UNIVERSITY OF BIRMINGHAM

CODE OF PRACTICE ON EXTENUATING CIRCUMSTANCES

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1. Preamble

This Code of Practice applies to all Registered Students, Students on Leave of Absence, Students with Thesis Awaited Status and External Resit Students. Herein the term 'Student' will be used throughout the Code.

2. Introduction

2.1 During a period of study, Students may encounter significant personal difficulties that impact on their ability to study for or complete academic assessment(s) including examinations. The University refers to these personal difficulties as "Extenuating Circumstances".

2.2 This Code of Practice applies to Students undertaking Undergraduate and Postgraduate Taught programmes and taught modules on Doctoral Research programmes. This Code of Practice does not apply to Extenuating Circumstances affecting a postgraduate research viva which should be raised directly with the Student's supervisor in advance of the viva.

2.3 Extenuating Circumstances may occur at any point in the academic year and affect any form of assessment including coursework, continuous assessment, class tests and examinations and may also result in absence from academic teaching.

2.4 With the exception of extensions, Students on Joint Honours programmes, Major/ Minor programmes and modules outside of the main discipline (MOMDs) should follow the Extenuating Circumstances guidance of their Driver School (the leading School/ department for the programme). Short-term extensions will normally be dealt with by the module owning School/ Department, in consultation with the Driver School. Where a decision on a case may affect another School, in the case of either an extension or any other Extenuating Circumstances matter, the Driver School must communicate the decision to any other School that may be affected by the decision as soon as possible.

2.5 It is the responsibility of a Student to report Extenuating Circumstances at the earliest possible opportunity.

3. School Guidance on Extenuating Circumstances

3.1 Each School will produce written guidance to supplement this Code of Practice. School guidance must include details of points of contact, deadlines applicable to Extenuating Circumstances and information on how and where Extenuating Circumstances Forms (ECFs) can be obtained. Schools must ensure that the guidance includes relevant information and contact details for both undergraduate and postgraduate Students.

3.2 Each School will ensure that this Code of Practice and the School guidance on Extenuating Circumstances is widely publicised to Students both orally and in writing and through such other media as is appropriate. As a minimum this Code of Practice and School guidance will be brought to the attention of Students at the start of the programme and as part of the induction process and at least annually thereafter.

3.3 Each School will appoint a designated Extenuating Circumstances Officer (ECO) who may be, but need not be, a member of academic staff. In addition, each School will have appointed at least one Welfare Tutor. The Welfare Tutor and ECO may be, but need not be, the same member of staff. Schools must publicise widely the names and contact details of the ECO and Welfare Tutor.

3.4 The role of the ECO is to advise Students on the Extenuating Circumstances Procedure, collate Extenuating Circumstances submissions and provide relevant information to the Extenuating Circumstances Panel. The ECO will manage all information and documentation received in relation to the Extenuating Circumstances Procedure in accordance with the University's Data Protection Policy.

3.5 In cases where the ECO and the Welfare Tutor is the same person, the ECO should not normally be the Chair of the Extenuating Circumstances Panel. In such cases the Chair should be the School Head of Education, or nominee.

3.6 The decision of the Extenuating Circumstances Panel should only be based on the evidence that has been presented to the Panel for consideration in the original submission.

4. Grounds for Extenuating Circumstances

4.1 Extenuating Circumstances are circumstances that are exceptional or 'unforeseen' and are over and above the course of everyday experience. They may include

a) significant illness, accident or injury;
b) the death or serious illness of a close family member or dependent;
c) family crisis directly affecting the student;
d) absence caused by paternity leave and jury service (deferral of which has been denied by the Court);
e) exceptional and unforeseen financial hardship.

4.2 Circumstances that will not normally be considered as Extenuating Circumstances include

a) minor illnesses (such as coughs and colds);
b) minor computer problems or inadequate planning preventing completion or submission of coursework;
c) stress and panic attacks, that are caused by examinations, but are not diagnosed as an illness or documented in a Student Support Agreement;
d) assessments or examinations scheduled close together;
e) personal or domestic events, such as moving house or attending a wedding;
f) holidays or travel arrangements;
g) consequences of paid employment;
h) sports activities.

