



2023

UCU Marking and Assessment

Boycott Guide

UCU

University and College Union





Introduction

UCU's Higher Education Committee (HEC) has voted to begin a marking and assessment boycott (MAB) from Thursday 20 April.

This means that from Thursday 20 April we are asking all UCU members in universities which are part of the UCU Rising disputes to cease undertaking all summative marking and associated assessment activities/duties. The boycott also covers assessment-related work such as exam invigilation and the processing of marks.

This guide explains exactly what the boycott entails, how you can take part and specific advice for academic-related and professional services staff and migrant members.

If you have a question that is not covered in this guide, please contact your branch. Your branch can contact your regional/devolved nation office, and your officials will support your branch and can refer issues to UCU head office for further advice as needed.



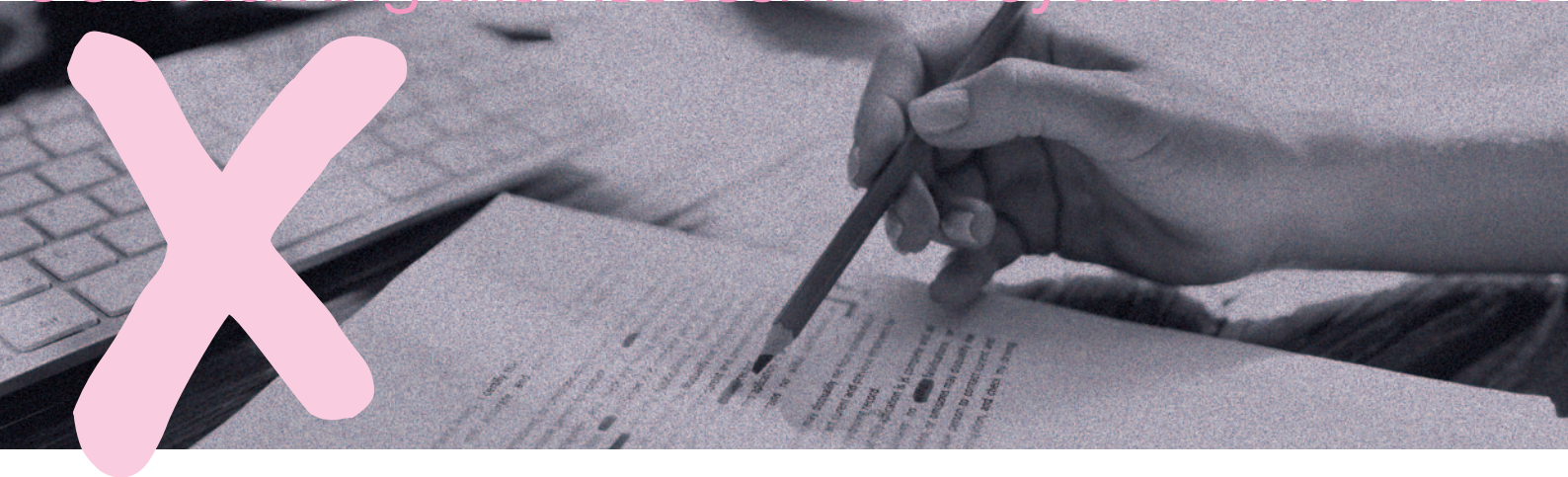
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1 What is a marking and assessment boycott?

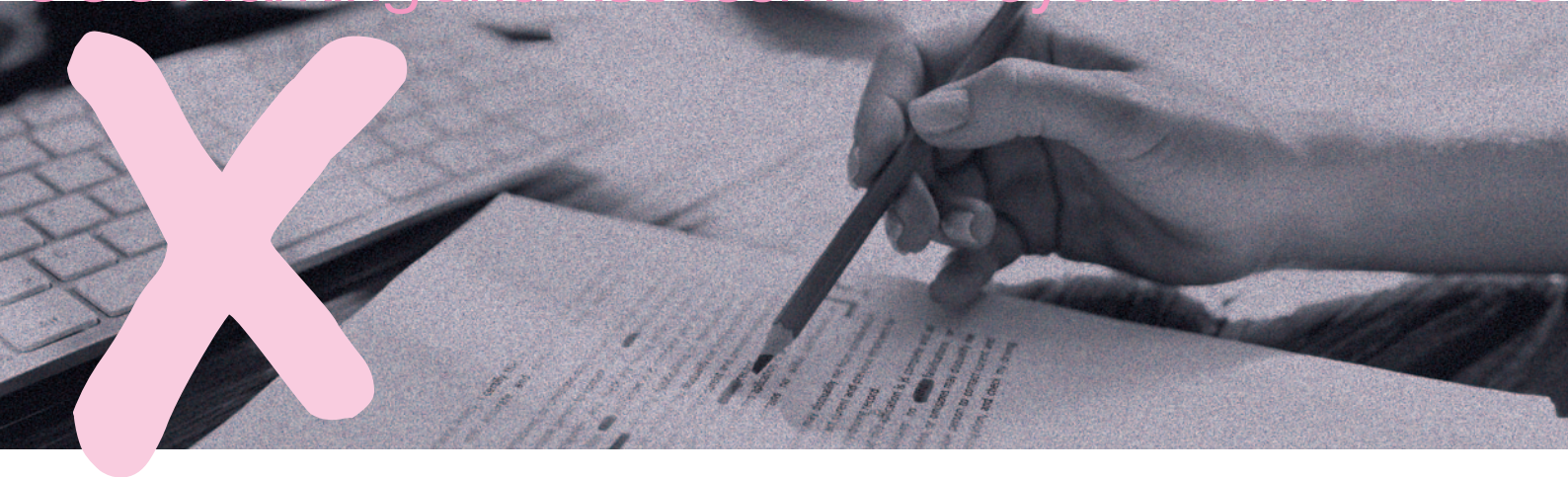
A marking and assessment boycott covers all marking and assessment processes that contribute to summative assessment decisions for students/learners, whether final (i.e. graduation/completion) or interim (i.e. progression decisions).

Once the boycott is live from Thursday 20 April 2023, UCU members should cease undertaking all summative marking and associated assessment activities/duties.

2 Who will be involved in this action?

Members employed by all higher education institutions involved in the UCU Rising pay and working conditions and/or the USS pensions dispute are involved in this action.

UCU members employed by subsidiary companies, the Medical Research Council, or otherwise not employed by the higher education institution at which they are a UCU member, were not included in the industrial action ballot and are not included in this action. Clinical staff who intend to take action should be aware that this will only count as lawful action as part of the UCU strike if they are employed by the higher education institution at which they are a UCU member.



