Possible outcome	Things to consider
At least two-thirds of credits (normally 90 credits) passed at final stage and a student has submitted work for the weighted module assessments in the module(s) with missing marks.	Board can agree a provisional award and classification on the basis of the passed credits in line with the standard Undergraduate Regulations, suitably adjusted. Students may choose to accept provisional awards as confirmed – see Acronyms and Summary of Definitions Table.	Board should consider the weighting and significance of the missing component marks to the academic integrity of the qualification and any PSRB requirements.
At least half of credits (normally 60 credits) passed at final stage.	Board can agree a provisional award and classification on the basis of the passed credits in line with the standard Undergraduate Regulations, suitably adjusted Students may choose to accept provisional awards as confirmed – see Acronyms and Summary of Definitions Table.	Board should consider the weighting and significance of the missing component marks to the academic integrity of the qualification and any PSRB requirements.

PG Framework

45. Table 2 provides postgraduate boards with a criteria-based framework for considering students for a final or predicted award. Detailed records of all decisions taken and the reasons for them must be made in the minutes of the board.

Table 2: Criteria-based framework for determining postgraduate awards

Profile	Possible outcome	Things to consider
At least two-thirds (normally 120 credits for a Masters and 90 for a Postgraduate Diploma) passed and a student has passed at least 50% of the weighted module assessment in the module(s) with missing marks where the work could not be submitted.	Board can agree to ratify module grades and calculate module marks based on available marks only. An overall confirmed classification can be calculated on the basis of all credits.	Board should consider the weighting and significance of the missing component marks to the academic integrity of the qualification, any PSRB requirements and whether the dissertation/final project component has been completed.

Profile	Possible outcome	Things to consider
At least two-thirds (normally 120 credits for a Masters and 90 for a Postgraduate Diploma) passed and student has less than 50% of the weighted module assessment available in the module(s) with missing marks where the work could not be submitted.	Board can agree a confirmed or provisional award and classification on the basis of all of the passed credits Students may choose to accept provisional awards as confirmed – see Acronyms and Summary of Definitions Table.	Board should consider the weighting and significance of the missing component marks to the academic integrity of the qualification, any PSRB requirements and whether the dissertation/final project component has been completed.
At least two-thirds of credits (normally 90 credits) passed at final stage and a student has submitted work for the weighted module assessment in the module(s) with missing marks.	Board can agree a provisional award and classification on the basis of the passed credits in line with the standard Undergraduate Regulations, suitably adjusted Students may choose to accept provisional awards as confirmed – see Acronyms and Summary of Definitions Table.	Board should consider the weighting and significance of the missing component marks to the academic integrity of the qualification, any PSRB requirements and whether the dissertation/final project component has been completed.
At least half of credits (normally 90 credits for a Masters and 60 credits for a Postgraduate Diploma) passed	Board can agree a provisional award and classification on the basis of all of the passed credits Students may choose to accept provisional awards as confirmed – see Acronyms and Summary of Definitions Table.	Board should consider the weighting and significance of the missing component marks to the academic integrity of the qualification, any PSRB requirements and whether the dissertation/final project component has been completed

Section 7

Quoracy and Operation of Assessment Boards

46. There may be circumstances that impact on members ability to attend scheduled Assessment Boards. However, under these Exceptional Arrangements, Assessment Boards will be considered quorate when the Chair of a Board, an academic member of staff and/or the Academic Registrar (or nominee) are able to participate in the business of the board. Prior to the board commencing, the scope of the board's decision-making powers based on the members who are available will be determined, normally by the Academic Registrar and the Chair of the Board. For example, it might be decided that a board with minimal quoracy under these Exceptional Arrangements could not determine the impact of PSRB requirements on outcomes. This decision will be recorded in the minutes of the board.
47. If it is not possible for an administrator to participate in the board, the Academic Registrar (or nominee) will record the outcomes of the board and submit these to the Course Support and Administration team.
48. If it is not possible for an External Examiner to participate in the PAB, the PAB will consider the programme outcomes but the agreed outcomes will be provisional until such time that an External Examiner is available to review a sample of outcomes and confirm that they have been applied consistently and fairly.

Section 8

Notification and Record Keeping

49. As a guiding principle, all departures from standard procedure or regulation should be documented and retained by Heads of Department for submission to Academic Council once the force majeure situation has ended. Any departures from standard assessment strategies, marking and moderation processes must also be reported to the Assessment Board by the Head of Department.
50. A senior member of faculty staff should advise the Academic Registrar of any cases where marks are missing or where missing marks are likely to occur at module level and should attend any assessment boards to which the Exceptional Regulations will pertain to oversee arrangements.
51. Detailed records of any decisions taken which have been based on these Exceptional Arrangements should form part of the assessment board record.

Section 9

Administration and Operational Considerations

52. General communications with the student body about exceptional arrangements will be the responsibility of the Academic Registrar. Every effort should be made to advise students as soon as possible of any alterations to teaching, learning and assessments. Students should assume that assessments are going ahead unless they receive a formal communication from their Faculty to the contrary.
53. The invocation of these Exceptional Arrangements requires consultation with faculties and directorates who will need to undertake detailed operational work to implement these regulations based on the particular circumstances. Such work would include, but is not limited to:
 - Re-drafting of letter templates
 - Implications for student records relating to:
 - letters/predicted outcomes
 - coding where no prediction is possible
 - Implications for graduation
54. If key staff named within these Exceptional Arrangements are unavailable this should be reported as soon as possible to the Academic Registrar and/or to the PVC (Education) so that suitable substitutes can be identified. Ultimate responsibility for assigning the roles identified in these Exceptional Arrangements lies with the University's Senior Leadership Team.