

# RESPONSE TO THE LAW (UNDERGRADUATE) BOARD OF STUDIES STUDENT CONSULTATION ON ASSESSMENT

## SUMMARY

This is a response to the Law Board of Studies consultation on Assessment on the LLB. The consultation took place between 15 June and 28 June 2021. The forum is available at: [Law Board of Studies Student Consultative Forum](#).

### Purpose of the consultation

The forum was set up to obtain feedback from students on various aspects of assessment including the different types of assessment, the guidance given, how prepared students felt to undertake assessment and the feedback they received. An important aim of the consultation is to inform the ongoing development of new LLB modules, which will be released over the next three years.

### Details of Student Participation

All law undergraduate students were invited to participate in the discussion, meaning that this was open to 6,289 students. The consultation was promoted via email, on the LLB forum, via OUSA channels and on the Law Study Home page. The following is a summary of student engagement:

- 95 students registered to take part in advance
- Posts by students: 180
- Number of students posting at least once: 47
- Total ratings (likes and favourites): 74
- Estimated readers (minimum): 168

### Summary of findings and highlights

Threads were set up on the following topics, although students were also invited to start their own discussions if they had comments relating to assessment which did not fall within any of the existing threads:

- Assessment support
- Assessment type
- Assessment feedback
- The OU Law School Undergraduate Assessment Guide
- Skills needed for assessment

It was encouraging to see students engaging with the discussion in such a considered way. Comments provided detail as to what students valued and what additions/improvements could be made.

Students provided a lot of detail on the different types of assessment used and it became clear that different students found particular value in different assessment types. An example of this is the iCMAs, which some students did not find sufficiently challenging or recognise value in developing higher level academic skills, whilst other found these to be a good way to test understanding and found the immediate feedback useful. Interestingly, some students commented that they preferred the former use of exams as the final assessment on a module as opposed to EMAs. Where students have indicated that they have found a particular assessment type problematic, we have taken steps to introduce additional resources to address concerns, for example a sample outline essay and an online session to talk to students about collaboration and reflection.

There were some excellent comments from students about tutor feedback. Students especially value a positive and encouraging tone as well as clear and constructive comments that they can build on going forwards to the next TMA. Where this was not achieved and students could not see how their work could be improved satisfaction was impacted. We are developing additional guidance for tutors to be shared by Student Experience Managers as to the types of comments students find most helpful as well as undertaking scholarship in this area.

Students have been making good use of the OU Law School Undergraduate Assessment Guide as well as the TMA guidance. Some reported finding the guidance too detailed but, on the whole, students found this useful in outlining what was expected. Where there were any corrections to the assessment of guidance, students would have liked clearer and more obvious correspondence relating to amendments. A policy has now been implemented relating to the procedure module teams should follow where changes need to be made to assessment once a module is in presentation.

A new set of materials called the [Law Toolkit](#) has been developed to help students to develop the skills they need for assessment. This is available to all law students via the Law Study Home page. This seeks to address student concerns around the development of skills.

## FULL RESPONSE

You said	OU response	Next steps, if appropriate
<b>Assessment Type and format</b>		
<b>iCMAs</b>		
Some students enjoyed the iCMAs and found them a useful way to help retain information. The immediate feedback was appreciated.	It is encouraging to see that value was attached to this assessment type.	Feedback points to be passed to the module teams, both for modules is presentation and those currently being produced for the new LLB. The ongoing use of multiple choice
One suggestion was to include iCMAs and written questions within the same TMA.	At the moment, because of the way iCMAs and TMAs are completed and marked, it is technically difficult to include them within the same assessment. However, the University is currently working to introduce a new assessment and marking system, which may have this potential. It is, therefore, something we may be able to explore in the future.	questions will be particularly useful for students wishing to take the Solicitors Qualifying Exam as this will be the assessment method used for the qualification. The use of this type of assessment within the new LLB will help to prepare students, but we will strive to ensure that this is challenging a rewarding for all students.
The iCMAs at levels 1 and 2 were too easy but were a challenge at level 3.	There is a natural move to pose more challenging questions later in the degree. However, this feedback will be sent to module teams so that they can consider the way in which students can be challenged throughout the course.	
Some questions were felt to be badly worded.	Every care is taken to review the wording of questions before they are used as part of students' assessment. However, each module results panel will consider issues arising, having either been highlighted by tutors, students or data analysis, at the end of the presentation. Any adjustments can then be implemented where appropriate.	
Some students did not find this type of assessment type valuable and did not feel it tested skills beyond the ability to pick out the right information. Another student felt that	Being able to read the materials, understand the subject matter and pick out the correct information is an academic skill in itself. However, this will be fed back to the existing module teams, as well as to the	

the iCMAs were merely “glorified consolidation activities”.

teams developing new modules, so that consideration can be given to how multiple choice questions can be used to further test the skills required at each level, for example application of the law.