If you are a UCU member whose role consists entirely or almost entirely of assessment and examinations work, for example a registry examinations officer who centrally administers examinations, this aspect of action short of a strike (ASOS) may not apply to you; please contact UCU head office for further advice.

3 Who made the decision to commence a marking and assessment boycott?

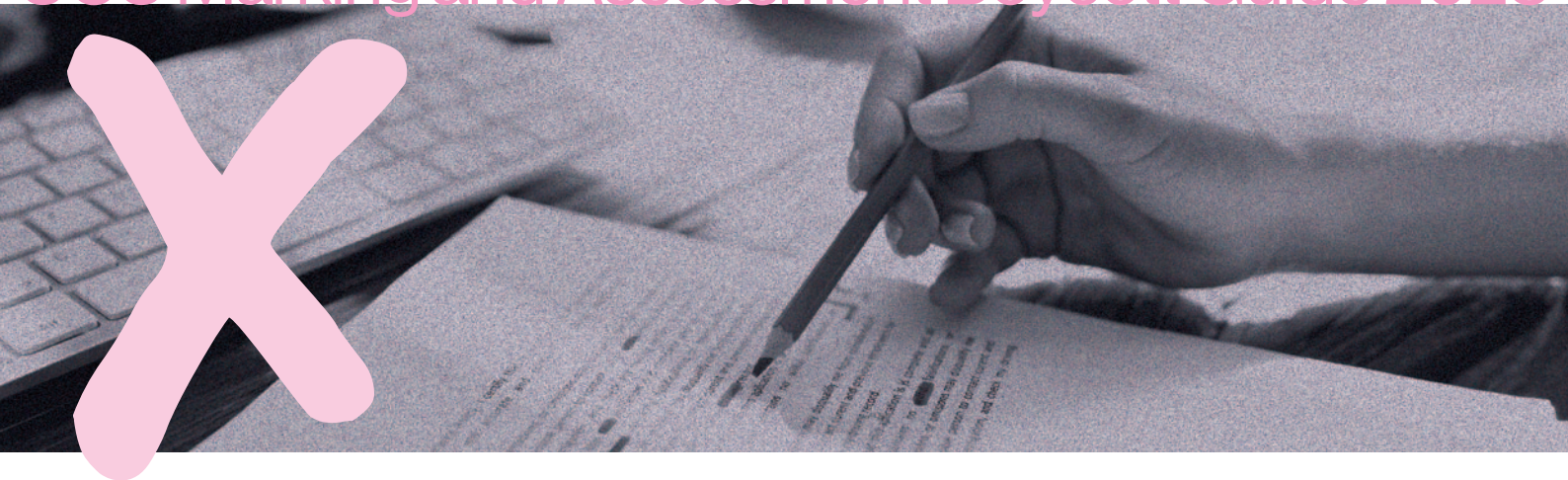
A marking and assessment boycott was included in the options for action short of a strike (ASOS) contained in the ballot paper. The decision to call a marking and assessment boycott to begin on Thursday 20 April 2023 was taken by the higher education committee (HEC).

4 How long will the boycott continue?

The marking and assessment boycott begins on Thursday 20 April 2023.

The marking and assessment boycott will then carry on until the disputes are settled, or UCU calls off the boycott, or at the end of the

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industrial action ballot mandate (usually six months after the industrial action ballot closes).

The USS pensions and the pay and working conditions disputes are distinct and involve UCU negotiating with two different bodies--UUK (Universities UK) and UCEA (University and Colleges Employers Association), respectively. Both disputes are kept under review by UCU's democratic structures, specifically the elected members of the higher education committee (HEC) as well as higher education sector conferences (HESC) who can decide UCU's next steps in the disputes.

If either dispute is suspended or resolved for any reason but the other dispute is not, the action in the unresolved dispute will continue. A positive outcome in the pay and working conditions dispute does not mean that UCU abandons the USS pensions dispute, or vice versa. Neither dispute will be concluded without a democratic consultation of the members involved in it.

For the avoidance of doubt, a branch participating in the marking and assessment boycott for the pay and working conditions dispute only (eg. post-92 universities) will cease the boycott if a settlement is reached in the pay and working conditions dispute. A branch participating in the marking and assessment boycott for the USS pensions dispute only (e.g. a pre-92 university not participating in *JNCHES 2022-23*) will cease the boycott if a settlement is reached in the USS pensions dispute. A branch participating in the marking and assessment boycott for both the pay and working conditions and the USS pensions disputes will continue if one dispute is settled but the other is not.



5 What type of work is covered by the boycott?

The boycott covers all marking and assessment processes that contribute to summative assessment decisions for students, whether final (i.e. graduation/completion) or interim (i.e. progression decisions).

The boycott covers all summative marking and assessment, whether expressed numerically or in any other form - in writing, via an online form, or verbally, of all assessed work e.g. coursework and examination marking, assessment of fieldwork, exhibits, practical work, scientific experiments, presentations, posters etc.

The boycott also covers assessment-related work e.g. exam invigilation; processing of marks; submission of completed marking through any university administrative procedure; assessment-related administration such as distribution of papers to be marked, organisation of/preparation for exam/assessment boards/meetings; attendance at exam boards/meetings. Many of the activities covered by the boycott will involve academic-related and professional services (ARPS) UCU members as well as academic staff. Further guidance for ARPS members is available here: <https://www.ucu.org.uk/ASOS-and-ARPS>