4.3 Prolonged, chronic or long-term conditions are not normally considered a basis for Extenuating Circumstances. Students with a chronic illness or disability are encouraged to access the support services available which can put in place reasonable adjustments for specific learning requirements and

examinations (see Code of Practice on Reasonable Adjustments). However, the **timing** of the diagnosis of such conditions may be considered a basis for Extenuating Circumstances. For example, late diagnosis such that adequate reasonable adjustments cannot be made.

4.4 A School's decision on Extenuating Circumstances should take into account and reflect relevant factors such as the Student's mode of study, or mode of assessment.

5. Evidence

5.1 All submissions for consideration of Extenuating Circumstances must be accompanied by independent third party evidence which must confirm the existence of the Extenuating Circumstances and state how the reported circumstances have impacted on the Student concerned.

5.2 Examples of acceptable third party evidence include:

a) Doctor/ Consultant or Hospital certificate or letter;
b) Letter from a Solicitor or Counsellor or other authority;
c) Death Certificate.

5.3 Evidence must be legible and in English. Evidence obtained overseas which is written in another language must be accompanied by a certified translation (with any costs incurred in obtaining evidence being borne by the student).

5.4 Schools will issue a receipt for submissions of evidence.

5.5 Schools will use their discretion to decide whether the evidence submitted is acceptable. The Student is responsible for providing acceptable and sufficient evidence. Schools will not make enquiries to obtain evidence on a Student's behalf.

6. Deadlines for notification of Extenuating Circumstances

6.1 Deadlines relating to Extenuating Circumstances procedures must be set by Schools. The School must clearly and widely publicise deadlines using a variety of media, for example handbooks and induction material, emails and online resources. It is the responsibility of the Student to comply with the deadlines relevant to their programme of study. Furthermore it is the sole responsibility of the Student to disclose Extenuating Circumstances to their School and submit the necessary forms and evidence in a timely manner and without delay. Schools cannot make submissions on behalf of Students.

6.2 In practice, Students should report Extenuating Circumstances at the earliest possible opportunity. It is the responsibility of the Student to ensure deadlines are adhered to.

7. Extenuating Circumstances – Possible Outcomes

7.1 Usually Extenuating Circumstances will give rise to one of the outcomes listed below.

7.2 **Outcome 1: Extensions to Coursework or in-year assessment**

Extenuating Circumstances impacting on coursework or in-year assessment will normally be dealt with by an extension being granted where appropriate to the date for submission or completion of the piece(s) of work affected.

7.2.1 Extended deadline dates are final and treated in the same way as a standard deadline. Failure to meet an extended deadline will result in the application of lateness penalties which may result in the work being graded as a fail or non-submission.

7.2.2 It is recommended that deadlines for coursework and in-year assessments are not extended into examination periods. Extended submission dates for coursework should ensure that coursework is completed and submitted before the start of the examination period.

7.2.3 On Joint Honours programmes short-term extensions may be authorised by the module owning School/ Department in consultation with the Driver School.

7.3 **Outcome 2: Coursework or in-year assessments – Other Action**

Where an extension to the submission of coursework or in-year assessments is not appropriate, a School may:

7.3.1 provide guidance to allow a small element of coursework or in-year assessments to be disregarded, with the final mark(s) being recalculated from the remaining elements of coursework or in-year assessment;

or,

7.3.2 implement guidance to accommodate those situations where one component of the module is missing, to allow for the final mark(s) being recalculated from the remaining module component(s).

or,

7.3.3 implement such other action which has been approved by the College Director of Education or nominee prior to the commencement of the academic session.

Any such guidance must:

- specify the upper limits of the elements of coursework that can be disregarded; and
- have been approved by the College Director of Education or nominee prior to the commencement of the academic session; and
- have been widely publicised to Registered Students in accordance with paragraph 3.2 of this Code of Practice; and

- ensure the overall learning outcomes can be evidenced by way of past or future coursework or in-year assessments.

