



Special Meeting of Academic Board

Friday 9 June 2023¹

MINUTES

Present: Dr Michael Spence, President and Provost (Chair)

Professor Klaus Abels; Dr Ali Abolfathi; Professor Ibrahim Abubakar; James Agar; Hamza Ahmed; Simona Aimar; Jennifer Akinola; Dr Tamara Alhilfi; Adnan Ali; Professor Lynn Ang; Professor Haki Antonsson; Dr Seth Anziska; Professor Kathleen Armour; Professor Anasuya Aruliah; Professor Jonathan Ashmore; Professor Jan Axmacher; Dr Paul Ayris; Dr Sakiru Badmos; Professor Gianluca Baio; Professor Jamie Baker; Professor Simon Banks; Professor Matthew Beaumont; Professor Costante Bellettini; Professor Michael Berkowitz; Professor Chris Blackman; Robert Bodden; Professor Iain Borden; Professor Douglas Bourn; Dr Neus Bover Fonts; Dr Jeff Bowersox; Professor Georgina Brewis; Dr Damian Bright; Professor Annie Britton; Professor Clare Brooks; Professor Duncan Brumby; Professor Stella Bruzzi; Dr Suzy Buckley; Professor Vishwanie Budhram-Mahadeo; Professor Neil Burgess; Professor Fiona Burns; Dr Tim Button; Professor Fabio Caccioli; Professor Francesca Cacucci; Tadhg Caffrey; Noël Caliste; Professor Luiza Campos; Professor Benjamin Caplin; Professor Licia Capra; Dr Velia Cardin; Professor Claire Carmalt; Professor Matthew Carmona; Dr Brent Carnell; Professor Madeline Carr; Professor Philip Cavendish; Professor Paola Ceccarelli; Professor Richard Chandler; Aimie Chapple; Professor Joanna Chataway; Nidhi Chaudhary; Andrew Churchill; Professor Olga Ciccarelli; Professor Chris Clack; Professor Lucie Clapp; Professor Barbara Conradt; Kimberly Cornfield; Professor Codina Cotar; Dr Ludovic Coupaye; Professor Anna Cox; Professor Sebastian Coxon; Professor Izzat Darwazeh; Professor Nathan Davies; Dr Jason Davies; Professor Gareth Davies; Professor Julie Davies; Professor Neil Davies; Professor Paul Davis; Professor Sally Day; Professor Robertus De Bruin; Professor Andreas Demosthenous; Professor Janice Derry; Professor Alison Diduck; Professor Mathias Disney; Professor Jason Dittmer; Dr Megan Donaldson; Dr Alex Donovan; Dr Johanna Donovan; Dominique Draï; Professor Paulo Drinot; Dr Oliver Duke-Williams; Dr Mark Dyble; Dr Karen Edge; Dr Ian Edwards; Dr Alex Elwick; Dr Emily Emmott; Professor Rebecca Empson; Dr Russell Evans; Professor Susan Evans; Professor Joanna Faure Walker; Professor Federico Federici; Dr Alexander Fedorec; Professor Delmiro Fernandez-Reyes; Professor Margot Finn; Professor Maria Fitzgerald; Dr David Foster; Professor Stuart Foster; Dr Richard Freeman; Dr Lisa Fridkin; Professor David Frost; Dr Martin Fry; Professor Jonathan Gale; Professor Jeffrey Galkowski; Professor Caroline Garaway; Professor Tamar Garb; Dr Claire Garnett; Dr Malu Gatto; Professor Haidy Geismar; Professor Dame Hazel Genn; Hayley Gewer;

¹ This meeting was held via videoconference.