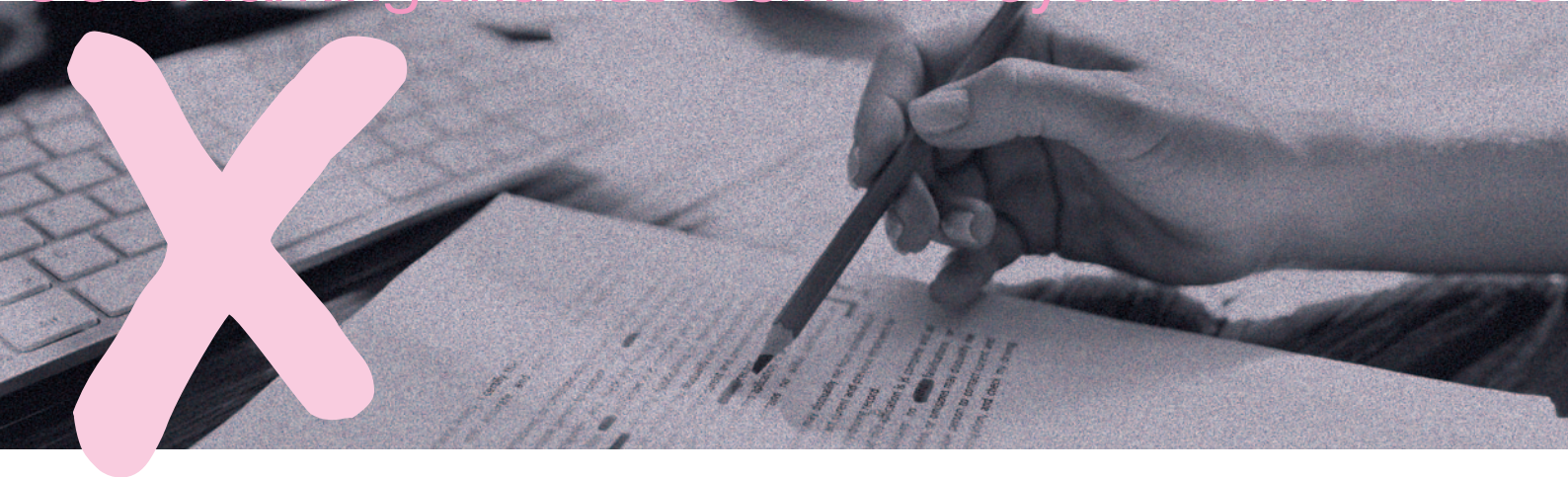


6 What academic programmes or stages are covered?

All summative marking and assessment, at all levels, are covered in the boycott--undergraduate, sub-degree, and postgraduate--so it will include all taught postgraduate summative assessment; PhD final vivas and MPhil to PhD progression/confirmation vivas/assessments. It applies to all forms of higher education and professional training: full-time, part-time, or distance learning.

The assessment boycott is not restricted to final examinations or assessments which contribute to the award or classification of a degree, certificate, diploma or any other academic or professional qualification, but includes any form of in-course continuous assessment which contributes to decisions about the suitability of students to continue/progress with their studies (e.g. at the end of the first or second year of a three-year degree course) or to undertake particular options/modules (e.g. where they have pre-requisites).

The boycott will include traditional essay marking, but also any student work such as the assessment of projects and dissertations, laboratory and other practical assessment, performance (e.g. in music or drama), degree shows (e.g. in art, design, and fashion), and supervised practice (e.g. in teacher training, medicine, dentistry). Examination of dissertations and theses at postgraduate level, as well as vivas, are included in the action.



7 What about formative as opposed to summative assessments?

In the case of formative assessment which does not contribute to the award or classification of any degree, certificate, diploma etc., and which does not contribute to decisions about the suitability of students to continue/progress with their studies, members can provide general support but should not provide any feedback from which any mark for summative assessments could be reasonably deduced.

8 Is the assessment of staff (eg internal CPD programmes) covered by the boycott?

If the member of staff is a 'student' for the purposes of the programme, and the assessment is summative (e.g. progression related) then that will be included in the boycott. Most internal staff continuing professional development (CPD) programmes would not meet this criterion.



9 How can members distinguish between teaching and assessment?

Members are asked to make a distinction between teaching (tutorial or practical) which is not subject to, or part of, any marking and assessment boycott on the one hand, and the act of assessment itself. For example:

- courses should be taught and lectures/seminars should be delivered
- student attendance can be noted
- coursework, where already set, can be collected in.

But members should not then:

- set examinations or assessment questions
- invigilate examinations
- mark papers, essays, or projects
- moderate papers, essays, or projects
- provide informal guidance/feedback to students concerning their likely mark, grade or assessed progress of summative assessments, whether they may pass/fail
- process marks - including marks generated prior to the beginning of the assessment boycott and marks which may be produced by non-UCU members



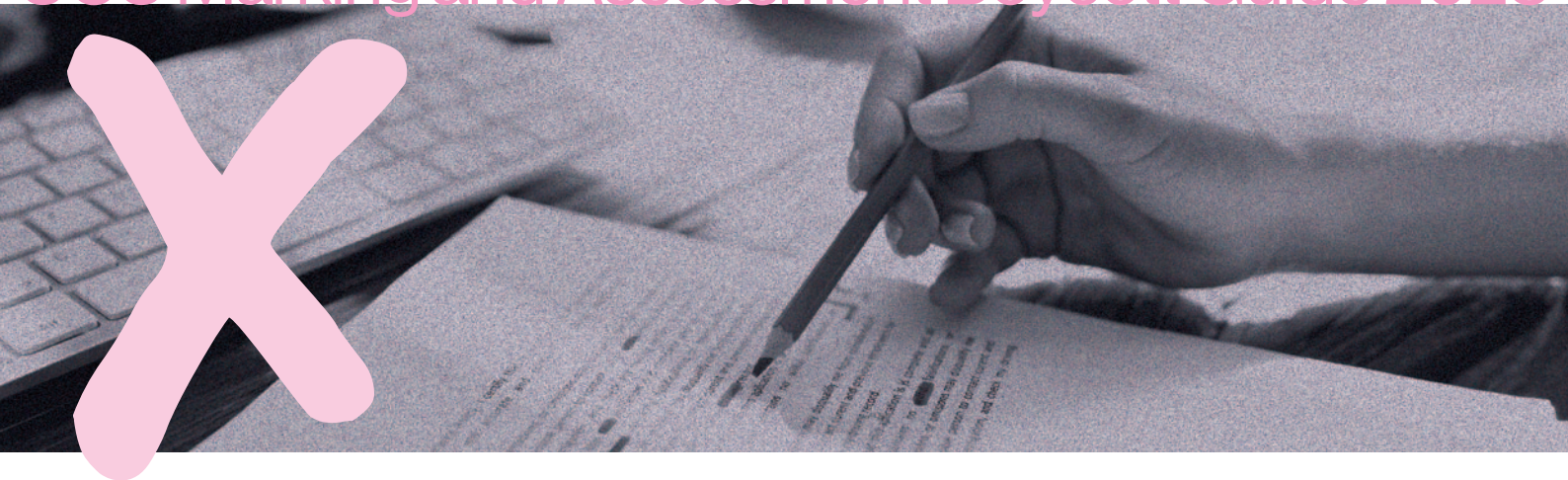
- record any marks on paper, enter them into any online system, or communicate them to colleagues or students
- attend or participate in any examiners' boards or related meetings.

10 What happens if strike action is called while the boycott is on?

If strike action is called during the marking and assessment boycott, then on specific strike dates UCU members should withdraw all forms of labour, not just marking and assessment activities.

