



## Form B - Extenuating Circumstances Policy and Guidelines for students studying for Open University awards 2019-20

<b>Member of management responsible</b>	Matthew Twitchet
<b>Author of policy/procedure</b>	Nabeel Zaidi
<b>Peer reviewed by</b>	Colin Bladen-Kopacz, Frazer D'costa
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## A. Introduction

This policy and guidelines relate to students studying for The Open University awards at South Essex College. Version 1.0 of this policy and guidelines were drafted by and the responsibility of the Faculty of Higher Education (HE). This policy and guidelines have now been updated to reflect the new structure outside of the Faculty of HE where The OU HE provision continues to reside, but with changed oversight and quality assurance arrangements within that structure.

Extenuating circumstances are circumstances beyond your control which cause you to perform less well in your coursework or examinations than you might have expected. In general, extenuating circumstances will normally be of a medical or personal nature that affect you for any significant period of time and/or during the examination period.

It is important to realise that only the most serious extenuating circumstances will have any significant impact on your overall performance, particularly when degree classifications are being considered as these are based on at least two years' work. Therefore, the Board of Examiners is unlikely to take any action unless it believes that the extenuating circumstances have had a material effect.

A Board of Examiners can only make judgements about the impact of extenuating circumstances in light of evidence of your academic ability demonstrated in non-affected work. Boards cannot make judgements about your potential to have gained a higher mark if there is no evidence in the rest of your performance to support this. Furthermore, unless it appears that the extenuating circumstances have had a material affect on your results, the Board of Examiners is unlikely to take any action. You should therefore consider this carefully before submitting a form (see also how the Board assesses extenuating circumstances claims).

There are three categories of Extenuating Circumstances claims which are provided (see appendix for information):

- a) acceptable reasons for claim with required evidence
- b) reasons for claim that may be considered (with additional evidence)
- c) reasons that we would normally consider as unacceptable

For claims of extenuating circumstances relating to your inability to submit coursework by the deadline and to request for your marks to be instated, you should read the guidelines on Late Submission of Coursework and complete **Form A Late Submission of Coursework**.

## B. How do I inform the Board of Examiners?

It is your responsibility to inform the Board of Examiners about extenuating circumstances. You can do this by completing an extenuating circumstances form which will be considered by an Extenuating Circumstances panel who will then make recommendations to the Board of Examiners regarding the effect your circumstances have had on your performance (including non-submission of work or absence from an exam).

Although you may have previously discussed your difficulties with staff in your

department, this does not in itself constitute the submission of extenuating circumstances. You must formally submit an extenuating circumstances form for the Board of Examiners to consider; informal notification will not be considered by the Board. You need to complete an extenuating circumstances form which must be returned to the location stated above by the published deadline. We cannot guarantee that forms submitted after this date will be referred to the Extenuating Circumstances panel or sent directly to a Board of Examiners.

It is essential to inform the Board of any extenuating circumstances before it meets because you cannot subsequently appeal against any decision of the Board of Examiners on the grounds of extenuating circumstances if you could reasonably have been expected to inform the Board in advance. It is also your responsibility to explain fully the impact of extenuating circumstances on your work. If you do not sufficiently explain their impact then you cannot subsequently appeal and ask the Board to consider additional information

Claims should be submitted as soon as possible after the circumstance(s) occurred and by the deadline. **These deadlines are given on the form and in the Assessment Year Planner available in your Handbook and on the website under HE policies and procedures.** <http://www.southessex.ac.uk/higher-education/higher-education-policies> All claims for extenuating circumstances must be anonymous and students must use their ID number.

Extenuating Circumstances Form must be sent to the Vice Principal Quality and Compliance, South Essex College, Luker Road, Southend on Sea, Essex SS1 1ND. Forms can be emailed to [ITTeam@southessex.ac.uk](mailto:ITTeam@southessex.ac.uk) e. A confirmation of receipt will be sent to your College email account within 10 working days of receipt.

### **C. What is an Extenuating Circumstances Panel?**

All decisions on action to be taken on claims for extenuating circumstances are the responsibility of the Board of Examiners for the programme of study. Recommendations for action are made to the Board of Examiners by an Extenuating Circumstances Panel.

The Extenuating Circumstances Panel membership normally comprises one or more senior members of staff from the relevant department where The OU provision resides, a representative from Student Support Services. All members must be independent of the programme of study of the claimant.

