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New College Stamford

**POLICY STATEMENT NO. HE04**

**TITLE: EXTENUATING CIRCUMSTANCES POLICY & PROCEDURE**

**INTRODUCTION/OVERVIEW:**

The College Assessment & Feedback Policy on submission on or before published hand-in dates is strictly applied. All students have a responsibility to manage their learning during their registration. This requires students to balance their workloads, to ensure they submit work for assessment by the set date of the assessment. However, from time to time unforeseen events, such as illness, may arise which prevent students from completing assessments within the time allowed or impact adversely on the quality of the assessment submitted. Such events are referred to as extenuating circumstances. This procedure encompasses the processes of application for extenuating circumstances.

**STATEMENT/ GUIDELINES:**

- 1.1 There may be occasion during a student’s academic journey when circumstances arise that prevent timely submission of assessed work, attendance of examinations or impact on assessment performance. Such extenuating circumstances are defined as serious adverse circumstances of limited duration which could not reasonably have been foreseen. If such extenuating circumstances arise, students may apply for consideration, the process and procedure of which is provided within this Policy. Appendix 1 provides a list of examples of acceptable and non-acceptable circumstances, please note this is not an exhaustive list and each application will be decided on its own merits.
  
- 1.2 Extenuating circumstances are:
  - a) *Serious adverse circumstance.* The events described should be sufficiently serious to mean that it would not be reasonable to expect a student to complete an assignment by the published hand-in date. Minor ailments and mishaps are not likely to meet this criterion.
  
  - b) *Limited duration.* There is an expectation that the usual pattern of study will be resumed after a relatively short period. In more serious cases, where there is likely to be prolonged interruption of normal activity, suspension of studies (intercalation) may be appropriate until the circumstances have been resolved. Students with an underlying disability or chronic illness should normally have agreed a formal support plan with Student Services to provide additional support for learning and assessment, as required. However, where such an underlying disability or chronic illness suddenly flares up, or is exacerbated, this will fall within the definition of extenuating circumstances.
  
  - c) *Not reasonably have been foreseen.* Assignment submission dates are normally published well in advance. There is, therefore, an expectation that students exercise due foresight in organising workload.

## **EXTENUATING CIRCUMSTANCES**

### **2. Application**

2.1 Students who wish to inform the College of circumstances which they feel may have affected their performance in assessment or led to them being absent from an examination should make an application for consideration of extenuating circumstances. In these circumstances the deadline for claiming extenuating circumstances is normally 7 calendar days after the assessment hand in or examination date.

2.2 Exceptionally, where a student has been unable to submit an assignment on time and were unable to request an extension in advance, they apply for extenuating circumstances. An application must be made as soon as a student realises that circumstances will prevent them from submitting an assignment by the agreed deadline and must be received in advance of the submission deadline.

2.3 Applications must be submitted on the Extenuating Circumstances form (ECA Form 1) at Appendix 2 to [hequality@stamford.ac.uk](mailto:hequality@stamford.ac.uk) or hard copy addressed to the NCS Quality Department and must be supported by corroborating evidence which can include:

- a. Medical evidence e.g. letter from a doctor, nurse or other professional practitioner, confirmation of appointment, prescription, a completed Medical/Professional Practitioner Support Note, etc.
- b. Supporting statement(s) from Programme Leader and/or tutor
- c. Other verifiable evidence e.g. police incident/crime number.

2.4 If a student cannot submit documentary evidence at the time of their application for extenuating circumstances, the student must still submit the application. The student must give a date by which the evidence will be provided and the reason for the delay.

2.5 As applications are likely to include sensitive personal data they will be processed by the Quality Department in accordance with the College's obligations under the Data Protection Act 2018.

2.6 Repeated unacceptable or invalid requests for mitigation during the period of registration on the programme may impact on a student's future requests for mitigation.

### **3 Panel Constitution and Authority**

3.1 All applications are considered by a Panel which will normally comprise of:

- a. Head of Department or Director of Curriculum
- b. A HE lecturer who does not have a direct connection to cases under consideration
- c. Head of Higher Education

3.2 The Panel must give full consideration to applications taking into account the nature of the circumstance, the proximity to assessment or submission dates, and any prior Extenuating Circumstances claims which have been submitted

3.3 Where a unanimous decision cannot be reached then a majority decision can be taken, the Chair in this instance would hold the casting vote.

3.4 The minutes of the panel meeting will record where applications are unsuccessful.

3.5 Cases may be adjourned if further information is needed. The panel / panel chair must write to the student to request the information, which must be provided by a date agreed by the Panel. If the information is not provided, the application will not be granted. The student must then be informed of the Panel's decision.