One student felt that there was potential to lose marks through “silly mistakes” in reading the questions.

Reading questions carefully and considering what is required is another key academic skill that multiple choice questions seek to address. Module teams do, however, work hard to ensure that questions are worded as clearly as possible and do not seek to confuse students with the wording.

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### Move away from exams to EMAs

Some students expressed that they welcomed the move away from end of module exams and liked the variety of assessment this enabled at level 3.

The decision to move from exam-based assessment to EMAs was based on a number of factors. This included, in part, student feedback but was mainly based on academic considerations. The use of EMAs

Other students preferred exams as they felt that revision enabled them to learn and absorb the information in a more detailed way. They also liked the fact that exams enabled them to answer a number of questions on topics across the course.

allows for greater flexibility and creativity in terms of assessment type. It also enables students to better exhibit academic skills such as research and referencing.

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### Problem Questions

Students found this assessment type valuable as it enabled them to really consider the materials and how the law can be applied in “real life”. One student commented that these make you “realise that completing the course materials is not enough, you have to have a real understanding”

This is exactly how we want students to view problem questions. They are designed to develop the higher level skill of application and so this feedback is very encouraging.

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### Recorded Assessments

Value was attached to recorded assignments, for example when helping students to develop skills they might find useful for advocacy.

Again, we are encouraged to see that students attach value to this type of assessment and recognise the skills that they are building, as well as how these can translate into a work environment. Feedback to be provided to the existing module teams but also to production teams.

One suggestion was that students would like to make a moot-style recording where they present one or both sides of a legal argument.

This is an interesting suggestion and will be passed to the module teams developing new assessment types.

One student commented that the requirement to submit a very short recordings of 1-2 minutes for a TMA was not useful and that this only allowed for reading a brief pre-prepared answer from a script.

The relevant Module Chair has advised that the short recording has a dual function; firstly in allowing students to provide reflective content, but also to enable use of the recording tool in quite a limited way for this first assignment. This helps to build the skills of making recordings,

Another student felt that the use of audio recordings was a big ask of students who would not have the skills to make high level recordings with edits.

increase student confidence and enable students to familiarise themselves with this type of submission before the lengthier recorded assignments that come later.

The main difficulty students experience with audio recordings was with the recording tool, with some saying that they did not use this as editing was too problematic.

This is something that the law team are considering with the Learning Design Team.

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## Reflection

Many students did not enjoy this type of assessment and did not feel it added value. Some viewed it as a "box ticking exercise" while others did not feel it was a sufficiently academic skill to be included within marked assessments. One student requested more detail on how this type of assessment was marked.

Reflection is a recognised and important academic and employability skill. We have introduced a live online session for students who are moving from level 2 to level 3 in order to set out the reason for this being included in the course, and the way in which students should approach this type of question.

The feedback raised here will be addressed for students in the upcoming reflection session for new level 3 students.

One student advised that being asked to reflect on performance had a negative effect on self-esteem and mental health.

Students having difficulties with reflective practice should speak with their tutor or the student support team. It is not the intention of the assessment for students to dwell negatively on past performance, merely to consider how they can build on the skills they have developed.

Tutors to be reminded where to direct students who are experiencing mental health difficulties.

One student advised that they did not think that the word limit was sufficient for 10% to be dedicated to a reflective question.

The word limit is set having taken account of all elements of the assessment. Guidance is given to encourage students to apply the expected number of words to each element of the assessment.

Other students did recognise that reflection is an employability skill and that reflective practice is useful in the workplace. Another advised that this was a "good habit to get into".

Employability to be highlighted at the upcoming session for level 3 students on reflection.

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## Essay Outlines/Plans

Students particularly commented on the use of this type of assessment on W203.