The Extenuating Circumstances Panel will consider extenuating circumstances relating to examination performance, examination absence, coursework performance, the non-submission of coursework and other extenuating circumstances affecting the academic year.

The first meeting of the panel is held at the end of the academic year and makes recommendations to the July meeting of the Board of Examiners. The second meeting is held after the August re-sit period and makes recommendations on claims submitted for the re-sit period to the Re-sit Board of Examiners.

#### **D. How much information do I need to include?**

You should include on the form details of specific coursework or exams affected by your extenuating circumstances. Make sure you explain the impact these circumstances had on your performance. It is not the role of the Board of Examiners to try to work this out or to seek further information on your behalf. Make your submission clear and concise. Remember that Extenuating Circumstances Panel and Boards of Examiners are trying to determine whether the circumstances are likely to have significantly affected your academic performance.

#### **E. What documentary evidence do I need to provide?**

**See guidance provided in the appendix below on evidence required for extenuating circumstances claims.**

You are required to submit documentary evidence to support claims of a medical or non-medical nature relating to absence from examinations/invigilated tests, or related to an individual coursework assignment. It is your responsibility to get this evidence as the College will not seek it on your behalf. A Medical Evidence Pro-forma is attached to the form for you to use if, having read the following guidelines and appendix, you believe that you need to supply medical evidence to support your claim.

##### **Examinations**

If you miss an examination or an invigilated test due to illness or are claiming to have been affected by medical problems during your examination, you must seek medical attention on the day or as near to it as possible, and you must submit documentary evidence. The evidence must relate specifically to the time of the illness and must make it clear that you were medically unfit to take the exam.

##### **Coursework**

You are required to submit documentary evidence to support claims of a medical or non-medical nature. In many cases Boards of Examiners may judge that a short-term or minor illness has not had a significant effect on your overall performance.

##### **Serious or long-term illnesses affecting coursework**

If you have been receiving treatment for a serious or long-term medical condition which you believe has seriously affected your work over a prolonged period, you must submit appropriate evidence. You should be able to obtain evidence from your doctor using the Medical Evidence Pro-forma.

#### **F. What circumstances are NOT taken into account?**

**See guidance provided in the appendix below on unacceptable reasons for extenuating circumstances claims.**

It is not possible to list every circumstance that the Board of Examiners would not accept or take into account. However some of the more obvious examples are listed below:-

- claims submitted after the published deadline, unless there are good reasons why this is the case.
- general pressure of work is not taken to be circumstances beyond your control, as you are expected to plan your work schedule
- a short-term problem or illness which has occurred during the year and which is not deemed to have had an overall effect on your performance
- personal disruptions or events which could have been anticipated; such as holidays, weddings, changing address or employment, religious holidays or festivals which are usually known in advance
- excessive demands on time or pressure of one's employment, which could have been anticipated
- financial constraints commonly experienced by students
- missing an examination because you misread the timetable or overslept
- having more than one examination on the same day or on consecutive days (unless you were already suffering from illness or injury)
- where extenuating circumstances have affected you throughout your time at College it is difficult to determine what your marks might have been. In such cases, the Board of Examiners is unlikely to take any action

### **G. What is a Board of Examiners?**

A Board of Examiners is the body which considers the marks for each student. It approves the marks, decides whether students can proceed to the next year, and decides on the degree classifications for final year students.

Examinations Boards are normally made up of a representative from each of the relevant programmes. The meeting is normally chaired by the Dean or Associate Dean of Academic Partnerships. The External Examiner is also a member of the Board of Examiners. Not all members of academic staff are members of the Board of Examiners.

The Board of Examiners consider all candidates anonymously, by number. Great care is taken over the confidentiality of information supplied by students.

### **H. How are extenuating circumstances judged by a Board of Examiners?**

Boards of Examiners try to determine whether, and to what extent, extenuating circumstances have affected your academic performance, and determine what action, if any, can be taken. In assessing the significance of extenuating circumstances, Boards will normally take into account:

- a. the severity of the problem and the length of time involved
- b. any supporting documentary evidence
- c. whether all work in the same period appears to have been equally affected
- d. whether it is possible to gauge the effect of the extenuating circumstances upon academic performance
- e. whether your achievement is consistent with past performance
- f. the type of assessment affected, and how long you had to complete

the work (i.e. date when work set and deadline for submission).