11 Should I leave my marking until after the boycott?

Prior to that date when marking and assessment boycott officially begins, you should continue to work normally, including your normal marking and assessment schedule, ensuring that you give proper consideration and exercise due diligence. If you are given what you consider to be an inappropriate or unreasonable instruction to speed up marking and assessment in order to 'beat' the marking and assessment boycott, you should contact your UCU branch.

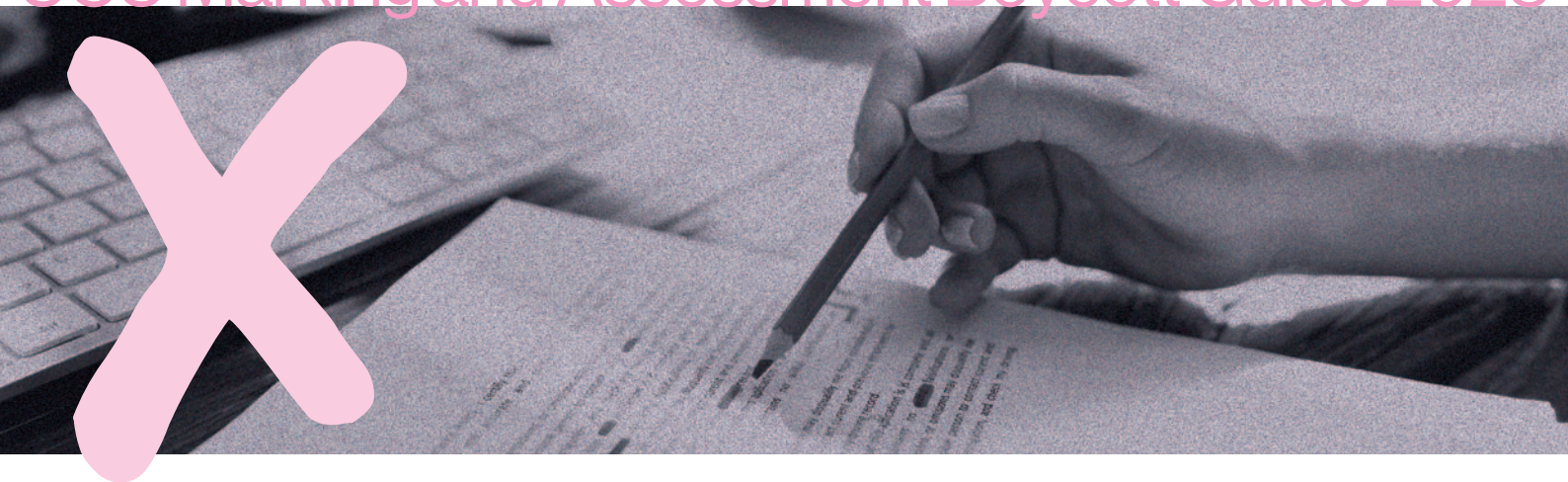


12 What should I do after the marking and assessment boycott?

How should branches/members respond to proposals to alter assessment procedures + criteria in response to UCU industrial action?

When the marking and assessment boycott ends (as determined by the democratic mechanisms of the union), you should return to working normally on your marking and assessment. Again, you should ensure that you give proper consideration and exercise due diligence in assessment procedures, and you should work to the standard custom/practice of the institution. If you are given what you consider to be an inappropriate or unreasonable instruction to speed up marking and assessment, or if you are given what you consider to be an inappropriate or unreasonable amount of marking and assessment, you should contact your UCU branch.

If there are proposals from university management to alter assessment procedures and criteria in response to UCU industrial action, then branches should consult members over the likely impact of proposed changes, and raise with university management any concerns regarding threats to academic standards and rigour in assessment processes; branches should also alert local student unions to these issues.

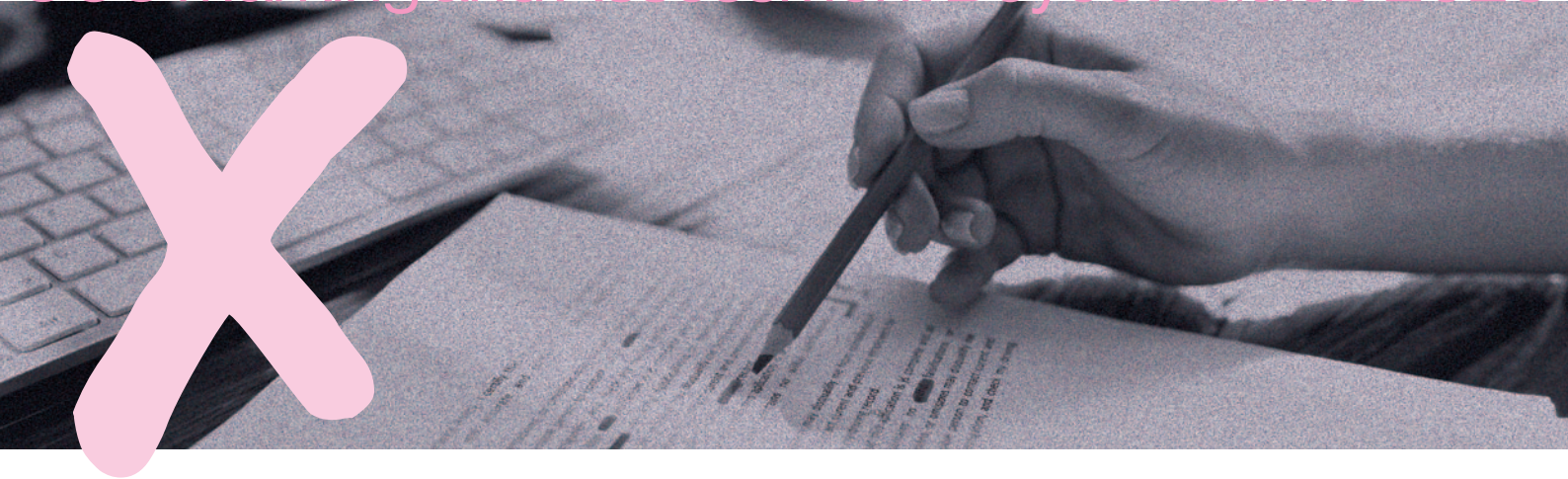


13 Should I advise my line manager or employer that I am participating in the boycott?

It is often the case that management and human resources will send out emails/letters demanding that you declare in advance whether you will be taking industrial action, including the various forms of ASOS called by the union. This is intended to minimise the effect of the action and can have the effect of misleading and intimidating members.