Professor Alasdair Gibb; Professor Adam Gibson; Professor Sam Gilbert; Professor Faye Gishen; Polly Glegg; Dr Hugh Goodacre; Dr Rebecca Gordon; Professor Angus Gowland; Professor John Gray; Professor Alistair Greig; Professor James Griffin; Professor Francois Guesnet; Professor Helen Hackett; Professor Azzedine Haddour; Dr Oliver Haderl; Professor Stephen Hailes; Martin Hall; Rachel Hall; Jesper Hansen; Professor Kirsten Harvey; Professor Adham Hashibon; Dr James Haworth; Professor Michael Heinrich; Dr Ulrike Heuer; Professor Mark Hewitson; Professor Evangelos Himonides; Professor Arne Hofmann; Dr Ambrose Hogan; Professor Martin Holbraad; Professor Jane Holder; Dr Joshua Hollands; Professor Jonathan Holmes; Professor Katherine Holt; Dr Amy Horton; Professor Jie Huang; Professor Jennifer Hudson; Professor Andrew Hudson-Smith; Kerem Isik; Professor Richard Jackman; Dr Joana Jacob Ramalho; Professor Dan Jagger; Professor Heather Jones; Professor Philip Jones; Professor Jasmina Jovanovic; Professor Lily Kahn; Professor Ilija Kamotski; Professor Catherine Keen; Professor Anthony Kenyon; Dr Amit Khandelwal; Dr John Leon Kiappes; Leigh Kilpert; Dr Maki Kimura; Professor James Kirkbride; Dr Stephanie Koch; Professor Martin Koltzenburg; Professor Andreas Korn; Dr Fiona Kyle; Dr Kata Kyrölä; Professor Marie-Carine Lall; Dr Danielle Lamb; Professor Benjamin Lauderdale; Professor Phillipa Laurenson; Dr Sandra Leaton Gray; Professor Alena Ledeneva; Dr Borja Legarra Herrero; Dr Fiona Leigh; Dr Natalie Leow; Professor Paola Lettieri; Professor Dewi Lewis; Professor Philip Lewis; Amy Lightstone; Professor Christoph Lindner; Professor Alison Lloyd; Dr Helga Lúthersdóttir; Professor Andrea Macrina; Professor Sandy MacRobert; Dr Antony Makrinos; Professor Ioanna Manolopoulou; Professor Virginia Mantouvalou; Professor Deborah Martin; Professor Sarah Matthews; Dr Margaret Mayston; Dr Jenny McArthur; Professor Carolyn McGettigan; Dr Ruth McGinity; Dr Jennifer McGowan; Dr Saladin Meckled-Garcia; Professor Daniel Miller; Dr Thomas Miller; Professor Grant Mills; Professor Robert Mills; Professor John Mitchell; Professor Sibylle Mitnacht; Professor Sara Mole; Dr Magdalena Morawska; Professor Rear Admiral Neil Morisetti; Professor Sharon Morris; Professor Gemma Moss; Dr Dale Moulding; Professor John Mullan; Professor Veronique Munoz-Darde; Professor Steven Murdoch; Dr Yusra Naqvi; Dr Marga Navarrete; Professor Ad Neeleman; Dr Hélène Neveu Kringelbach; Dr Mark Newman; Professor Thanh Nguyen; Dr Mengyan Nie; Professor Mignon Nixon; Professor Richard North; Mx Johanna Novales; Dr Abel Nyamapfene; Professor Moses Oketch; Professor Martin Oliver; Professor Paola Oliveri; Professor John O'Regan; Rikke Osterlund; Professor Norbert Pachler; Professor Sophie Page; Professor Ben Page; Dr Ioannis Papaioannou; Professor Ioannis Papakonstantinou; Professor Amos Paran; Dr Aaron Parkhurst; Professor Ivan Parkin; Professor Leonid Parnovski; Professor Sandip Patel; Dr Lucia Patrizio Gunning; Dr Vasos Pavlika; Professor Paola Pedarzani; Professor Hiranya Peiris; Professor Mark Pelling; Professor Jane Perryman; Professor Konstantinos Petrides; Professor Franck Pichaud; Sarah Pickering; Professor Hyněk Pikhart; Professor Michael Pitt; Dr Jeffrey Pittaway; Dr Anna Ponomareva; Professor Mike Porter; Alexandra Potts; Dr Stephen Potts; Professor Ian Preston; Professor Sarah Price; Professor Stephen Price; Professor David Pym; Professor Slavo Radosevic; Professor Ahad Rahim; Professor Margaret Rawes; Professor Samantha Rayner; Professor Rebecca Rees; Jill Reese; Professor Anna Remington; Professor Cyril Renaud; Professor Jane Rendell; Dr Ruth Reynolds; Professor Antonella Riccio; Professor Mary Richardson; Professor Liz Rideal; Professor Carol Rivas; Dr Miguel Rivera; Professor Aeli Roberts; Professor Helen Roberts; Professor Jennifer Robinson; Professor Eleanor Robson;

