

TEACHING AND SCHOLARSHIP BRIEFING

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Assessments and Feedback in the Law School: Improving Student Learning and Satisfaction

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Recent feedback from the law school's February 2022 staff-student liaison committee continues to align with the widespread finding across many higher education institutions; student satisfaction and learning is highly impacted by our choice of feedback and assessment.¹ With the upcoming NSS survey on our minds, the law school appears to have room for improving student satisfaction in this area, namely with regards to making our marking criteria and feedback accessible, constructive, and fair.² Not only is assessment and feedback pedagogically recognised as a principle of higher education, meaning that assessments and constructive feedback are essential to 'good' teaching and student learning,³ but the university itself has made it clear that we should be providing fair assessments and informative feedback to our students. This is apparent throughout many of the university's core obligations and commitments to its students.

For example, Lancaster University's aims include 'encouraging students to develop knowledge, skills, and understanding that promotes personal development', 'communicate what is required from students', and for students to 'be provided with timely, instructive, and constructive feedback'.⁴ The university's principles on assessment and feedback also mirror such aims and obligations, stating that our assessments, and the feedback we provide to students, should facilitate their learning and be part of an on-going learning journey by allowing them to develop an understanding of a given subject in a timely manner;⁵ feedback should not only allow students to see how their skills can be improved, but assessments should also be designed to secure student learning.

Our student charter affirms this commitment to providing assessments and feedback opportunities which allow students to learn and develop by noting that students can 'expect encouragement to develop academically through assessments', and that our assessment system will be 'fair and transparent',⁶ something which the law school currently is not perceived to be achieving to the best of its ability.

¹ David Boud and Elizabeth Molloy, 'Rethinking Models of Feedback for Learning: The Challenge of Design' (2013) 38 *Assessment & Evaluation in Higher Education* 698; Bloxham in Heather Fry, Steve Ketteridge, and Stephanie Marshall, *A Handbook for Teaching and Learning in Higher Education: Enhancing Academic Practice* (4th edn, Routledge 2014) 117

² Our NSS Survey results for 2021 evidence this clearly when it comes to the following areas; The criteria used in marking have been clear in advance – 64; Marking and assessment has been fair – 59; I have received helpful comments on my work – 61

³ P Ramsden, *Learning to Teach in Higher Education* (2nd edn, Routledge 2003) 96; feedback is the factor for the best/worse courses from the student perspective

⁴ <www.lancaster.ac.uk/about-us/our-principles/learning-teaching-and-assessment/lancaster-university-aims/> accessed 1 October 2021

⁵ <www.lancaster.ac.uk/od-and-ed/educational-development/assessment-practice/assessment-principles/> accessed 1 October 2021

⁶ <www.lancaster.ac.uk/current-students/student-charter/> accessed 1 October 2021



Accordingly, modules within the law school should be doing more to ensure our assessments and feedback are assessments ‘for’, and not simply ‘of’, learning, and thus align with the University’s commitment to securing this.⁷ Making such developments to our assessment and feedback methods will further ensure that our teaching aligns with Level 3 of Bigg and Tang’s model of teaching and learning; we will be focused on what the student does, and our teaching will support their learning and their ability to achieve a module’s learning objectives by making it clear how these are assessed, and how the student can attain such an achievement.⁸

You may now be wondering whether your module secures this level of teaching through its feedback and assessments, or how it can achieve this aim. A simple, yet highly effective, solution to ensure that we provide ‘assessments for learning’ is to incorporate formative assessments and activities into our module teaching through either an actual written formative assessment which provides formative feedback, or through learning environments, such as our seminars and workshops, which can provide informal formative feedback to our students through our seminar activities, feedback which makes an important contribution to both improving student learning and student satisfaction.⁹ Either form of formative activity can be used, and both are effective means of allowing students to understand how they will be assessed, how they are currently performing, and providing them with confidence in knowing how they can improve their learning and achievement of the module’s learning objectives in their summative assessments.¹⁰ So, choose the option that works best for you and your teaching method.

Formative Activities in Seminars

Many of you will already incorporate formative activities into your seminar and workshop sessions, even if you were not aware of this. For example, providing students with problem questions to work through, engaging them in essay-based discussions, and providing them with questions which are designed to consolidate their knowledge are activities which all aid the student in practicing and rehearsing the application of their knowledge to practical scenarios and, more specifically, allows them to practice the types of questions they will be assessed on in the module’s summative assessment. Such seminar questions consequently provide students with the opportunity to practice the attainment of the module’s learning objectives and get feedback on this from their peers and seminar tutor; it gives them a chance to practice attaining these before they take the final assessment, and be guided on what areas to improve.

