

University of Birmingham

Code of Practice on Extenuating Circumstances and Fit to Sit Procedures

Topic and purpose of the paper

- 1 APRC is asked to **consider**, and if thought appropriate, **approve** a new Code of Practice on Extenuating Circumstances and Fit to Sit Procedures.

Proposal

- 2 That the proposed new Code of Practice at Appendix 1 replaces the current guidelines on mitigation and is placed in operation for the start of the academic year 2011/12.

Consultation

- 3 A University wide consultation was undertaken between March and July 2010 in preparation for writing the draft Code of Practice, with all Schools being invited to take part. Meetings were held with Welfare Tutors, Mitigations Officers and other interested parties spanning each of the five Colleges and twelve individual Schools. Discussions were also held with the Director of Student Support and Development, the Counselling and Guidance service, the Vice President for Welfare at the Guild, the Planning Office and the Taught Student Records Office.
- 4 An initial draft Code of Practice was circulated to all Colleges in December 2010 with the opportunity to submit comments. The Pro-Vice Chancellor and Deputy Pro-Vice Chancellors for Teaching, Learning and Quality reviewed the Code of Practice and the revisions herein were made following the recommendations received.
- 5 The Code has also been scrutinised by the University Legal Office with revisions being made to ensure the document is legally sound.
- 6 The Code was submitted to the Undergraduate Learning and Teaching Committee (U-L&TC) on 6th April 2011 with a specific request to consider and decide upon the role of the Welfare Tutor on the Extenuating Circumstances Panel.

Significant changes set out in the attached Code of Practice

- 7 The title of the procedure has been changed from 'mitigation' to 'Extenuating Circumstances'. Mitigation as a term has connotations in Law relating to pleading for leniency or sanction. It was felt that this definition does not appropriately reflect the process and therefore the recommendation was to replace the term with 'Extenuating

Circumstances'. This new title was discussed extensively during the consultation process and received wide acceptance.

- 8 The major new initiative developed as part of this Code of Practice is the 'Fit to Sit' Policy. This policy centres around the ability of a student to request the deferral of an examination based on their extenuating circumstances and is a system becoming more common within the HE sector. 'Fit to Sit', as set out in section 7 of the Code of Practice, allows a deferral of an examination pending the submission of appropriate evidence. Once agreed, the deferred exam will take place at the next appropriate sitting. On entry to the examination room a student is regarded to have deemed themselves 'Fit to Sit' and the mark they achieve will stand. Specific provision is made (section 7.3) to facilitate students who feel unable to sit examinations which are taking place outside of the usual University hours, (most usually Saturdays during the main summer examination period), when Welfare Tutors and medical staff are unlikely to be in attendance. The purpose of the 'Fit to sit' procedure overall is to reduce the current volume of retrospective mitigation, an issue that has been commented on by our External Examiners – who referred to a 'culture of mitigation'.
- 9 The Code of Practice recognises that there are various possible routes for dealing with Extenuating Circumstances (section 6) and encourages students to alert their School to any problems they are experiencing at the earliest opportunity. Exceptionally the most appropriate course of action may be deemed to be Leave of Absence, (section 6.2); however most usually a School will deal with the particular circumstances in one of the following ways:
 - a) Option 1: Coursework or in-year assessment – Extensions.
 - b) Option 2: Coursework or in-year assessments – Other action to be taken at School level:
 - (i) implementation of a policy to allow such assessments to be disregarded (subject to a maximum of 10% of the overall mark for the affected piece(s) of assessment and approval by the College Director of Education or nominee prior to the commencement of the academic session);
 - or,
 - (ii) permit authorised absence of the Registered Student for the affected piece(s) of work, with the module weighting being transferred to the end-of-module assessment;
 - or,
 - (iii) implementation of such other action which has been approved by the College Director of Education or nominee prior to the commencement of the academic session.
 - c) Option 3: Deferral of Examinations – Fit to Sit Procedure.
 - d) Option 4: Extenuating Circumstances Panel Consideration – for issues that cannot be dealt with via options 1, 2 or 3 above.
- 10 A University wide deadline will be set for submission of Extenuating Circumstances for centrally co-ordinated examinations on appropriate programmes (section 5.3). This deadline will fall 2 working days after the last day of the relevant examination periods. Schools may choose to specify their own deadlines in relation to centrally

co-ordinated examinations to accommodate the organisation of Extenuating Circumstances Panels and subsequent Exam Boards, and these will take precedence over the universal deadline. Schools will be required to specify their own deadlines relating to in-year assessment or departmental examinations (section 5.2).

- 11 The Welfare Tutor will not be permitted to sit on the Extenuating Circumstances panel (section 10.2) in the interest of equity and fairness to students. Significant thought and debate has been given to this point, with specific consideration being made by the Pro-Vice Chancellor for Academic Quality and Teaching and the Undergraduate Learning and Teaching Committee (U-L&TC). The U-L&TC discussed whether the Welfare Tutor should be permitted to sit on the Extenuating Circumstances Panel and be part of the decision making during the Panel discussions. The U-L&TC concluded that the Welfare Tutor should not be present on the Extenuating Circumstances Panel, or indeed form any part of the panel decision-making process. Where the Extenuating Circumstances Officer (ECO) and the Welfare Tutor are the same person, no reference relating to the latter role should be made during the Extenuating Circumstances Panel.

Summary

- 12 The proposed Code of Practice on Extenuating Circumstances and Fit to Sit Procedure is set at a level that still allows for the implementation of subject specific requirements, a point of great importance to Schools, as identified in the consultation. The Code of Practice will allow for transparency and clarity for staff and students alike, and attempts to incorporate the valuable feedback and suggestions received via the consultation process. The key to the success of applying the new policy is in encouraging students to bring problems forward at the earliest opportunity, and to ensure that maximum dissemination of the process and relevant deadlines is undertaken with all students at a local level. This will aid the provision of appropriate support and intervention in a timely fashion; and ultimately reduce the volume of cases placed under the scrutiny of a panel.
- 13 The roll out of the new Code of Practice will be accompanied by guidance, training and visible promotion to students. It is proposed that a review of the Code of Practice on Extenuating Circumstances and 'Fit to Sit' procedures will be undertaken on an annual basis.

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