You are under no obligation to inform your employer/manager in advance as to whether you will be taking part in strike action or action short of a strike. UCU will have provided your employer with all the information about the action required by law.

If you are asked about whether you are participating in ASOS including the marking and assessment boycott, you should respond only in terms of what action you have taken/are currently taking, but not answer about future intentions regarding ASOS. This will mean that employers will need to keep checking for confirmation as to whether or not you have participated in ASOS and what forms of ASOS you have participated in and when. If you are asked directly whether you participated in ASOS in the past or are participating in it now (whatever the timeframe, be it last week, yesterday, or today) you should respond truthfully, but you should not declare your intentions regarding future action.



14 What should I do if I am asked by my line manager or employer to cover a duty which is part of the marking and assessment boycott?

You should seek the instruction in writing (e.g. email) and then respond as follows:

'I am unable to attend this meeting / mark these scripts / invigilate this exam because I am taking part in UCU's lawful industrial action in the form of a marking and assessment boycott. I am continuing to perform all my normal duties other than those affected by the marking and assessment boycott and any other lawful action short of strike / industrial action currently called by my union.'

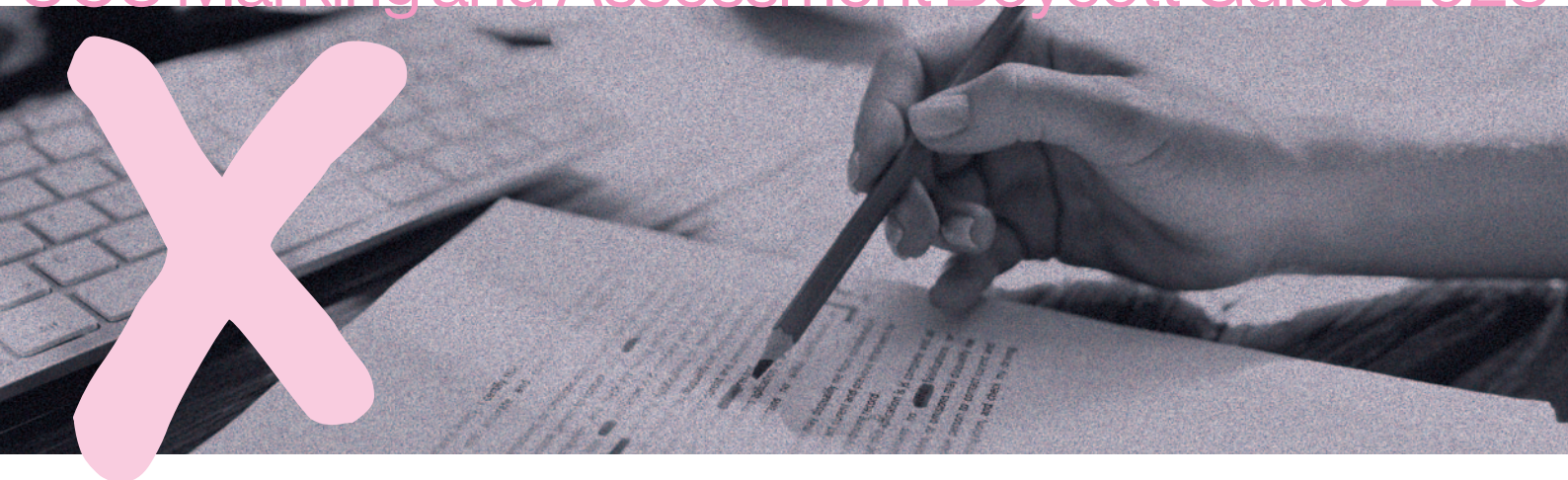


15 Should I attend meetings to investigate plagiarism or hear student appeals?

No, as the committee will award or confirm students' marks/grades then this is clearly covered by the boycott of all marking and assessment-related activities.

16 What if I am external examining at another institution?

UCU members were balloted in relation to their principal employer. If you have already entered into a contract for external examining at an institution (hypothetically 'external university') other than the institution which is your principal employer and your UCU branch (hypothetically 'your university'), then you should carry out your obligations under this contract, even if there is a mandate for a marking and assessment boycott at 'your university' and your branch is participating in the boycott.



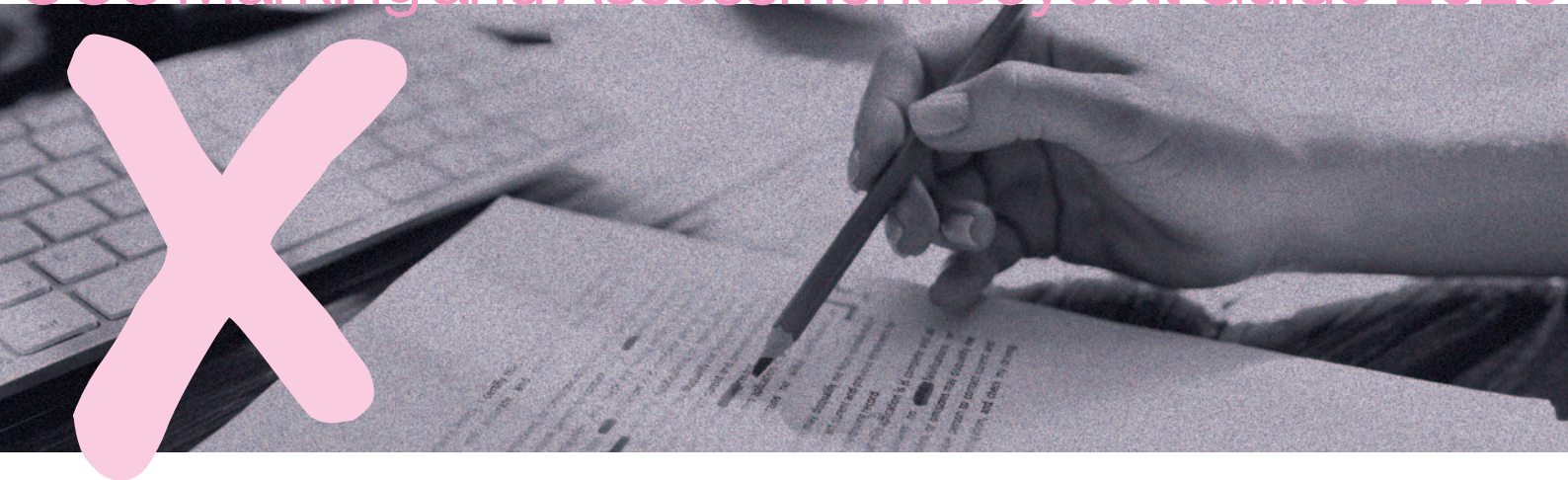
The above is so, even if there is a mandate for the boycott at 'external university' (regardless of whether or not a mandate exists at 'your university'), in which case you should carry out your obligations under the external examiner contract but also do the following:

- contact the UCU branch at 'external university' and ask them to send you any details of local contingency arrangements
- ask the UCU branch at 'external university' to put you in contact with a UCU rep in the department for which you are an external examiner
- contact 'external university' and state that you as an external examiner are not prepared to sign off marks that have not been derived according to normal quality assurance procedures
- if you have concerns about the quality assurance process at 'external university' please write to the head of that institution in accordance with Quality Assurance Agency for Higher Education (QAA) guidance.