This assessment type is designed to help student develop the skills needed to write an essay by first demonstrating through an outline answer that they are able to understand what the question is asking, and that they can recognise what information is relevant to the question, as well as showing any arguments to be introduced. It also enables students to receive tutor feedback on the relevance of content and intended structure before students attempt a full essay on this module.

<p>Students were concerned that there was a lack of advice and consistency from tutors as to how this should be approached. They also felt unsure of how to present their answer.</p>	<p>The module team did not provide detailed guidance on how the plan should be set out as they did not want to restrict the way in which students chose to present their essay outline. Instead, general advice was given, for example to use full sentences in order that the intended essay content was clear to the marking tutor.</p>	<p>It is clear from the feedback that students would like more guidance on how they could approach this type of assessment. The W203 module team have developed an example answer of how a student could set out an essay outline. This is included in the relevant TMA guidance. Additional guidance will also be given to tutors at the markers meeting in advance of the TMA submission.</p>
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<p>Some students felt that their grade had been negatively affected by the assessment type.</p>	<p>Individual students who believe that their paper has been marked incorrectly or unfairly should follow the appeals procedure. Having reviewed the data, the module team have concluded that there was no overall negative impact as a consequence of this assessment type being used.</p>
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<p>It was noted by some that they would not choose to set out a plan in the format they submitted.</p>	<p>As above, the intention of the module team was not to be too prescriptive in setting out presentation requirements.</p>
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One student noted that this type of assessment was useful as it enabled them to demonstrate that knowledge of what was relevant to the question set.

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### Group work

<p>One student commented that they felt more could be done to prepare students for group work, and for difficulties which may arise.</p>	<p>We have conducted a separate consultation forum on collaboration. It is a requirement of the Quality Assurance Agency (QAA) that this be included within a law degree and so cannot be dispensed with.</p>	<p>There is an upcoming live online session for students moving from level 2 to level 3 study covering collaboration. We will try to address student concerns in that session.</p>
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<p>It was also noted that group work can impact on a students' grade if other group members are not engaged.</p>	<p>However, we have taken student feedback on board and have taken the actions outlined in the previous <a href="#">consultation report</a>. We are also considering how best to incorporate collaboration into the new LLB to further address the feedback points raised.</p>	<p>Additional tutor guidance has also been written and issued on managing difficulties arising from collaborative tasks.</p>
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### Assessment Feedback

<p>There were numerous positive comments from students about the feedback they had received from tutors. Students particularly valued constructive feedback which enabled them to clearly identify strengths and weaknesses, which they were then able to action. Students also valued being able to contact their tutor for additional guidance. A positive tone within the feedback was encouraging for students.</p>	<p>We are delighted to see that feedback is valuable to students, and that this is framed in a positive and motivational way.</p>	<p>A document will be prepared for use by the Student Experience Managers based on the points raised about tutor feedback in this consultation. This can then be shared with tutors, either on tutor forums or at markers meetings in advance of TMAs being submitted. Student Experience Managers also oversee the monitoring process for markers and so this will help them to frame</p>
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One student advised that they had found it useful to have the same tutor for successive modules and felt that this should be more usual for continuity.

Another student commented on continuity within the same module and noted that, owing to difficulties experienced by the tutor, TMAs were marked by different tutors.

Students did not find feedback so valuable where:

- There was a lack of actionable guidance to take forwards
- Comments were vague, for example “*good point*” or “*be more analytical*”, without an explanation of why the point was a good one or how they could be more analytical.
- Tutors suggest that additional material should be included without also showing where existing information could be cut back or expressed more succinctly.
- Feedback was late
- There was no direction to resources to help.

Many tutors are specialists in more than one area of law and so teach across different modules. Consequently, some students will encounter the same tutor more than once on their study journey. However, no tutor teaches all of the modules and so it is not possible for students to remain with the same tutor throughout their studies.

We do try to ensure that, as far as possible, students do not experience a change of tutor during the module. Unfortunately, on occasion unforeseen circumstances arise for tutors. The Student Experience Team work to ensure that cover is sufficient to enable students to receive their graded assignments and feedback on time. If students feel that they need additional support at times when this occurs the SST can arrange for a one-to-one support call to take place.

These points are very useful to help us continually work with tutors to ensure high quality marking.

guidance and advice given to tutors as part of that process.

Members of the Student Experience Team are currently carrying out a wider scholarship project into feedback, which will assess the value students attach to feedback, how feedback is used and whether this changes throughout a student’s study journey. This will inform tutor training and development, as well as being shared externally.