Accordingly, seminar discussions provide a form of feedback of use to student learning; the discussions can identify areas of understanding and academic skills that are in need of improvement. For example, a student may not have identified a principle of law that another peer has, or has misunderstood or incorrectly applied a case law principle that the tutor has since explained and clarified. This allows them to learn from their peers and tutor and, in turn, the activity serves a formative purpose; it allows the student to engage in an on-going learning journey by testing out their knowledge and ability to attain the module’s learning objectives prior to their summative assessments.

The benefits of seminars from a formative perspective are consequently widely recognised across pedagogy for their ability to provide informal feedback and practice opportunities to our students. For example, Boud and Molloy note that the ability to practice summative style questions in seminars has a positive and sustained influence on learning by providing essential feedback on current work which, in turn, influences the quality of the student’s subsequent work; it ‘feeds forward’.¹¹ Bjork et al similarly recognise the benefit of such formative activities in seminars for their ability to aid student development of the skills needed to attain the module’s learning objectives, such as critical analysis skills,¹² with Sambell et al upholding the benefits of such opportunities for practice and rehearsal with others since seminars

⁷ Assessments ‘for’ learning are formative assessments that provide students with feedback prior to their summative assessments to allow them to improve their knowledge and skills, whilst assessments ‘of’ learning are simply summative assessments which measure the student’s ability to achieve the module’s learning objectives.

⁸ John Biggs and Catherine Tang, *Teaching for Quality Learning at University: What the Student does* (4th edn, OUP 2011) 20

⁹ Bloxham in Fry et al (n 1) 107, 117; Berry O’Donovan, Chris Rust and Margaret Price, ‘A Scholarly Approach to Solving the Feedback Dilemma in Practice’ (2015) 41 *Assessment & Evaluation in Higher Education* 938; Recent discussions in our February 2022 SSL Committee found that students are requesting more formative feedback opportunities

¹⁰ Black et al in *ibid* 110; The Higher Education Academy, *Assessment and Feedback* (HEA 2014) 3; As the HEA note, formative feedback is crucial for students as helps them to see if they are on track to meet the module’s LOs and to reorient efforts if they are not

¹¹ Boud and Molloy (n 1) 699, 701-2

¹² Robert Bjork, John Dunlosky, and Nate Kornell, ‘Self-Regulated Learning: Beliefs, Techniques, and Illusions’ 64 *Annual Review of Psychology* 417



allow students to ‘try out’ their learning, test their skills, and practice and improve this before the summative assessment by working and learning with, and from, others;¹³ seminars provide forgiving spaces for students to make mistakes, and develop competence and confidence ahead of the summative.¹⁴

From the perspective of lecturers, such formative activities are beneficial as they do not involve any extra time from us to conduct; we simply need to incorporate, or tailor, our seminar questions to provide practice opportunities for our students, hence why this option may be more attractive to some of us.

As most of you are reading this, you may be, and rightly so, very proud of yourself for already using these methods of formative activities and feedback in your seminars, and may be thinking aloud that ‘I already do this, so I don’t need to do more to make my module’s assessment and feedback an example of assessment for learning...it is doing the job already!’. But, this is an incorrect assumption to make. There is one key development that must be made here to ensure that such seminar activities are ‘for’ learning; students must be made aware that such seminar activities are formative activities that provide formative feedback of use to them in aiding their learning and attainment of the module’s learning objectives in the summative assessment. O’Donovan et al have found that students do not recognise all feedback interactions, such as feedback within seminars, as feedback since it is given informally, so we must make it clear how, and what, feedback we will give in our modules;¹⁵ we need to help them identify that the discussions in seminars with their peers and tutor are a form of feedback they can then apply to their learning.

This is not a difficult thing to fix. You could, for example, add information to your module handbook on how seminars are a learning environment where your students can practice and rehearse the module’s summative assessments in a safe space, whilst receiving feedback on this from, not only the seminar tutor, but their peers. This information could similarly be repeated on seminar handouts and within the seminar itself to remind students that there are a lot of learning opportunities to take from the seminar, and feedback of use to their performance in the summative assessments.