Professor Jennifer Rodd; Dr Elton Rodrias; Dr Igor Rogelja; Professor Caine Rolleston; Dr Flaminia Ronca; Dr Stefano Rossoni; Mike Rowson; Dr Suzanne Ruddy; Professor Karin Ruggaber; Professor John Sabapathy; Professor Patricia Salinas; Dr Benet Salway; Professor Vieri Samek-Lodovici; Professor Alexander Samson; Professor Prince Saprai; Professor Ralf Schoepfer; Professor Stephanie Schorge; Professor Eloise Scotford; Professor Toby Seddon; Professor Andrea Sella; Professor David Selviah; Professor Mala Shah; Professor Maryam Shahmanesh; Professor Sonu Shamdasani; Professor David Shanks; Dr Ala'a Shehabi; Dr Miranda Sheild Johansson; Professor Elizabeth Shepherd; Dr Victoria Showunmi; Professor Nadia Sidorova; Justin Siefker; Professor Talvinder Sihra; Professor Ricardo Silva; Dr Henrik Singmann; Professor Joy Sleeman; Professor Anthony Smith; Dr Hazel Smith; Dr Holly Smith; Professor Kenneth Smith; Professor Trevor Smart; Professor Alexander Sobolev; Dr Daphne Sobolev; Professor Alan Sokal; Professor Christophe Soligo; Professor Samuel Solomon; Professor Catalina Spataru; Professor Maarten Speekenbrink; Professor David Spratt; Professor Sarah Spurgeon; Dr Uta Staiger; Professor Sacha Stern; Professor Fiona Stevenson; Professor Charles Stewart; Professor Michael Stewart; Professor Jack Stilgoe; Professor Melvyn Stokes; Professor Jakob Stougaard-Nielsen; Dr Sherrill Stroschein; Dorota Studniarczyk; Professor Peter Swaab; Dr Becky Taylor; Bryan Taylor; Professor Paul Taylor; Professor Geraint Thomas; Professor Mark Thomas; Professor Gregory Thompson; Professor Julian Thompson; Professor Jon Thomson; Professor Claire Thorne; Dr Amy Thornton; Professor Ulrich Tiedau; Dr Matteo Tiratelli; Professor Nigel Titchener-Hooker; Professor Helena Titheridge; Simon To; Professor Ahmed Toosy; Professor Andrea Townsend-Nicholson; Dr Helen Tsui; Dr Richard Tunwell; Professor Elaine Unterhalter; Professor Hans Van Wees; Dr Renée Vancraenenbroeck; Professor Liz Varga; Professor Dmitri Vassiliev; Dr Michael Veale; Dr Nalini Vittal; Dr Bella Vivat; Dr Julia Wagner; Professor Julian Walker; Professor Nicola Walshe; Professor Johanna Waters; Patrick White; Breege Whiten; Dr Martina Wicklein; Professor Amanda Williams; Professor Andrew Wills; Professor James Wilson; Professor Matthew Wing; Dr Nick Witham; Michael Wozniak; Professor Alison Wright; Professor Maria Wyke; Professor Gillian Wyness; Dr Christine Yao; Dr Victoria Yorke-Edwards; Dr Davide Zecchin; Professor Stan Zochowski; Professor Martijn Zwijnenburg.

In attendance:

Deniz Akinci; Karen Barnard; Professor Parama Chaudhury; Paul Clark; Donna Dalrymple; Dr Clare Goudy; Dr Christine Hoffmann; Edward Hossack; Natasha Lewis; Zak Liddell; Nick McGhee; Turlogh O'Brien; David Pacey; Dr Amelia Roberts; Andy Smith; Kirsty Walker; Olivia Whiteley; Dr Kathryn Woods.