17 What if I am a head of department or manager?

If you are a UCU member and are head of department or manager at an institution where UCU has an industrial action mandate and is participating in the marking and assessment boycott, then:

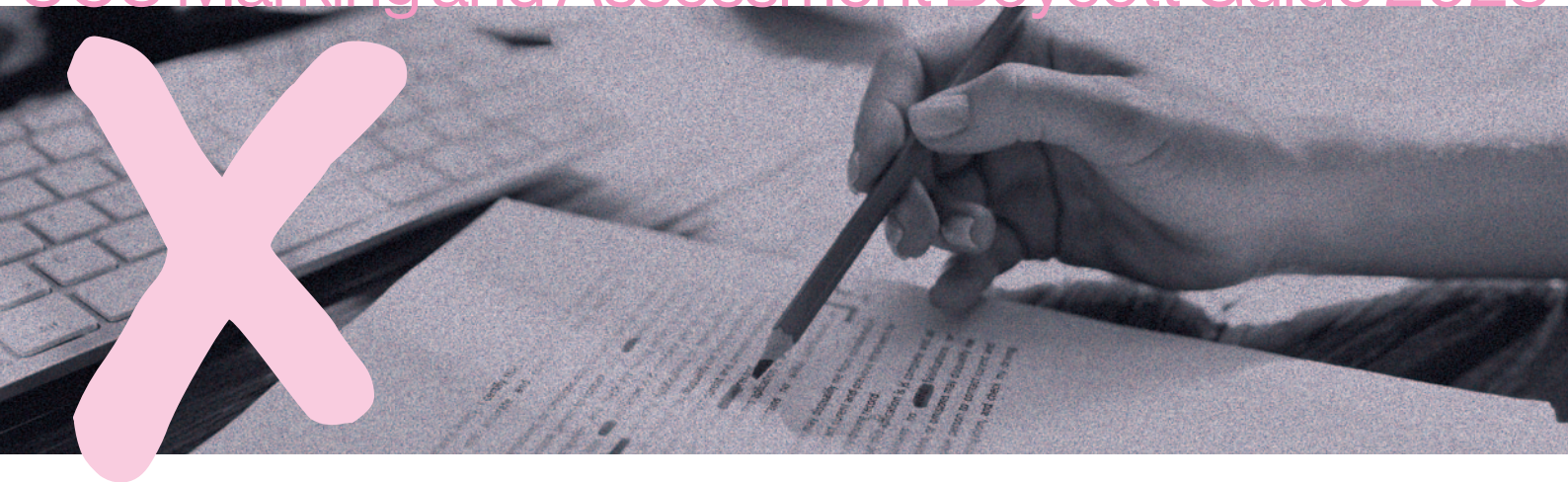
- do not reallocate marking and assessment-related activities boycotted by UCU members to other staff



- do not take on any marking and assessment-related activities yourself which are being boycotted by UCU members
- do not identify individuals who are participating in the marking and assessment boycott, or make any evaluation as to the amount of time that they would normally spend on marking and assessment-related activities
- if asked by senior management to provide information on the impact of the marking and assessment boycott, reply only in general terms and avoid identifying individuals.

18 What is the difference between a marking boycott and a MAB?

UCU's democratic bodies decided on a marking and assessment boycott in recognition of the fact that a considerable proportion of assessment is no longer restricted to traditional marking of end-of-year exams but involves continuing assessment throughout the year; a marking and assessment boycott covers traditional exam marking and associated activities as well as ongoing assessment of coursework, practicals, and the variety of assessment methods. This means that UCU members will not undertake marking and will also not participate in any assessment-related activities.



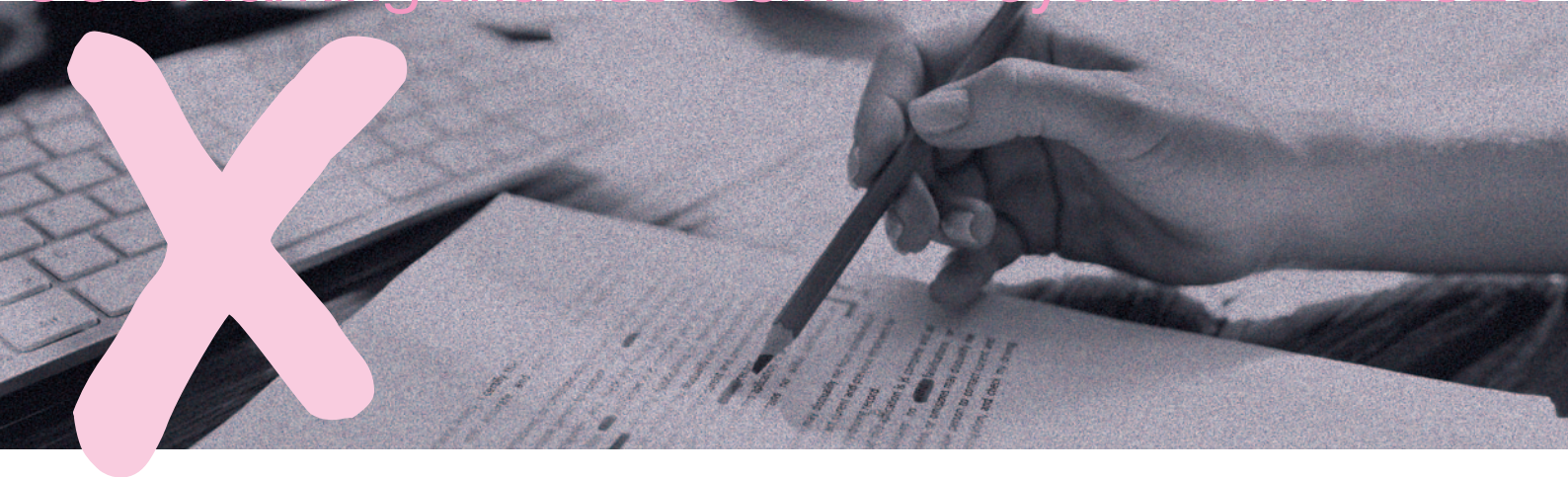
19 What is the difference between MAB and strike action?