7.4 **Outcome 3: Request for Alternative Arrangements for Centrally Co-ordinated Examinations**

Students with a short term, time limited condition affecting the ability to sit an examination centrally may request Alternative Arrangements for the examination(s) affected. Requests will be considered by the Examinations Office, in conjunction with Schools, on a case by case basis.

7.4.1 Requests for Alternative Arrangements should be made on an Alternative Arrangements Form and submitted directly to the Examinations Office no later than 48 hours ahead of the examination. Supporting evidence must be attached to the submission.

7.4.2 If the request is deemed acceptable, based on the evidence provided, the Examinations Office will liaise with the School to make the appropriate provisions.

7.4.3 Alternative Arrangements will be time limited and only apply to the examination(s) specified at the time of the request. Following this arrangement all future exams will be expected to be taken under normal conditions.

7.4.4 Alternative Arrangements are separate to 'Reasonable Adjustments'. Students who may require a Student Support Agreement (SSA) should be advised to contact Student Support.

7.5 **Outcome 4: Request for Exceptional Deferral of Centrally co-ordinated Examinations**

Extenuating Circumstances impacting on preparation for, or ability to sit a centrally co-ordinated examination(s) may be dealt with by requesting an exceptional deferral of the examination prior to the examination taking place. The full procedure for exceptional deferral of an examination is set out in **Appendix A** of this Code.

7.6 **Outcome 5: Leave of Absence**

Exceptionally a School may decide that the most appropriate course of action in respect of a Student affected by Extenuating Circumstances is to recommend Leave of Absence. A Student may also request Leave of Absence. Requests or recommendations should follow the University's Code of Practice for Leave of Absence Procedures. Leave of Absence can have significant implications under the Points-Based Immigration System for Students requiring visas, and Students in this category are required to seek advice from the International Student Advisory Service (ISAS) prior to an application for Leave of Absence being processed.

7.7 **Timing of Submissions**

Whilst it is normally expected that Extenuating Circumstances are submitted before an assessment takes place in accordance with one of the

outcomes listed above, occasionally there may be times when this has not been possible. Under these circumstances a Student may submit an Extenuating Circumstances Form (ECF) for consideration at the Extenuating Circumstances Panel (ECP). In these cases the Student will be expected to explain why they were unable to submit Extenuating Circumstances at the appropriate time and provide evidence to support that explanation.

8. Grounds for Consideration by the Extenuating Circumstances Panel Consideration

8.1 A Student may submit an ECF to report exceptional circumstances arising during an examination resulting in the Student seeking to request to set aside the examination in question. In such cases the Student must clearly state why they were unable to report the circumstances to the Invigilator during the examination, or request a deferral prior to the examination commencing. Relevant evidence, e.g. a Doctor's note, must be provided by the Student. Cases must be submitted to the Extenuating Circumstances Officer or designated person within 24 hours of the examination in question. Evidence should be provided within 5 working days of the submission being made.

8.1.1 The ECP will consider such cases and make a decision based on the evidence presented. If the case is supported the examination in question will be set aside and the Student will be permitted a further attempt at the next available opportunity. If the case is rejected the original examination mark will stand.

8.2 An ECF may also be submitted in cases where the 'Extenuating Circumstances Possible Outcomes' (section 7) were not applicable. The reason for varying from the appropriate outcome must be clearly demonstrated. Any other Extenuating Circumstances, outside of those specifically impacting upon examinations (8.1) must be reported using an ECF by the deadline provided by the School. Evidence should also be submitted by this deadline.

9. Procedure for Submissions for Consideration by the Extenuating Circumstances Panel

9.1 Submissions of Extenuating Circumstances for consideration by the ECP must be made on the University Extenuating Circumstances Form (ECF) and submitted to the designated person within the School (usually the Extenuating Circumstances Officer). The ECF must be accompanied by evidence confirming the existence of the Extenuating Circumstances and their impact on the Student and should be completed clearly by the Student with as much detail as necessary to explain the case being presented. A Student who believes the submission contains sensitive personal information and/or evidence or highly confidential information and/or evidence may submit their ECF and accompanying evidence in a sealed envelope marked 'private and confidential' for the attention of the Chair of the Extenuating Circumstances Panel.