44 **MITIGATIONS FOR MARKING AND ASSESSMENT BOYCOTT** (Paper 5-01)

- 44.1 The requisition letter for the Special Meeting set out a number of concerns about the mitigations introduced in the context of the Marking and Assessment Boycott (MAB). The letter proposed a motion, quoted at Minute 44.8 below, including an instruction to Education Committee to withdraw those mitigations introduced solely for the purpose of addressing the MAB.
- 44.2 In speaking to these concerns, the signatories noted that:
- a. The guidance had been issued by the Examinations and Assessment Contingency Panel (EACP). On the basis that Academic Board was the ‘senior academic authority’ under the OfS regulatory framework, and as such had responsibility for academic regulations, it was suggested that Academic Board should have been consulted. In the context of Academic Board’s delegation to Education Committee in 2020, the recommendations of the Commission of Inquiry had included that “delegations [of powers to make decisions on educational matters] are made with the condition that major strategic and policy issues covered by Article 8 or Statute 7(10)(A) must be brought to the Academic Board for consideration”.
 - b. It was important that mitigation measures should be equitable to all students. Specific concerns in this respect included: the differing impact of the ‘no downgrading’ policy on finalists with incomplete profiles, depending on the impact of the MAB on their modules (and in contrast to the Covid mitigations, which had applied in the same way to all finalists); and the absence of the provision of academic misconduct or other penalties, such as for late submission, in respect of any work not marked. As the guidance had been designed neither to address a universal pressure like Covid nor individual circumstances, it had the potential to be applied widely but inconsistently.
 - c. The mitigations risked creating a tension in the relationship between the Exam Board and external examiners if the latter felt that the approach undermined their academic judgement or their quality assurance responsibilities.
 - d. Exam Boards would not know in advance whether additional marking would later change the overall result, and students would not know whether their award had been based on a portion of, or the entirety of, their work.
 - e. It was suggested that decisions about mitigation ought not to be simply a matter of the academic judgement of the local Board of Examiners as this could produce inconsistent results depending on the inclination of individual Boards. Rather, these were a policy decision with implications for academic standards and the relationship with professional bodies.
- 44.3 In responding to the requisition and to questions during the meeting, the Vice-Provost (Education and Student Experience) and colleagues noted that:
- a. UCL had a duty to treat the current cohort of finalists fairly against earlier cohorts for whom emergency regulations had been applied when the situation warranted it. Students were entitled to appeal their marks, and had recourse to the Office of the Independent Adjudicator (OIA) who

would naturally expect that UCL had taken the impact of the industrial action into account and had graduated all students where sufficient information was available, so long as it could be shown that they had met the learning outcomes of their programme. In many instances, for example where a student was not a borderline case and the missing marks could make no difference to the classification, there would be no justification for delaying the graduation of a student.

- b. Responsibility for determining whether a student had met the learning outcomes of their programme lay with the local Board of Examiners. It was not for Academic Board or for the EACP to tell the Boards of Examiners what those decisions should be. There was provision for escalation of issues to the EACP by way of the Faculty Board of Examiners.
- c. The EACP² was a body of the Education Committee, drawing heavily on the Education Committee membership³. It has been established in 2019 in response to feedback from the OIA, and reinstated in February 2023 as provided for in the regulations⁴. In doing so, and in view of the need to act quickly, Education Committee explicitly devolved to the EACP powers in respect of regulations and requests for individual guidance. The resulting EACP guidance drew together the existing emergency regulations. The approach had been developed with a view to giving Boards of Examiners the flexibility to address different cases while minimising additional workload.

44.4 During the course of the discussion the following further points were made:

- a. There was a wide range of potential approaches to mitigation, from simply waiting for marks to become available (which would have a serious impact on some students, particularly in respect of employment or onward study), to the scaling up of available marks (which risked making awards to students who had not met the learning outcomes). The EACP's task had been to provide Exam Boards with the tools to reach a position that was as close as possible to the right balance between these extremes.
- b. Members read out a series of written statements from students. The issues raised in these included: the impact of mitigations on the perceived value of a UCL degree; the differential impact of the mitigations on different students; and the need for UCL as a leading institution in the sector to work to find a solution to the dispute by calling publicly for UCEA to return to negotiations. Others however noted the differing positions of students on the issue, for example in respect of their prioritisation of the timeliness or the completeness of marks, and in

² [eacp-membership.pdf \(ucl.ac.uk\)](#)

³ [Education Committee: membership | Governance and compliance - UCL – University College London](#)

⁴ [Managing the Impact of Industrial Action on Assessment, Progression, and Award](#), paragraph 1.1 (“In the event of industrial action that impacts assessment, progression, and award, Education Committee will establish an Examinations and Assessments Contingency Panel (EACP)”).

particular the potentially serious impact of delayed awards on students' employment prospects and visa status.