One idea that Michael and I have considered is the use of attaching a ‘formative’ badge on seminar handouts which will clearly signify to students which seminars, and seminar questions, will provide formative opportunities to them. The added benefit of this is that, if we have any seminars where we feel formative opportunities are not provided for, we can amend these ahead of our teaching to ensure all aspects of our module are ‘constructively aligned’; namely ensuring that our teaching allows students to practice the attainment of the learning objectives they will actually be assessed on in your module.

So, one option to ensure our NSS results for assessment and feedback are improved is to provide students with the opportunity to gain formative feedback in seminars and workshops, and making it clear to them that these learning environments will provide feedback that can ‘feed-forward’ into their summative assessment preparation.

[Incorporating Formative Assessments into our Modules](#)

The other option available to us to ensure improved student satisfaction with assessments and feedback in the law school is to offer students the opportunity to undertake a formative assessment and receive written formal feedback on this.¹⁶ Currently, around 8 modules within the law school have a formative assessment meaning that, for many, this may be an option you have yet to consider and could introduce to aid student learning and satisfaction.

Formative assessments often take the form of ‘practice’ or ‘mock’ assessments which mimic the style of your module’s summative assessment. For example, this could be a practice essay or problem question, or providing students with a practice exam paper to complete. The questions in the formative assessment should be aligned with the module’s learning objectives to allow students to practice and rehearse the attainment of these before the summative assessment. These assessments are accompanied by written formal feedback which guides the student on things that went well, and areas where improvement is needed, just as you would with a summative assessment. It is important that your feedback on formative assessments outlines what was good and why, and also what could be improved since

¹³ Kay Sambell, Liz McDowell and Catherine Montgomery, *Assessment for Learning in Higher Education* (Routledge 2013) 49, 52; social exchange is key to student learning here

¹⁴ *ibid* 51, 52, 53, 60

¹⁵ O’Donovan et al (n 9) 941, 944; Oral feedback is an effective form of feedback if students know this is being given

¹⁶ Bloxham in Fry et al (n 1) 107; As Bloxham notes, if we want to improve and support learning, formative assessments are the place to start, meaning due thought should be given to incorporating these within our modules



this allows the student to ‘feed-forward’, namely it provides them with constructive feedback on what the goal to achieve is, where they are currently, how this compares to the goal, and thus what they should do to improve and achieve this goal in their final assessments.¹⁷

NB: Assessment Literacy

An important note about assessment literacy should be raised here. It is great to provide students with such constructive formative feedback, but, in order to actually improve and aid their learning, they must be given additional guidance on what their feedback means in order for them to actually make use of it in the way intended. Assessment literacy would accordingly involve providing a ‘follow up’ for the students which explains how they were assessed, what we were looking for, and what assessment terms mean; it helps them understand and interpret what their feedback means and how they should use it.¹⁸ For example, a follow up lecture or workshop can detail and explain to students what certain feedback terms are, including ‘critical analysis’ since, although many of us may comment on student work and request the use of critical analysis, we have limited room to explain via written feedback what this means, so a further discussion of this in a teaching environment will aid student understanding of what was missing, and how to ensure critical analysis is demonstrated in future work.¹⁹ We can also use such sessions to clarify what our learning objectives are,²⁰ and how these will be assessed using the new criteria developed by Michael which was circulated following the results of our 2020/2021 NSS survey.²¹ If students are aware of what learning objectives mean and what academic skills these relate to, they will have a better understanding of what is expected, as well as being provided with relevant guidance which will aid them in the interpretation of their feedback.

Such assessment literacy sessions should not be purely transmissive, with us simply explaining terms to our students, but should be active too. This would involve incorporating activities for the students to engage with to ensure deep learning. For example, they can engage with marking activities, test out their critical analysis by working together with other students to write a critical paragraph, and they could be required to gather a range of sources they would use to answer a practice question.²² By requiring them to ‘do’ something in these assessment literacy sessions, they are more likely to learn, and thus be able to interpret their feedback and use this to improve their performance in future assessments.²³

Incorporating assessment literacy lectures and activities into our teaching will not only improve student learning, but will further aid our ability to achieve the university’s aims surrounding inclusivity and inclusive learning which encompasses all. For example, it means we will be considerate of the diversity of our student’s backgrounds and experiences by providing all with clear and helpful guidance of our expectations and assessment criteria;²⁴ we will ensure all are provided with such feedback guidance and will not be assuming they know what their feedback and the assessment criteria means.²⁵

¹⁷ ibid 109-113; O’Donovan et al (n 9) 938

¹⁸ Sadler in Boud and Molloy (n 1) 702

¹⁹ Bloxham in Fry et al (n 1) 111

²⁰ ibid 68

²¹ We can make it clear to students what each learning objective means, and what it is specifically assessing. For example, does it relate to communication, research, reasoning, or understanding, and how can students demonstrate their attainment of these criterion?