A marking and assessment boycott is a form of action short of a strike (ASOS), while a strike is a concerted stoppage of all work. ASOS is normally action which affects only certain aspects of your work. Under the Trade Union Act 2016 the union must (in England, Wales, and Scotland) indicate in advance and ballot members on the types of ASOS we are likely to call upon members to take (in Northern Ireland the union can ballot for action without specifying the types of ASOS).

If UCU branches obtain a mandate for ASOS from the industrial action ballots in the pay and working conditions and/or the USS pensions disputes, then the following forms of ASOS may be called:

- working to contract
- not covering for absent colleagues
- removing uploaded materials related to, and/or not sharing materials related to, lectures or classes that will be or have been cancelled as a result of strike action
- not rescheduling lectures or classes cancelled due to strike action
- not undertaking any voluntary activities; and
- marking and assessment boycott.

Members should be clear that while taking part in any of the action short of strike described above, they should continue with their other normal duties.



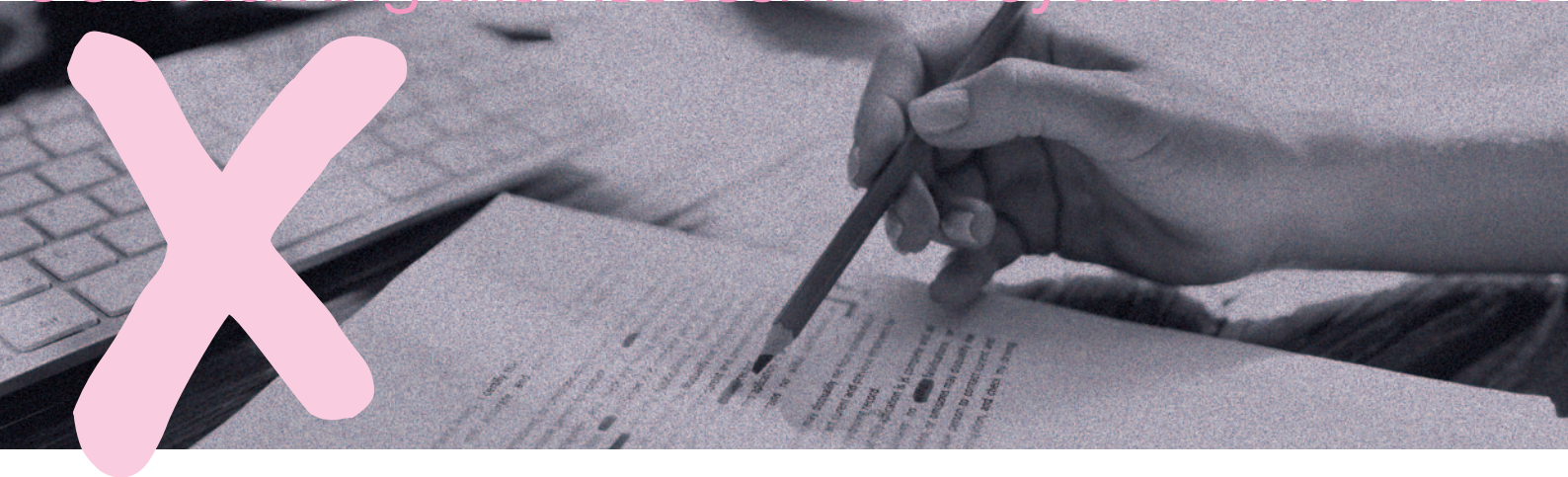
20 Should I 'mark and park' assessments?

'Marking and parking' is where you mark work (as usual) but refuse to forward it or submit marks on any system. The legal position is that exam scripts, essays, or other materials to be assessed (whether hard copy or electronic) are the property of the institution, and the institution may demand their return (marked or unmarked) at any time. For this reason you should not 'mark and park' online (on virtual learning environments or VLE such as Turnitin) or offline (hard copies), as you may unintentionally undermine the marking and assessment boycott.

In instances of student assessment being undertaken via presentations, members should not take any notes which could be used by others to mark or grade the presentations. Notes taken – private or otherwise – are the property of the employer and would need to be surrendered if asked for.

21 What should I tell my students?

You should explain clearly to your students what the marking and assessment boycott will mean, set out that UCU has given every opportunity to the employers to resolve the pay and working conditions and/or USS pensions dispute. You can find student-facing materials and resources at: <https://www.ucu.org.uk/article/12475/Resources>



You should indicate that you will continue to provide general support – including for their applications for jobs, funding or further study – and urge them to contact the vice-chancellor or principal to raise the impact of the industrial action on their studies.

22 What about international students...

whose visa status may be dependent on receiving grades?

What if I am a migrant worker?

If you have international students in your course, whose visa status is dependent on receiving grades on time, please contact UCU head office for further advice (*email: IAinfo@ucu.org.uk*). If you are a migrant worker taking industrial action, you can also read UCU's separate FAQ at: <https://www.ucu.org.uk/heaction-migrantworkers>, which covers strike action and all forms of action short of a strike (ASOS) including marking and assessment boycotts.

23 Should I refuse to cover for absent colleagues?

or cover for work from colleagues participating in the marking and assessment boycott?

Yes, you should refuse to cover for absent colleagues, and if you are asked to cover other colleagues' marking and assessment-related work, you should also refuse. If you are under pressure to provide cover, please contact your local branch immediately.