- c. AB was reminded of the requirements of accreditation bodies, and noted the need to maintain communication with those organisations during the current situation and to adhere to the processes agreed with them. It was suggested that the provision for elements of decision-making to move to Faculty Boards of Examiners or to the EACP risked undermining the mechanisms for meeting those requirements.

44.5 In respect of the proposal in the motion to instruct Education Committee and its subcommittees to rescind any guidance introduced solely for the purpose of mitigating the marking and assessment boycott that were in contradiction of a set of specified principles, AB was advised of the elements of the guidance that were new. These were:

- (i) amended rules in respect of quoracy for Boards of Examiners
- (ii) streamlining of the administrative procedure⁵ to be followed by Boards of Examiners in the absence of external examiners; and
- (iii) provision for Faculty Board of Examiners to confirm progression and award decisions if the local Board was unable to meet.

Other key elements of the guidance, such as the provision for delegation to BoE chairs to decide on out-of-cycle matters, the use of algorithmic calculations in classification decisions or the temporary exclusion of modules from progression and award decisions, were not new. EACP guidance did not permit the condonement of non-condonable modules. In light of this, the Provost advised members to vote with him for the resolution as it was essentially compatible with the position of Education Committee aside from the points of detail above.

44.6 Although not the subject of the requisition, members had alluded during the discussion to the question of the institutional approach to participation in the MAB. The Provost reiterated his support for the right of staff to take industrial action, and reminded Academic Board of UCL's intention to consider individual cases in which the default levels of deduction may not fairly represent the value of the labour withheld. In the current situation however the Provost's primary concern must be for the welfare of students.

44.7 In closing the discussion the Provost advised Academic Board that he was committed to addressing the issues of pay, workload and infrastructure, and this commitment underpinned much of what was being done in the strategic plan, particularly in respect of longer-term financial planning. Work was ongoing on a medium-term pay strategy, within the context of the UCEA framework. The issue of casualisation was also pressing for the sector, though UCL was in a better position than some institutions following the adoption of the Teaching Concordat, and the move to three-year budgeting should improve the ability to plan on workforce matters. The Provost

⁵ [annex-4.3.6-boards_of_examiners_emergency_procedures_2022-23.pdf \(ucl.ac.uk\)](#)

considered that there was little to be gained in his making a public call to UCEA because of the financial position of many of the institutions participating in that process. It was vital that the university do what it could for the current generation of students, who had faced significant challenges, and ensure that those who could graduate on time would do so.

44.8 The motion was as follows:

Academic Board resolves:

1. To instruct the Education Committee to which it has delegated the power to advise on educational matters and/or its subcommittees to rescind any guidance introduced solely for the purpose of mitigating the marking and assessment boycott which would contradict the following principles:
 - a. Degree mitigations for boycotted marking must not extend to confirming a module grade or degree without a quorate Exam Board meeting, where an External Examiner is present or has confirmed the marks in advance;
 - b. Module mitigations for boycotted marking must not extend to condoning modules that are not normally condonable on the relevant degree programme;
 - c. No grades should be awarded using an “algorithmic” process or marking/assessment by non-experts given student’s work solely for the purpose of mitigating boycott action.
2. To advise all Exam Boards that failure to adhere to these principles endangers the certification of the degrees which their Boards, Chairs using Chair’s action, or any other body or person, intend to confirm;
3. To instruct its Executive Committee of AB to write to Council and to the Office for Students indicating that no degree programme for which the above principles have been ignored can be recommended by the Senior Academic Authority at UCL, the Academic Board, as certified and thus officially awarded.

44.9 On the question ‘Do you support the motion’, 338 members of Academic Board voted as follows:

Yes	278	82%
No	31	9%
Abstain	29	9%

Part III: Other business for approval or information

45 DATE OF THE NEXT MEETING

45.1 Wednesday 14 June 2023 at 2pm.

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