²² This is not a closed list, and there are many activities you could incorporate into your assessment literacy lectures and workshops.

²³ See F Marton and R Säljö, ‘On Qualitative Differences in Learning: Outcome and Process’ (1976) 46 *British Journal of Educational Psychology* 4-11 for the distinction between deep and surface learning

²⁴ (n 4); <www.lancaster.ac.uk/current-staff/current-staff/inclusive-teaching/information-for-teaching-staff/> accessed 1 October 2021

²⁵ Sue Grace and Phil Gravestock, *Inclusion and Diversity: Meeting the Needs of all Students* (Routledge 2009) 96; As Grace and Gravestock note, we cannot assume all are familiar with academic terminology such as ‘critical analysis’, with the HEA (n 10) 3 affirming that, particularly for international students, their knowledge and familiarity of UK assessments and marking criterion will be minimal, so such assessment literacy teaching should be incorporated to ensure fairness and inclusive learning for all



Back to Formative Assessments

Consequently, given the ability of formative assessments to allow students to test out their knowledge and gain written feedback on this which they can then ‘feed-forward’ to improve their skills and assessment,²⁶ formative assessments are accordingly renowned across pedagogy as one of the most effective ways to improve student learning. For example, the HEA note that the benefits of formative assessments are that they provide students, including international students, with a sufficient opportunity to practice unfamiliar assessments and gain feedback on these which informs their future work;²⁷ such feedback is consequently deemed as central to learning.²⁸ Sambell et al similarly uphold the benefits of using formative assessments, noting that there are significant learning benefits to be gained from since most learn by ‘doing’, meaning this opportunity to practice making sense of the subject by applying their knowledge to formative questions ensures effective learning and fairness.²⁹

The praise for formative assessments is not limited to pedagogical views. Students also share a similar view of the benefits of such assessments ‘for’ learning, with studies finding that students who had the opportunity to undertake formative assessments upheld their ability to increase their confidence, learn from others, and be directly involved with their learning;³⁰ students react more positively to modules using assessments for learning given their developmental value.³¹

Accordingly, formative assessments have a recognised and renowned impact on student learning, and thus should be incorporated within our teaching and learning approach where possible. To do so, you may offer students a practice essay or problem question of relevance to your module’s learning objectives and summative assessment, but offer the practice assessment with a reduced word count; for example, a 1,000 to 1,500 word limit could be imposed which will aid with the time needed to undertake the marking, and such a reduced word count will also allow students to complete the assessment alongside their ongoing studies.

To ensure that your chosen formative assessment improves and aids student learning, the key thing to ensure is that it should be due for submission well in advance of the summative assessment, with the feedback also being provided ahead of the summative. This will ensure that timely feedback is provided which the students can actually utilise to improve their performance in their summative assessments; students value feedback that is timely and forward-looking as this gives them time to improve and enhance their knowledge and learning within a module ahead of their next assessment.³² Thus, it is important to ensure that the feedback is not provided too late as this would make it irrelevant to the students as a learning source when preparing for their summative assessment.³³

The main consideration for module convenors to have here is the time that it takes to prepare and mark a formative assessment.³⁴ The reduced word count for formatives should help with this, but may still be difficult to introduce if you simply do not have the time. If you have a large volume of students on your module, and have other teaching commitments and responsibilities, you may find it difficult to incorporate a formal formative assessment into your module’s teaching and learning approach. If this is the case, the inclusion of formative activities into your seminars, as discussed above, may be a more beneficial option for you.

You may also find the experience of our colleagues below reassuring in showing how to incorporate formative assessments into your modules, and how formatives do not have as much of an impact on our workload as one may first assume.

