

DECISION FLOW: FROM SIGNAL TO LEGALLY ROBUST DECISION BY EXAMINATION BOARDS

This decision flow contains steps to take in making decisions. Following this decision flow contributes to legally robust decision-making. This document is not intended to be extensive or complete, but for practical, informational and learning purposes, and can be used during the process of taking decisions, as a quality assurance tool, and as training material for Examination Board members.

Step	Principles/ABBBs at least relevant
1. Signal/issue/problem • e.g. fraud suspicion, exemption request, complaint	<ul style="list-style-type: none"> • Competence and authority • Legal certainty and Foreseeability • Equality and Consistency
2. Investigation / fact finding • gather relevant information • verify evidence • consult examiner if needed	<ul style="list-style-type: none"> • Procedural carefulness • Transparency and Reviewability • Balancing of interests (who is involved)
3. Legal & regulatory assessment • applicable WHW provisions • OER / examination regulations • institutional policies	<ul style="list-style-type: none"> • Competence and Authority • Legal certainty and Foreseeability • Rules and Deviation (Hardship) • Equality and Consistency
4. Hearing the student (if required or advised) • opportunity to respond • consider special circumstances	<ul style="list-style-type: none"> • Procedural carefulness • Legitimate expectations • Balancing of interests
5. Consideration and deliberation • weigh facts, rules, interests, circumstances, similar outcomes, and deviation • consider proportionality	<ul style="list-style-type: none"> • Balancing of interests • Proportionality • Equality and Consistency • Legitimate expectations • Legal certainty
6. Take decision • determine outcome • ensure consistency	<ul style="list-style-type: none"> • Competence and authority • Proportionality • Rules and Deviation (Hardship)
7. Written Motivation & Documentation • explain reasoning clearly • record and document decision and reasoning	<ul style="list-style-type: none"> • Reasoned decision • Balancing of interests • Rules and Deviation (Hardship) • Transparency and Reviewability
8. Written Communication • inform student formally • explain appeal possibilities	<ul style="list-style-type: none"> • Formal requirements and Legal remedies • Legal certainty