9.2 Schools will issue a receipt for submission of an ECF.

9.3 Submissions must be made in accordance with the deadlines set by the School/ Department.

9.4 Extenuating Circumstances not submitted by the relevant deadline cannot be considered by the School or the ECP under this Code of Practice and may only be considered by a Primary Appeal Committee as part of an academic appeal. A Primary Appeal Committee will not consider Extenuating Circumstances reported outside the deadlines set out in this Code of Practice unless there is an exceptional reason why the submission was not presented at the correct time.

10. Organisation of Extenuating Circumstances Panels

10.1 Normally there will be one ECP per School. If it is deemed more appropriate to have a College ECP, it should include a representative from each School. Schools may constitute separate Undergraduate and Postgraduate ECPs if appropriate. Colleges with large numbers of Joint Honours or Major/ Minor programmes may decide to constitute a separate ECP for these programmes.

10.2 Membership of the ECP will be decided by the Head of School and will not usually exceed 5 members. The ECP will not ordinarily include the Welfare Tutor. If the Welfare Tutor and the ECO is the same person, that person can only be a member of the ECP in their capacity as the ECO. There should be some continuity of membership of the ECP from year to year where possible. It is suggested that a minimum term of three years may be advisable to ensure consistency.

10.3 The ECP should be scheduled to convene after the deadline for submission of Extenuating Circumstances forms has passed, usually in the week following this deadline, but before the Board of Examiners and meetings will be organised to suit the requirements of a programme.

10.4 Schools must ensure that discussions on requests for consideration of Extenuating Circumstances take place at the ECP and not at the Board of Examiners.

10.5 An agenda must be set and will contain the following items:

a) Approval of terms of reference
b) Approval of membership
c) Recommendations for Board of Examiners

10.6 Cases will be discussed with the utmost sensitivity. An ECP may, but need not, assess cases anonymously; however privacy and confidentiality are paramount. Members of the ECP must not discuss cases outside the meeting.

10.7 The ECP may use grading criteria to classify cases and may use the University template for grading criteria if appropriate (appended to this Code).

10.8 An ECP should not raise marks under any circumstances. Options available to the ECP include;

a) Granting a ‘first sit’ for an examination or module component at the next available sitting.
b) Recommend alternative degree classification notwithstanding regulations.
c) Recommending a Leave of Absence (in accordance with section 6.2 above).

10.9 Decisions on cases concerning Joint Honours or Major/ Minor students should be made by the Driver School and should be communicated immediately to the module-owning department.

10.10 Minutes must be taken at the ECP. The minutes must not include discussions of individual cases or student names; instead cases should be referred to by ID number only.

10.11 The ECP will report recommendations relating to progress decisions to the relevant Board of Examiners for approval. Further detailed discussion of cases should not take place at the Board.

10.12 Documentation from the ECP, together with recommendations, should be made available for scrutiny by one or more of the External Examiners.

10.13 A Student is entitled to know the outcome of their submission; however, details on the discussions held at the ECP will not be disclosed.

10.14 Case information will not be discussed with or made available to any other party outside the ECP unless written consent to such disclosure has been received from the Registered Student. External Examiners may request and are entitled to know the outcomes from ECPs.

Appendix A

Procedure for requesting exceptional deferral of an examination in advance (Extenuating Circumstances Outcome 4 - Paragraph 7.5)

A1 A Student may request a deferral of one or more centrally co-ordinated examinations based on Extenuating Circumstances using the procedure set out below. This process is carried out before an examination takes place. If the request is granted by the School, the Student's sitting of the examination(s) will be deferred to the next available opportunity, which will include the Supplementary period for all years of study, including finalists.

A2 Schools may adopt this policy for class tests and departmental examinations if appropriate. If so this must be clearly set out in the School guidance on Extenuating Circumstances.