²⁶ Sambell et al (n 13) 50-51; Sambell et al note the importance of providing such formative feedback to avoid a situation where the students’ first opportunity to do something and get feedback and guidance on this is in their summative assessment

²⁷ HEA (n 10) 4, 8

²⁸ *ibid*

²⁹ Sambell et al (n 13) 25, 49-52

³⁰ *ibid*

³¹ McDowell et al in *ibid*

³² D Nicol, ‘From Monologue to Dialogue: Improving Written Feedback Processes in Mass Higher Education’ (2010) 35 *Assessment & Evaluation in Higher Education* 501- 517

³³ O’Donovan et al (n 9) 939, 942, 944

³⁴ HEA (n 10) 3



Staff Experience and Opinion on Offering Formative Assessments

Bela, Kayode, James, and Angus all offer students enrolled on their modules the opportunity to undertake a formative assessment. Their reasons for doing so, and their experience of offering formatives, are extremely insightful.³⁵

“Implementing a formative piece was largely to do with student performance – I wanted them to do as well as possible, and formative feedback on draft work supports this better than summative on final assessments.”

“[The formative] is voluntary because I want students to buy in to the idea, rather than force it on them. I consider that giving the student the choice to opt in is more empowering for them, and it also helps them to take responsibility.”

“When students say they want feedback, what they want is formative feedback rather than summative feedback [...] [they] want an opportunity to correct/be steered before it’s too late.”

“Formative feedback as I do it involves giving constructive comments on a draft, but then with the understanding that the final version will only get the mark and a line or two for the external. In this manner, the workload is not added to, but shifted earlier, so I’m doing the same amount of work, just earlier in the process.”

“We [...] use the formative assessments to deepen [the cohort’s] understanding of various issues, to further prepare them for summative assessments, and to provide feedback.”

“We have 2 main points of formative assessments, built into the last seminar in Michaelmas and Lent terms. This is done to manage the workload of staff and students. We use Kahoot! to run the formative assessments as it provides candidates with instant feedback and ongoing engagement (as they have access to the links and can resubmit their attempts during the examination revision period). We also use a chat forum on Moodle to periodically post questions, and invite written submissions. This approach has not been a hit”

“The formative assignment is in weeks 9 and 10 of term. It is intended to help students but also provide feedback in the first term expected for full unit modules running over two terms.”

“The assignment is a problem question that addresses state responsibility, a basic concept in international law. Participants will each represent a state involved in the problem and offer advice on its legal position. They will do so orally in class and receive oral feedback, but can also submit a short written piece (1 page) and get written feedback. I have adopted it because it doesn’t add too much to my workload – very few submit a written piece – and it gives students a chance to practice their skills and for me to see how much they understand.”

“There are educational benefits of offering a formative assessment in EU Law as it is a different legal system completely, so the formative allows students to practice/ think about new things before the summative and allows them to make mistakes in the formative instead of the summative”

“The formative assessment offered is a blog exercise where students produce something similar to a case note [...] The assessment is not graded, but feedback is given.”

“The formative does not have a significant impact on work load as split marking between 5 members of the team, we are not grading the papers, the assessment is only 1,500 words, and only technical feedback is offered, so it is not days of effort to mark. The formative actually means that the workload is spread over 2 separate events.”

“The formative allows students to feed-forward.”

Accordingly, our colleagues note a number of benefits of using formative assessments, benefits which we should all arguably be aiming to secure in our modules.

Conclusion

Thus, regardless of the method you choose to incorporate formative assessments and feedback into your module, it is worth remembering just how important such formative opportunities are for improving student learning and satisfaction, and ensuring that summative assessments do not dominate your module, but instead are balanced against formative assessments and activities; we all need to find the time and space to infuse formative activities and

³⁵ If you would like to see the full transcript on formative assessments provided by our colleagues, please see Appendix 1



assessments into our modules.³⁶ So, whether you choose to add formative activities to your seminars or introduce a formative assessment, improvements will be made to student learning either way, so please do incorporate such methods into your teaching approach this year.

These changes that we make to our teaching and learning approach should have a positive impact on our NSS survey results, and can guide our practice for the years to come. As 'good' teachers, we should be open to change, and incorporating formative assessments and activities within our teaching is one change we should all be ready and willing to commit to for the benefit of our students.³⁷

³⁶ Sambell et al (n 13) 32

³⁷ If you found this document useful and intend to make changes to your module's assessments as a result, please do let me know as this is a great way for those of us on T&S contracts to show our 'outputs' and 'outreach' of our work.