24 Will my pay be deducted if I took part in the MAB?

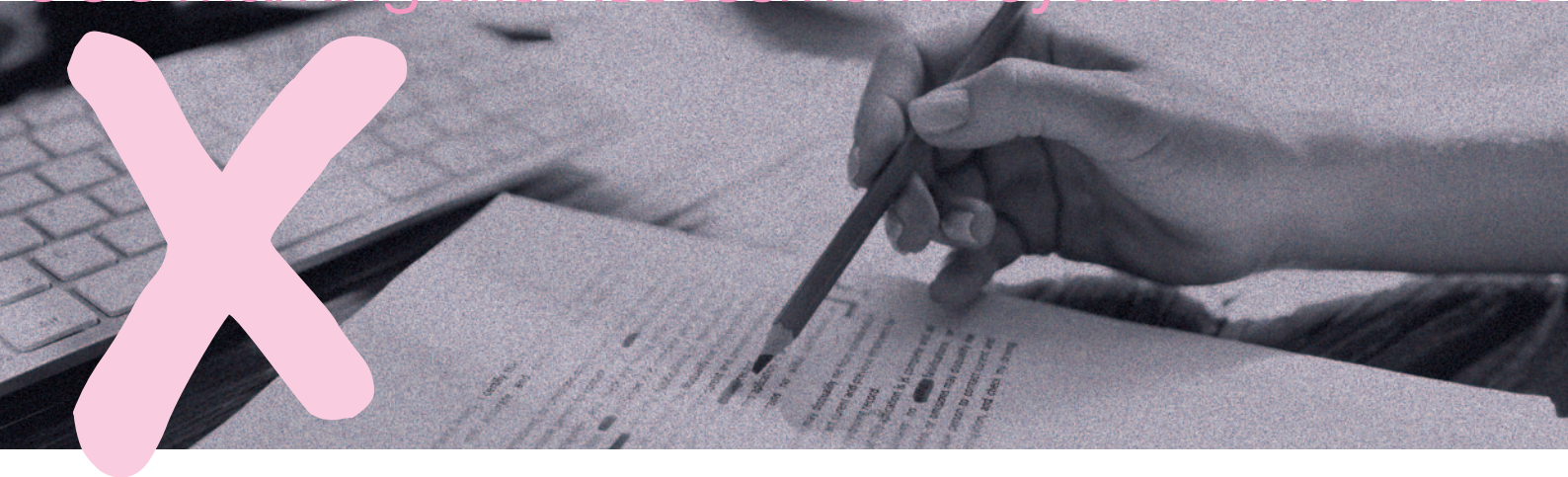
Yes, this is likely, your employer is entitled to make deductions from your pay if you participate in industrial action, including most forms of action short of a strike (ASOS).

If the ASOS called consists solely of working to contract, then an employer cannot impose pay deductions when you are fulfilling your contract; where the union calls ASOS that goes beyond working to contract and involves refusal to undertake contractual duties, including marking and assessment, such action involves members breaching their contracts of employment.

While the law gives employees some protection against dismissal for participating in ASOS where that action and the consequent breach of contract is covered by a legal industrial action ballot, an employer can refuse to accept 'partial performance' of the contract, and to deduct pay in response to that breach of contract.

Deductions can be up to 100% of pay while you are participating in ASOS (with any work undertaken being deemed to be undertaken on a voluntary basis). 'Partial performance' is deemed, in law, to be continuous until the dispute ends – even if on days when members have no marking to do. This means you can have pay deducted every day for the duration of the marking and assessment boycott.

UCU produced guidance for branches in response to threats of ASOS deductions (100% deduction or partial deduction). [You can read this guidance here](#) (requires UCU membership number to log in).



25 Will the union provide strike pay to members who participate in the MAB?

Decisions about the fighting fund (e.g. eligibility, level of support, and other criteria) are made by the national executive committee and the elected UK officers (in this case, immediate past president, president, president-elect, vice-president, and honorary treasurer). The current set of *guidance for the fighting fund* can be found here.

26 If my normal duties do not involve marking/assessment, how can I support the boycott?

If your normal duties do not involve marking and assessment, you should volunteer your services to the UCU branch committee and consider donating to the UCU fighting fund: <https://www.ucu.org.uk/fightingfund>. If you are, for instance, on a research-only contract and you do not normally participate in any teaching, marking or assessment, you should refuse to grade assessments if asked to by your employer. You can also



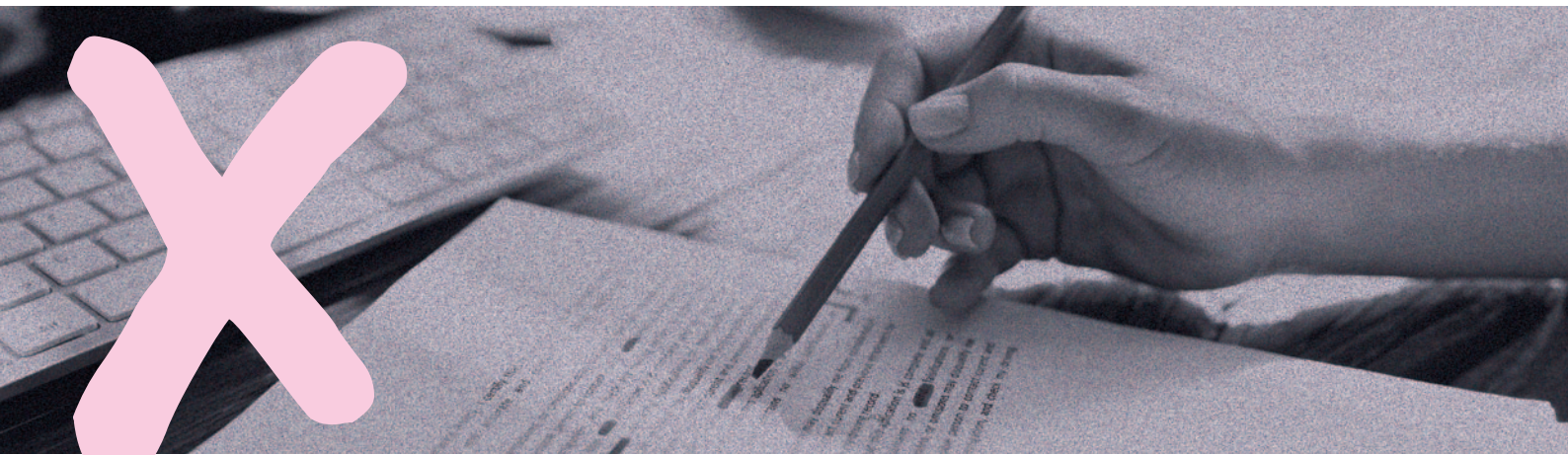
observe other elements of action short of a strike (ASOS) while it is live, for instance, you should not undertake any voluntary activities.

27 If my institution is not participating in the MAB, what can I do?

If you are at an institution that is not participating in the marking and assessment boycott, you should consider donating to the UCU fighting fund: <https://www.ucu.org.uk/fightingfund>. If you are at an institution that is not participating in the marking and assessment boycott, but act as an external examiner at an institution which is participating in the marking and assessment boycott, please refer to the question above regarding external examiners.

28 What if I have a question that is not covered in this FAQ?

If you have a question that is not covered in this FAQ, please contact your branch. Your branch can contact your regional/devolved nation office, and your officials will support your branch and can refer issues to UCU head office for further advice as needed.



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