3.6 Students must be informed in writing of decisions within five working days of the Panel meeting. If the Panel has decided not to grant Extenuating Circumstance the reasons for the decision must be clearly explained. If a student fails, without good cause, to provide the Panel with information about extenuating circumstances within the timescales specified the Panel can decide to reject the request on those grounds.

3.7 Where the Panel approves the application it will decide the most appropriate extenuation. Whether to:

- (a) provide a student with the opportunity to take the affected assessment(s) as if for the first time, allowing them to be given the full marks achieved for the examination or assessment, rather than imposing a cap;
- (b) waive late submission penalties;
- (c) determine that there is sufficient evidence of the achievement of the intended learning outcomes from other pieces of assessment in the module(s) for an overall mark to be derived.

3.8 The Panel, depending on the circumstances, may exercise discretion in deciding on the particular form any reassessment should take. Options are a viva voce examination, additional assessment tasks designed to show whether the student has satisfied the programme learning outcomes, review of previous work, or normal assessment at the next available opportunity. The student will not be put in a position of unfair advantage or disadvantage: the aim will be to enable the student to be assessed on equal terms with their cohort.

## **4 Notification of Outcome**

4.1 The student and appropriate Programme Leader will normally be notified in writing within five working days of the Panel decision.

4.2 Where the Panel supports the application the decision of outcome and recommendation will be passed to the Board of Examiners who will apply the recommendation.

4.3 Where applications are deferred pending further evidence the student will be given a date of submission for further evidence. If no further evidence is provided by the given date the case will be returned to the next available Panel where a default decision of "reject" will be recorded.

4.4 Where applications are rejected the original mark for the assignment(s) will stand or a mark of zero will be recorded for non-attendance of an exam or non-submission of the assignment(s).

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## **5 Review Process**

5.1 Within 10 working days of being informed of the decision of the Extenuating Circumstances Panel, a student may make a written request for a review of the decision of the Panel. This review will not usually consider the issues afresh or involve a further investigation.

5.2 A review request can only be made on the grounds:

- That the reasoning for the decision to not award Extenuating Circumstances was unsupported by the evidence presented;

And /or

- That there was a material procedural irregularity by the Panel, which prejudiced the student's case;

And / or

- That additional evidence has come to light since the decision of the Panel, which could not reasonably have been expected to have been produced at the time of the consideration of the application.

5.3 The request must identify the grounds and reasons for the Review.

5.4 A Review of the decision of the Panel will normally be considered by the Assistant Principal Quality and Assistant Principal Curriculum

5.6 After consideration of the evidence relating to the request, the review panel may reach any of the following decisions:

The case is rejected;

or

The case is upheld and the Extenuating Circumstances Panel will be asked to reconvene to reconsider its decisions along with the additional recommendations made by the review panel.

### **CONFIDENTIALITY**

Discussions of applications are strictly confidential.

If the information presented raises concerns about the student's personal safety or about a risk to the public, the College reserves the right to disclose the information to the College's Safeguarding Officer.

When the process is concluded, all details of the application will be digitised and kept securely by the Quality Department.

The outcomes of applications must be confidential until formal notification is sent to the student.

The contents of applications will be destroyed by the Quality Department in line with the College's retention schedule.

### **SAFEGUARDING**

Before the Extenuating Circumstance Panel considers an application, it should contact the Safeguarding Officer to establish if there are any issues relating to the student. The safeguarding officer will advise the panel on the best way to proceed taking into consideration the context of a specific safeguarding issue and the details of the extenuating circumstances

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request. Information provided to the panel will be done so in accordance with the college safeguarding policy and data protection regulations (GDPR).

#### **FRAUDULENT CLAIMS**

Submitting a false claim or false documentation is a serious matter and would be regarded as an attempt to gain unfair advantage. This would be an academic offence and would be dealt with under the Academic Misconduct Policy. The College reserves the right to check on the validity of the document(s) submitted by contacting the third party directly.

#### **IMPACT ASSESSMENT:**

This policy has been assessed and considered for impact upon people who share the following protected characteristics and factors: race, sex and gender identity, disability (including learning difficulty), religion and belief, sexual orientation, age, pregnancy, maternity and marital status.