A3 Students must submit requests for deferral before the examination takes place. Requests can be made to the Extenuating Circumstances Officer (ECO) or a designated person appointed by the Head of School. Requests can be submitted up until the start of an examination. The ECO or designated person may deal with such requests under the provisions of section 7.5. In cases when there is insufficient time for the Student to submit the request to the Extenuating Circumstances Officer or designated person, or in their absence, (for example in relation to examinations held on Saturdays), Students must notify requests for deferral to the Examinations Office. Before proceeding to record a Student's request to be excluded from an examination, the Examinations Office will notify the Student of the content of paragraph A7 and A8 below regarding the possible consequences of a deferral. The Examinations Office is only able to record receipt of the request, not approve it, and Students must notify the School and present acceptable third party evidence to support the request at the earliest possible opportunity, normally the next working day. Failure to do so, and/or presentation of insufficient evidence will normally result in a zero being recorded for the missed examination(s).

A4 A request for a deferral of an examination to the School should normally be accompanied by evidence (see section 5). If the Extenuating Circumstances Officer or designated person agrees that it is impossible or impracticable for evidence to accompany the request, evidence may be presented up to 5 working days after the date of the examination; in such cases the School may provisionally grant a deferral subject to the production of appropriate evidence. Only in exceptional circumstances will the time limit of 5 working days be extended. If satisfactory evidence is not subsequently submitted in accordance with this paragraph, the School is entitled to withdraw the provisional deferral and the Student will be deemed to have been missed the examination without an authorised absence.

A5 Joint Honours and Major Minor students should make requests to defer an examination to the Driver School. Where necessary the Driver School will liaise with the module-owning department and will provide notification to the module-owning department when a deferral has been granted.

A6 Each School will decide how the response to requests for deferral will be determined and will designate one or more members of staff to determine

such requests. The School guidance on Extenuating Circumstances must specify how the School will determine the response to requests and set out the contact details of the designated person(s), and must be approved by the College Director of Education or nominee prior to the commencement of the academic session.

A7 On receipt of a request for a deferral, the School will ensure that the Student is advised of any consequences which will or are likely to arise from the deferral of the examination(s) in question before the request is considered. Having been so advised, a Student proceeding with a request for a deferral is deemed to understand the consequences of deferring the examination(s), such as returning to take the examination at a later date and the risk of failing the examination and achieving insufficient credit to progress.

A8 If a Student seeks a deferral of a first attempt at an examination the deferral will be classed as a 'first sit' and the mark will be uncapped. If a Student defers a resit examination, the deferred examination will be classed as a 'resit' and a capped mark will be applied.

A9 Only in exceptional circumstances may a Student seek to defer an examination retrospectively by reporting exceptional circumstances arising during the examination. Such reports must be made either during the examination itself or immediately afterwards (see 8.1). In such circumstances the student should follow the procedure set out in Section 8 of the Code of Practice for submitting a case for consideration by the Extenuating Circumstances Panel.

How to submit a request to exceptionally defer an examination (Outcome 4)

A10 Requests for exceptional deferral of an examination(s) by reason of Extenuating Circumstances should be referred to the designated person at the earliest possible opportunity, but no later than the start of the examination.

A11 The student will clearly present their case to the designated person, in person or in writing. Cases should not be presented by another party, apart from in extreme circumstances.

A12 The designated person will make a decision based on the details and evidence which has been provided and must be satisfied that the Student is providing a genuine account of Extenuating Circumstances which prevent the Student from being able to sit the examination(s).

A13 Following consideration by the designated person the Student will be advised of one of the following 3 outcomes;

a) The deferral has been granted.
b) The deferral has been provisionally granted subject to the provision of evidence.
c) The deferral has been refused.

A14 When a deferral has been granted, the Student will be advised of the provisional dates of the next appropriate sitting at which the Student will be required to sit the examination(s). It is the responsibility of the

Student to ascertain the actual date(s) of re-scheduled examination(s) once timetables have been released.

A15 If Extenuating Circumstances recur at the time of the re-scheduled examination(s) a new request for deferral must be submitted. Second and subsequent requests may be referred to the Extenuating Circumstances Panel.

A16 When a deferral has been granted based on evidence provided by a Student which was false, misleading or substantially inaccurate, the School may revoke its decision to grant the deferral at any time until the Board of Examiners has approved the mark for the examination(s) in question.

A17 When a deferral has been refused the student will be expected to attend the examination.

A18 Examination(s) missed without an authorised absence will incur a fail.