References:

Biggs J and Tang C, *Teaching for Quality Learning at University: What the Student does* (4th edn, OUP 2011)

Bjork R, Dunlosky J, and Kornell N, 'Self-Regulated Learning: Beliefs, Techniques, and Illusions' 64 Annual Review of Psychology 417

Boud D and Molloy E, 'Rethinking Models of Feedback for Learning: The Challenge of Design' (2013) 38 Assessment & Evaluation in Higher Education 698

Fry H, Ketteridge S, and Marshall S, *A Handbook for Teaching and Learning in Higher Education: Enhancing Academic Practice* (4th edn, Routledge 2014)

Grace S and Gravestock P, *Inclusion and Diversity: Meeting the Needs of all Students* (Routledge 2009)

<www.lancaster.ac.uk/about-us/our-principles/learning-teaching-and-assessment/lancaster-university-aims/> accessed 1 October 2021

<www.lancaster.ac.uk/current-students/student-charter/> accessed 1 October 2021

<www.lancaster.ac.uk/od-and-ed/educational-development/assessment-practice/assessment-principles/> accessed 1 October 2021

<www.lancaster.ac.uk/current-staff/current-staff/inclusive-teaching/information-for-teaching-staff/> accessed 1 October 2021

Marton F and Säljö R, 'On Qualitative Differences in Learning: Outcome and Process' (1976) 46 British Journal of Educational Psychology 4

Nicol D, 'From Monologue to Dialogue: Improving Written Feedback Processes in Mass Higher Education' (2010) 35 Assessment & Evaluation in Higher Education 501

O'Donovan B, Rust C, and Price M, 'A Scholarly Approach to Solving the Feedback Dilemma in Practice' (2015) 41 Assessment & Evaluation in Higher Education 938

Ramsden P, *Learning to Teach in Higher Education* (2nd edn, Routledge 2003)

Sambell K, McDowell L, and Montgomery C, *Assessment for Learning in Higher Education* (Routledge 2013)

The Higher Education Academy, *Assessment and Feedback* (HEA 2014)



Bela Chatterjee's Insights on Formative Assessments in Law 264- Contemporary Issues in the Legal Profession

“Implementing a formative piece was largely to do with student performance – I wanted them to do as well as possible, and formative feedback on draft work supports this better than summative on final assessments.

I chose to give students the opportunity to submit a complete draft of their coursework (up to 2,500 words) on Law 264. This is voluntary because I want students to buy in to the idea, rather than force it on them. Not all students want to give in a draft and as I have found, roughly half do not. This can be for many reasons, and the rationales can be entirely understandable, e.g. confident about assessment; want to leave until later in the term after the deadline; insufficiently organised. I consider that giving the student the choice to opt in is more empowering for them, and it also helps them to take responsibility, in that responsibility is the corollary of choice. By making it voluntary I don't get half-hearted attempts from those who didn't actually want to submit. The motivation of making it voluntary wasn't actually to reduce my workload but for the reasons above (responsibility, choice, freedom for student), because as I will explain below, formative feedback the way I do it simply timeshifts rather than adds to the workload. I also strongly feel that when students say they want feedback, what they want is *formative* feedback rather than summative feedback. It's a bit like getting peer review after your article has been rejected by Reviewer B. I don't care why they didn't like it when it's too late to change it, I want an opportunity to correct/be steered before it's too late.

By asking for a full draft rather than outline (or as much as the student wants to give, occasionally they give less but mostly it's a full draft) I can make the exercise more authentic, and the students appreciate the option to give in a full draft as they feel it is more helpful. I can also give more meaningful feedback on a complete as opposed to skeleton argument.

Formative feedback as I do it involves giving constructive comments on a draft, but then with the understanding that the final version will only get the mark and a line or two for the external. In this manner, the workload is not added to, but shifted earlier, so I'm doing the same amount of work, just earlier in the process. Students then can engage in a dialogue with me about the formative feedback they get and improve their work, rather than me saying at the end, when it's too late, you should have done X and not Y. Students who don't opt to give a draft just get feedback at the end as they would on a traditional course. On analysis of the marks, those who submit a draft and get feedback tend to do better than those who don't but I still get strong performances from those who choose not to, which is fine as it clearly works for them. As students are given the option to submit a draft, I am shielded from their complaints as the onus is on them to opt in. Thus far nobody has complained, and satisfaction scores for the module are 5/5.