#### **EQUALITY IMPACT ASSESSMENT SUMMARY:**

This policy has been impact assessed and has identified the following:

- Negative impacts N\*
- Appropriate actions/mitigations to address the negative impacts have been put in place (Y/N)
- Positive impacts Y

#### **PRIVACY IMPACT ASSESSMENT:**

NCS is committed to protecting the personal data of its students, employees and other stakeholders in accordance with the General Data Protection Regulation (GDPR). We have a variety of methods and controls to ensure we protect that data appropriately. Personal data processing activities are subject to a Data Protection Impact Assessment (DPIA) as a key component of a 'Privacy by Design' approach. The risks to the rights and freedoms of individuals resulting from the processing of personal data are examined, and appropriate measures are put in place to protect these rights throughout the processing lifecycle.

#### **LINKED POLICIES:**

HE Assessment & Feedback Policy  
HE Academic Misconduct Policy

#### **RESPONSIBILITY:**

Head of Higher Education

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## Appendix 1

### Acceptable and Unacceptable Extenuating Circumstances Examples – please note this is not an exhaustive list

#### Acceptable (examples):

- Serious ill health (which may include an acute episode, a disability or a chronic condition which is not covered by agreed support already in place).
- Significant personal accident or injury.
- Acute personal or emotional trauma (which may include acute anxiety or depression, family breakdown, breakdown of close personal relationship, death or serious illness of family member, significant other, or close friend).
- Victim of crime.
- Additional impact of a disability.
- Complications in a pregnancy.
- Jury service.
- Serious transport difficulties, which could not have been avoided.
- Other significant/exceptional factors for which there is evidence of an impact on performance and/or attendance in a summative assessment and could not have been remedied in the time available.

#### Not acceptable (examples):

- Study related circumstances (personal equipment failure, printer problems, failure to take back-up copy of work, misreading the examination timetable, oversleeping, taking the wrong examination).
- Normal symptoms associated with revision and assessment will not normally be accepted in isolation.
- Personal disruptions within the student's control (moving to a new house, change of job, normal job pressure, holidays, weddings, failed travel arrangements, financial issues, poor time-management, routine medical appointments, disruption to routine caring responsibilities).
- Grounds of religion, unless notification was given at the start of the academic year.
- Statement of a medical condition without reasonable evidence (medical or otherwise) to support the case.
- Complaints against staff or in relation to delivery of the module/programme (these are managed through the College's Customer Complaints Procedure).
- Medical circumstances outside the relevant assessment or learning period for which appropriate adjustments for extenuating circumstances have already been made.
- Long term health condition, for which the student is already receiving reasonable and appropriate adjustments.

- Medical condition supported only by retrospective evidence (such as a doctor's note stating that the student was seen after the illness, and that the student declared they had been ill previously).
- Late disclosure of circumstances, where the student could reasonably be expected to have contacted a member of staff about the problem but did not do so, would not normally be accepted.

### Extenuating Circumstances Application

This form should be used if you wish to inform the College of circumstances which you feel may have affected your performance in assessments or led to you being absent from an examination. **The deadline for claiming extenuating circumstances is normally 5 working days after the assessment hand in date.**

Exceptionally, you may use this form to request mitigation where you have been unable to submit an assignment on time and were unable to request an extension in advance. **An application must be made as soon as a student realises that circumstances will prevent them from submitting an assignment by the agreed deadline and must be received in advance of the submission deadline**

If your application is submitted after that time you must ensure that Section 6 is completed.

Before completing this form, please ensure that you read the guidance notes attached and the Procedure on Extenuating Circumstances.

All sections must be completed and the form returned, with corroborating evidence attached, to the Head of Higher Education. The form can be submitted electronically to the Head of HE, [hequality@stamford.ac.uk](mailto:hequality@stamford.ac.uk) or in hard copy in a sealed envelope marked 'private & confidential' and addressed to the Head of HE. It can be handed to reception or posted to the College address. If you cannot supply the evidence with the application do not delay submitting the claim but clearly state a date by which the evidence will be provided (normally this should be within 5 working days of the application).

#### Section 1

<b>Full Name (please print)</b>			
<b>Programme of study</b>			
<b>Subject (if applicable)</b>			
<b>Current year of study</b>		<b>Full or Part-time</b>	

#### Section 2

Details of assessment(s) affected, please clearly state each assessment you believe has been affected, assessments not listed will not be considered.

Module code	Module Title	Assessment Affected	Date of Assessment




**Section 3 – Your circumstances (reason for requesting extenuating circumstances)**

Use this space to fully describe the circumstances that have affected you. You must include as much detail as is necessary including the exact dates of the events described so that a decision can be reached based on full information. All applications are treated in strict confidence. (The box will expand automatically to accommodate your text).