Boards cannot estimate potential. For example, if you have performed at Pass level (e.g. 40%-59%) in your other exams, and then miss an exam in which you believe that you could have got a Merit (e.g. 60%-69%) because you had prepared well, you cannot expect a Board of Examiners to share your view. Boards cannot impute marks, that is, add marks or estimate what your mark might have been.

### **I. What action can the Board of Examiners take?**

The Board of Examiners will try to ensure a fair result based on your overall performance. It could take a number of actions including:-

- a. amending the assessment of a module by changing the weighting of particular elements that contribute to the overall course assessment
- b. discounting particular modules, or pieces of work from the assessment of the year or the programme of study
- c. allowing a reassessment attempt to be treated as a first sit, often for uncapped marks where capping applies
- d. instating a formative mark for a late piece of work
- e. No action – no material effect on the outcome is possible
- f. No action – extenuating circumstances rejected.

Wherever possible a Board will try to make a decision about what, if any, action can be taken in the second year in the case of problems affecting second year students. However sometimes it may not be possible for the Board to determine what action would be reasonable, and it may therefore carry forward the extenuating circumstances for consideration by the final year Board when the examiners will have at least two years' worth of marks to review.

The Board will either agree or discuss the recommendations of the Extenuating Circumstances Panel or discuss a particular case in detail as necessary at their meetings. Discussion will normally be brief and concentrated on those cases that require further careful consideration, usually because the extenuating circumstances may have adversely affected the student's final degree result.

Where extenuating circumstances have already been taken into account at the assessment level during a student's course of study, the Board of Examiners should take such earlier action into account when reaching its decision, but should nevertheless still feel at liberty to use the same extenuating circumstances in determining the final degree classification where appropriate. Although final year Boards of Examiners are not permitted to alter individual second year marks in response to extenuating circumstances, they may take the second year extenuating circumstances into account in the exercise of their discretion in relation to the degree classification.

In the case of severe extenuating circumstances affecting the final months of a final year student's studies there is provision for a Board to consider the award of an aegrotat degree.

## **J. What action will not be taken by Boards of Examiners?:-**

- a) to permit a student who presents extenuating circumstances to proceed to the next year of study if he or she has not met the necessary requirements, unless the examiners are satisfied that it is appropriate to do so on academic grounds
- b) to permit students to fail a core module or fail any published variations to the rules of assessment
- c) to add extra marks because a student's work has been affected by extenuating circumstances
- d) to amend marks from previous years of study
- e) to award a higher class of degree if the examiners are not satisfied that this is a fair result based on the student's proven academic ability
- f) to annotate statement of results/transcripts with comments about the existence of extenuating circumstances.

## **K. False Claims**

You should note that 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 academic misconduct and would be dealt with under the Academic Misconduct Procedures. The College reserves the right to check on the validity of the document(s) you submit by contacting the third party directly.

## **L. Data Protection Act 1998**

By submitting an extenuating circumstances form you are agreeing to the College holding this personal data for the purposes of processing your claim. The College will hold this data in accordance with its notification under the Data Protection Act 1998.

## **M. Equality Act 2010**

If you find that you are unable to submit a hard copy of the Extenuating Circumstances Form, you can submit it electronically. You should submit the form and evidence by the published deadline to [ITETeam@southessex.ac.uk](mailto:ITETeam@southessex.ac.uk) e.

If you have any queries about a claim which has been rejected, please contact your department to request further information. You can also discuss this feedback with staff in Student Services if you believe that your individual needs have not been understood or adequately taken into account.

If you are providing information about your disability on your extenuating circumstances form, please note that this does not count as disclosure to the College as these forms are intended for use only by the Board of Examiners. We strongly urge you to disclose any persistent medical condition, specific learning difficulty or disability to Student Services