The context of the course is that there are low numbers – it's just me on the course and around 35 students. I appreciate that on a large core module the workload is very different, but if you give feedback on drafts and then not the final piece, the workload is only shifted, but not added to. For large courses, thought would need to be given about when this workload will happen in the teaching term and outside of it.

The only two issues that I would flag are administration and extensions. I have chosen to give ILSP students a week extra to submit their draft, but my deadlines are hard for the submission of drafts so I can organise my workload. As the piece is not assessed I make it super clear that there are no extensions, but every year I get asked for these. It's annoying! The other issue is administration. As this isn't a formally assessed coursework, I don't feel it fair to put an additional administrative burden on the PS staff, so administrate it myself (students just email me their work.) This has implications, in that I have to devise a system of administration and make it very clear to students that this is independent of the Law office so that they do not email them and cause more work, it also has implications for anonymity, in that if I comment on student drafts via email, I know whose draft I am commenting on. I consider this to be unproblematic in that I am transparent about it and also it's much the same as commenting on drafts of a dissertation (which nobody ever objects to, and it's formative feedback). However, it must be acknowledged that it is a departure from anonymity. An 'official' system could avoid this, but would have administrative implications for PS staff. Again, I can do this for a small course but if colleagues on large courses were thinking of doing it, then they would need to give thought to how it would be administered on the ground.”

[Kayode Akintola's Insights on Formative Assessments in Law 237- Principles of Commercial Law](#)

“Commercial law is a broad subject that encompasses several aspects of business/commercial and corporate law that are technical and practice-oriented. Our experience suggests that students in second and third years may find it difficult to appreciate the substance or practical implications of some of these issues. This may also have a knock-on effect on their performance in summative assessments, particularly their ability to identify the issues for determination in a given scenario or proposition. We therefore use the formative assessments to deepen their understanding of various issues, to further prepare them for summative assessments, and to provide feedback. We have 2 main points of formative assessments, built into the last seminar in Michaelmas and Lent terms. This is done to manage the workload of staff and students. We use *Kahoot!* to run the formative assessments as it provides candidates with instant feedback and ongoing engagement (as they have access to the links and can resubmit their attempts during the examination revision period). We also use a chat forum on Moodle to periodically post questions, and invite written submissions. This approach has not been a hit; over the years only a few candidates take advantage of it during the panic of examination season!”

[James Summers' Insights on Formative Assessments in Law 257- International Law](#)

“The formative assignment is in weeks 9 and 10 of term. It is intended to help students but also provide feedback in the first term expected for full unit modules running over two terms. The assignment is a problem question that addresses state responsibility, a basic concept in international law. Participants will each represent a state involved in the problem and offer advice on its legal position. They will do so orally in class and receive oral feedback, but can also submit a short written piece (1 page) and get written feedback. Particular attention is paid to their identification of the elements of state responsibility and their application to the particular facts of the case.

I have adopted it because it doesn't add too much to my workload – very few submit a written piece – and it gives students a chance to practice their skills and for me to see how much they understand.”

[Angus MacCulloch's Insights on Formative Assessments in Law 261 and Law 319- EU Law and Competition Law](#)

“There are educational benefits of offering a formative assessment in EU Law as it is a different legal system completely, so the formative allows students to practice/ think about new things before the summative and allows them to make mistakes in the formative instead of the summative. The formative assessment offered is a blog exercise where students produce something similar to a case note where they write about a legal judgment in EU law and discuss how it fits into the existing law. The assessment is not graded, but feedback is given, the focus of which is on the students' written skills.

The formative does not have a significant impact on work load as split marking between 5 members of the team, we are not grading the papers, the assessment is only 1,500 words, and only technical feedback is offered, so it is not days of effort to mark. The formative actually means that the workload is spread over 2 separate events as, for example, mistakes identified in the formative are less likely to need be to commented on in the summative.”

“Law 319 also offers a formative assessment. The nature of this is that, 2 weeks before the summative submission date, students are entitled to hand in two pages of their summative coursework, or a plan, for feedback. No grade is given, and the compromise is that those who choose to submit the formative will not receive written feedback on their summative assessment. Students who are organised take full advantage of the formative, and we often see around 50% of the cohort undertake this. The benefits of the formative are that it improves equality and allows students to feed-forward.”