A19 Schools will maintain a record of examination deferrals and will make arrangement to ensure that deferred examinations are scheduled. The ECO will present the record of examination deferrals, withdrawal of provisional deferrals and revocation of deferrals to the Extenuating Circumstances Panel for note.

University of Birmingham
Grading Criteria for Assessing Extenuating Circumstances

The following criteria may be used as a guide to help consistency in categorising extenuating circumstances and assessing the severity and impact.

Extenuating Circumstances Panels should also take into account whether a student was able to access an extension or follow the exceptional deferrals procedure as outlined in the Code of Practice paragraph 7.5.

The following Categories should be used to classify cases submitted for consideration at an Extenuating Circumstances Panel:

1) **Minor illness** (lasting more than 7 days)

2) **Significant illness**

3) **Ongoing significant illness**

4) **Severe financial difficulties** (this must be long term and have caused significant stress)

5) **Death or illness of a close friend or relative**

6) **Minor adverse personal circumstances** (e.g. housing difficulties, end of a relationship)

7) **Significant adverse personal circumstances** (e.g. unwanted pregnancy, severe family problems)

8) **Illness, personal circumstances or other matters not sufficiently material to be classified**

Panels must assess the severity of the circumstances in these general categories:

1) **Strong** – Will have had a significant impact upon the performance of the student

2) **Medium** – Likely to have had an impact of some kind upon the performance of the student

3) **Minor** – Unlikely to have materially impacted upon the performance of the student

4) **No material case to take into account** – Irrelevant, and/or would not have materially impacted upon the performance of the student

Panels must assess the likely impact of the circumstances. An illness that is relatively minor could have a significant impact on a student's performance if it occurred during the examination period. The following categories should be used:

1) **Significant long term impact** – Likely to have significantly affected the student's performance throughout the year, in more than one module/ assessment

2) **Significant short term impact** – Likely to have significantly affected the student's performance at a significant time of year, in more than one module/ assessment

3) **Minor long term impact** – Likely to have only slightly affected the student's performance throughout the year, in specific module/ assessments

4) **Minor short term impact** – Likely to have only slightly affected the student's performance at a significant time of year, in specific module/ assessments

5) **No material impact** – Irrelevant and/or would not have materially affected the student's performance.

Panels must make recommendations to the Examination Board on reasonable allowances for extenuating circumstances. Marks for individual modules cannot be adjusted. The following recommendations should be used:

1) **Allow further sit/ submit opportunity**. This would be as a first attempt so the marks will not be capped and there will be a further opportunity to retrieve failure. The Panel should specify whether this should be as an internal or external candidate. There are fee implications for internal candidates.

2) Allow further re-sit/ re-submit opportunity. This would be as a final attempt so the marks will be capped at the pass mark and there will be no further opportunity to retrieve failure. The Panel should specify whether this should be as an internal or external candidate. There are fee implications for internal candidates.

3) Waive late penalties. The penalties applied for late submission of work have been waived.

4) Repeat the year in full. This would be as a first attempt so the marks will not be capped and there will be a further opportunity to retrieve failure. The Panel should specify whether this should be as an internal or external candidate. There are fee implications for internal candidates.

5) Re-sit the year in full. This would be as a final attempt so the marks will be capped at the pass mark and there will be no further opportunity to retrieve failure. The Panel should specify whether this should be as an internal or external candidate. There are fee implications for internal candidates.

6) Proceed with low credit. This decision must be made within University and Programme regulations. Students are not permitted to proceed into the next year with less than 100 credits at the relevant level. Students must be notified of the implications this has on any future failure and the achievement of their degree.

7) Extenuating Circumstances carried forward. No action was required in terms of progress decisions, but the circumstances will be considered when determining the degree classification at the relevant time.

8) Award Notwithstanding Regulations. Recommend to award a Degree (or other qualification), or award a higher class of degree than would be merited by the marks returned in light of extenuating circumstances.

9) Action already taken. The extenuating circumstances have been noted, but appropriate action has already been taken at the time (e.g. an extension to a deadline, examination deferral)

10) No action required. The extenuating circumstances were not considered serious, and or had no material effect on the student's academic performance.