

R1 ACADEMIC JUDGMENT AND DECISION-MAKING

Purpose and scope

- 1.1 This section of the Consolidated Academic Policies and Regulations (CAPR) explains the principles of academic decision-making. In particular, it explains what academic judgment is, how it is used, and what protections exist to make sure it is used appropriately.
- 1.2 These regulations apply to all academic decisions of the College, and to any decision taken on or after 1 June 2017 regardless of the date of the event giving rise to the decision.

Definitions

- 1.3 'Academic judgment' means a judgment made about a matter where only the opinion of an academic expert will suffice. It is specifically an opinion expressed within the area of expertise of an identifiable group or member of academic staff.

For example, academic judgment will normally be about assessment, fitness to study or practise, research method or programme content or outcomes.
- 1.4 'Decision' means any choice or judgment by a person or body that affects a person or group, including reports, recommendations, advice and guidance.

Introduction

Overview

- 1.5 As part of an academic community, the College recognises that some of its decisions require expert knowledge on the community's behalf. These decisions are often matters of opinion, so it is important that the College ensures its members can have confidence that the decisions have been made with due consideration and expertise.
- 1.6 As part of this, the College seeks to maintain the collegiality (shared responsibility) of its academic decision-making and ensure that:
 - a) members of academic staff have appropriate input and consultation, where appropriate; and
 - b) senior academic members will consult the academic staff on all matters of core academic direction.

Principles

- 1.7 When acting under College policies and regulations, academic staff must use academic judgment when admitting, assessing, examining, progressing and giving awards to students.
- 1.8 Academic judgment must always be used with proper care and responsibility and students should have opportunities to participate through their membership of relevant committees, and consultation groups.

Procedures

Overview

- 1.9 When using academic judgment, academic staff must consider:
- a) the boundaries of using academic judgment;
 - b) the appropriate recording of academic judgment; and
 - c) maintaining the shared responsibility for academic decision-making.

Using academic judgment

- 1.10 When academic judgment is used, a decision-maker must make all reasonable efforts to become aware of available information, and to disregard irrelevant information.
- 1.11 Academic staff must have proper regard to the principles and responsibilities of academic judgment, including that:
- a) they must have the required experience and specific expertise in the area of competence on which they are using their individual or collective academic judgment;
 - b) they must give academic judgment only on matters that require it;
 - c) all affected students must have a fair and equitable chance of giving their input before academic judgment is used, and also during the time that the judgment applies; and
 - d) the decision resulting from academic judgment must be taken on a genuine basis and not be perverse, even when procedure or policy has been followed.
- 1.12 If full information or evidence is not available, an interim judgment may be communicated to the student verbally or in writing. The judgment must normally be in force from the time of communication and must be recorded as interim.

Recording academic judgment

- 1.13 When academic judgment is used, all decisions must be carefully noted and recorded for audit and review and clearly identify the academic staff who used it.
- 1.14 The decision-maker must clearly and succinctly note:
- a) available evidence in the decision-making process, and notes and details of any gaps in that evidence;
 - b) the scope of the judgment (i.e. a decision is as narrow as possible so as to include only those matters on which academic judgment is required); and
 - c) whether it is to be reviewed by a senior member of the academic staff.

Reviewing academic judgment

- 1.15 Properly exercised academic judgment cannot be reviewed or appealed. However, a student may request an administrative verification that the decision-maker included all available evidence in their process and that they followed all appropriate College procedures.
- 1.16 However, before the judgment is ratified or at the request of an appropriate College committee, academic judgment may be investigated by a senior academic, and if appropriate, an alternative judgment substituted if it:
- a) carefully refers to the principles of academic judgment;
 - b) notes any shortcomings in the initial decision; and
 - c) gives reasons for the substitution.

Advice and support

- 1.17 Advice for students on academic judgment is available from the Student Hub or the GSM London Students' Union (student.union@gsm london.ac.uk). More complex questions may be referred to appropriate individuals.
- 1.18 Advice for staff on academic judgment is available from their Head of Department or Academic Policy Partner.

Fees

- 1.19 No additional fees or charges are associated with this policy.

Legal and regulatory context

- 1.20 This policy on academic judgment has had regard to the principles outlined in *R v Higher Education Funding Council, ex p Institute of Dental Surgery [1994] 1 WLR 242, 261B-E*, and *R on the application of Clarke v Cardiff University [2009] EWHC 2148 (Admin)* with regard to exercising and review of academic judgment.
- 1.21 The College may not be bound by the principles in paragraph 1.20 and this policy alone may not provide the procedure to meet all of these principles, some of which may be met by other College policies and procedures.. It uses the principles as guidance only, to help it deal soundly with these matters.

Enforcement, monitoring and review

- 1.22 If any person or body in the College refuses to comply with a request or decision made to enforce this policy, their refusal must be reported to the Academic Registrar, who will take such action to enforce this policy as they think necessary.
- 1.23 Each year, the College must receive a report that enables it to monitor, identify and act on any shortfalls in how this policy is interpreted and applied.
- 1.24 Every three (3) years, the College must review this policy to ensure that:
- it remains up to date and continues to meet the expectations of the UK Quality Code, applicable legislation or guidance;
 - areas of improvement, or any concerns, raised by students, external examiners, or professional bodies have been addressed; and
 - opportunities to reduce unnecessary bureaucracy have been taken.

Schedule (not part of the policies and regulations):

Responsible Officer: Provost

Approved by: Board of Directors and Academic Board

Version: 1.0

Date: 25 November 2015

Monitoring and Review Body: Academic Board

Effective From: 01/06/2017

Next Scheduled Review: March 2019