**Section 4 – Effect on assessment**

Describe clearly how the circumstances affected your ability to prepare for, or undertake the assessments listed in Section 2.

**Section 5 – Supporting Evidence**

What evidence are you including in support of this application? **Evidence is required for the circumstances, their effect on your assessment and, if necessary, the reason why the application is late.** For medical circumstances evidence may be a letter from a doctor or nurse, confirmation of an appointment, prescription etc. If no medical evidence is available you may wish to use Appendix 1 to request information from a medical professional. Securely attach all evidence to this form.

**Section 6 – Late Submission**

<p>Applications made more than 7 days after the assessment submission deadline are not normally considered. You must indicate here why it was not possible to raise these circumstances within 7 days of your assessment?</p>
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**Section 7 – Declaration**

I declare that I have read and understood this form before completing it, and that the information provided on and with this form is accurate and complete to the best of my knowledge.

<b>Student signature</b>		<b>Date</b>	
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For office use only

Date received	Signature of person receiving	Date of panel	Decision	Date decision notified to student

### Extenuating Circumstances Guidance Notes

Extenuating circumstances are defined as *serious adverse circumstances* of limited duration which could not reasonably have been foreseen. Before putting forward your application you should consider carefully whether it rests upon grounds that satisfy these criteria:

- a. There must be serious adverse circumstances. The events you are describing should be sufficiently serious to mean that it would not be reasonable to expect you to complete the assignment(s) by the due date. Minor ailments and mishaps are not likely to meet this criterion.
- b. The circumstances must be of *limited duration*. In other words, there must be an expectation that you will be able to resume your usual pattern of study after a relatively short period. In more serious cases where there is likely to be prolonged interruption of normal activity, you should discuss with your Programme Leader whether it would be appropriate to suspend your studies (intercalate) until your circumstances have been resolved. Chronic illness and disability are not treated as extenuating circumstances, unless newly diagnosed or in an acute phase. In such cases you should seek the support that you need to pursue your course of study successfully rather than requesting to defer assessment or re-assessment.
- c. The circumstances must be such that they could *not reasonably have been foreseen*. You will be notified of the date of submission for assignments well in advance. There is, therefore, an expectation that you will exercise due foresight in organising your work.
- d. **When submitting an application, you are strongly advised to personally deliver it to the Head of HE, where you will have the opportunity to discuss your circumstances and the most appropriate form of evidence that could be submitted to support your application.**

**Computer/IT failure of student's own equipment is not normally acceptable as grounds for claiming extenuating circumstances:**

A written testimony from your Programme Leader can be submitted in support of your application.

## Section 8 – Declaration

You **must** read and sign this section.

On completion of this form you are advised to make a copy for your own records and submit the original form to the Head of Higher Education. You may be required to provide a designated member of College staff sight of original documents, if you have provided photocopies.

If your circumstances are **not** accepted:

The original mark for the assignment(s) will stand, or you will receive a mark of 0 for non-attendance or non-submission. You **can request a review** of a decision of the Extenuating Circumstances Panel. This must be done within 10 working days of being informed of the Panel's decision. However, if additional evidence has become available, you need to submit a new application.

If your circumstances are accepted:

The decision will be passed to the Board of Examiners who will decide to either:

- Apply the Panel recommendation,
- Decide that the circumstances do not require any action

### Medical/Professional Practitioner Support Note

Students claiming extenuating circumstances relating to assessments must complete form ECA 1 and attach all relevant evidence. Evidence can include prescriptions, appointment letters, letters from medical professionals, etc. Where this evidence is not available, students may use this form to request their GP or other medical professional to assist in providing evidence.

To be completed by a Doctor/Professional practitioner:

Thank you for assisting the College by certifying this student's condition/illness. The student should have communicated to you the effect of this on his/her academic performance. We would be grateful for any comments you are able to make on the condition/illness. Please return the completed form to the student as soon as possible.

Student's name:	
Doctor/Practitioners name:	
Surgery/practice:	
Nature of condition/clinical diagnosis:	
Please comment on the likely impact of the illness on the students' performance in, or preparation for academic assessment:	

Doctor/Practitioner's signature:		Date:	
Practice stamp:			

If you would prefer to certify this illness in the form of a letter to the College or standard 'fit note' please do so by providing this to the student to present to the College.

**Please Note:**

The College does not require medical evidence to support student absence from University for short periods. However, in cases where the student is requesting special treatment in relation to their examinations and other formal assessments, we do require confirmation of the illness and where possible, the effect on their performance. This is to ensure that students are treated equitably in their assessments and to ensure the standards of our awards.