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### EMA Feedback

Some students advised that they were disappointed not to have received feedback for the EMA.

EMA feedback is available for students to access following the module results panel and at the same time student results are released. Students are advised to download this as the feedback is only accessible for a limited time: [Feedback on your exam, EMA or emTMA performance | Help Centre | The Open University](#)

Liaise with the Student Support Team to establish whether we can collectively improve advice and/or communications around EMA feedback.

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### OU Law School Undergraduate Assessment Guide

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On the whole, students advised that they most used the following parts of the Assessment Guide:

- Referencing
- IRAC guidance
- Plagiarism advice
- Defining process words

Some students said that they would re-visit the Assessment Guide before submitting each TMA. One student re-visited this each year to check the "Recent Amendments" section.

Some students felt that the referencing guidance could have been clearer. They also felt that more examples of referencing different sources, for example EU case law, would have helped them.

One student would have benefitted from additional IRAC examples.

It is encouraging to see that students are making use of the OU Law School Undergraduate Assessment Guide.

New [referencing guidance](#) has been developed and circulated to students in light of the new referencing system. This is also available via the Law Study Home page.

Additional skills materials, including the use of IRAC, have been developed as part of the new [Law Toolkit](#), available via the Law Study Home page.

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### TMA Guidance

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Many students commented that they found the TMA guidance helpful. Comments included that the guidance was well written, clearly showed what tutors were looking for, was easy to access and was useful for students who had been out of education for a long time.

Students found the guidance on what was required to meet each grade boundary useful to refer to.

There was acknowledgement that the guidance was different as students progressed through the course, with less prescriptive and detailed guidance as students progressed.

One student stated that the guidance was sometimes "too helpful and comprehensive" while another noted that they could become bogged down with trying to follow this to the letter.

It was noted that some guidance, particularly on W202, contained errors, for example spelling errors and referring to a problem rather than an essay question.

Some students found the guidance difficult to navigate as it included links to the OU Law School Undergraduate Assessment Guide, which meant that students would be clicking backwards and forwards between pages.

The W111 team have been working on the guidance for assessments on the new LLB. They have sought to strike a balance between leading students through what is expected and how to structure an answer in order to help students develop the skills they need at level 1, and allowing students the freedom to exhibit their individuality.

Module teams for existing modules have reviewed the guidance given in relation to the upcoming presentation.

A new policy has been developed in relation to changes to assessment once a presentation has begun. This sets out for module teams how changes should be managed, how they should communicate with students and how to ensure that there is no detriment to students who may not have seen the change or may have submitted their assignment early before the change took place.

We will be seeking student feedback on the approach taken to TMA guidance on W111 following the 21J (October 2021) presentation.

Where errors are corrected, students felt that they could be advertised more obviously than in the news column.

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### Skills Needed for Assessment

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Students found existing resources useful to build skills in time for assessment. Examples included tutorials, course materials, library resources and the materials on the Law Study Home page.

Additional resources students said they would have found useful were:

- Clearer referencing guidance.
- More referencing guidance on citing different types of resources.
- Earlier skills sessions at level 2. The sessions provided as part of the W203 module would have been useful for W202.
- More advice on critical evaluation
- More examples of essay and problem questions.
- Courses/recordings in the summer to equip students with the skills they need for the next level of study before they start.

Students also found that they received some conflicting advice from tutors on the way in which work should be structured and presented.

We are pleased to see that students have been making use of skills resources. A new [Law Toolkit](#) has been developed in advance of the 21J (October 2021) presentation and is available within the Skills tab on the Law Study Home Page.

Resources are available on legal writing, study skills, reading and note taking, legal skills, research, essay writing and constructing answers to problem questions.

Additional [referencing guidance](#) has been developed and is also available within the Skills tab on the Law Study Home page.

There are resources available for students to access in advance of starting Level 2 and Level 3 study. Students can make use of these over the summer months to help them prepare for the step-up to the next level. The resources are available within the Discover tab on the Law Study Home page and are called [Getting Ready for Stage 2 Law](#) and [Getting Ready for Stage 3 Law](#)

Student Experience Managers will receive the feedback from this consultation so that they can provide further advice to tutors at marking meetings to ensure a consistent approach.

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**Date:** 27 September 2021