## **N. Professional Suitability and Fitness to Practise**

### **IMPORTANT – PLEASE READ: Information about you that may affect professional suitability**

- 1) The College is committed to a fair and confidential process for handling extenuating circumstances and recognises that this process may involve the disclosure and handling of sensitive personal information.
- 2) The College is committed to full compliance with its obligations related to professional suitability in order to uphold the highest standards of conduct among its students both during and beyond their period as a student at the College.
- 3) All College students are required to comply with the Behaviour Policy and other regulations of the College regarding conduct. Students enrolled on schemes where a practical professional placement is required have additional responsibilities placed upon them regarding their professional suitability. Failure to meet these responsibilities can lead to the *Fitness to Practise Procedure* being invoked. You will have been informed when you registered as a student if your degree scheme is subject to this Procedure
- 4) Breaches of professional standards by students may involve a range of actions or omissions but may include:
  - actions that are harmful to service users, other members of the public or service providers
  - actions that are likely to constitute an unacceptable risk to students or others
  - failure to disclose information about previous matters relating to professional suitability prior to enrolment on the scheme
  - contravention of the relevant professional code of conduct
  - actions that are prejudicial to the development or standing of professional practice.
- 5) Any information that is provided on any extenuating circumstances form that raises issues of professional suitability, whether it has been disclosed by you and about you or by another student on another form but relates to you will be disclosed as necessary to the relevant internal or external authorities. Information will only ever be disclosed on a need to know basis to ensure the College is able to comply with its obligations related to professional suitability. These authorities may include the Professional Practice and Conduct Committee, your employer if your registration as a student relates to Continuing Professional Development or any relevant Professional or Regulatory Body.

## **Where can I get more guidance?**

If after having read these notes you feel you need more help in putting forward your extenuating circumstances, you should contact Student Services.

If you require feedback on the way in which the Board of Examiners has handled your extenuating circumstances claim, you can ask for feedback after the results have been released by contacting your department or Student Services.

## **Related documents**

- Form A Late Submission of Coursework for students studying for Open University awards at South Essex College.
- Form B Extenuating circumstances claim form for students studying on Open University awards at South Essex College
- Fitness to Practise Procedure

## Appendix

### Extenuating Circumstances Categories

The following guidance has been produced to help clarify what can be accepted as extenuating circumstances and the evidence required to support a claim. There are three categories, (A, B and C) set out below that should be consulted before completion of an Extenuating Circumstances Form, available from the College website. <http://www.southessex.ac.uk/higher-education/higher-education-policies>

#### Category A: Acceptable reason for claim

Category A lists reasons that normally will be considered as acceptable reasons for submitting an extenuating circumstances claim and the appropriate evidence required to support the claim.

#### Category B: Reasons for claim that may be considered

Category B lists reasons that that may be considered as acceptable reasons for extenuating circumstances and the appropriate evidence required to support the claim.

#### Category C: Unacceptable reasons for claim

Category C lists reasons that would normally be considered as unacceptable reasons for extenuating circumstances.

Reason for EC Claim:	Category A: Acceptable reason	Category A: Evidence required	Category B: Reasons that may be considered	Category B: Evidence required	Category C: Unacceptable reason
Serious Medical Condition	Serious personal injury, medical condition or mental health difficulty preventing attendance or completion of assessment or submission of work	Written evidence from a registered medical practitioner	Serious injury or illness to child, partner or close relative (parent)  Serious worsening or acute episode of an ongoing medical condition, mental	Written evidence of impact to claimant from registered medical practitioner	Ongoing medical conditions, disabilities, learning difficulties or mental health conditions, for which the student is already receiving reasonable and appropriate

			health difficulty or disability		adjustments unless there is evidence of this condition worsening or 'flaring up'  Minor illnesses or injuries (such as colds, headaches, hay fever)
Bereavement	Death of close relative/significant other (of a nature which, in an employment context, would have led to an absence in accordance with the compassionate leave regulations)	Written evidence from a professional such as Undertaker, Coroner or Registrar  OR Death Certificate	Death of close relative (not identified in Category A) or friend	Evidence identified in Category A AND Written evidence of impact to claimant from registered medical practitioner	
Trauma	Victim of serious crime (e.g. assault, sexual assault, mugging)  Theft of work/computer equipment/materials required for assessment	Written corroboration of reported crime from Police or other investigating authority  Written evidence from registered medical	Family breakdown (such as divorce)	Evidence from Solicitor AND/OR  Written evidence of impact to claimant from registered medical practitioner	Minor crime  Financial problems or employment difficulties Accommodation problems or house moves  General domestic /

	<p>Direct experience of terrorist incident or natural disaster</p> <p>Major fire in residence</p>	<p>practitioner, Police, Fire service or University Department (Estates)</p>			<p>family problems</p> <p>Assessment/Exam stress</p>
Caring Responsibilities			<p>Unexpected caring responsibilities caused by sudden serious illness or worsening of ongoing medical condition to child, partner or close relative</p>	<p>Written evidence from patient's registered medical practitioner AND Written evidence of impact to claimant from registered medical practitioner</p>	<p>Ongoing caring responsibilities</p> <p>Caring responsibilities for minor illnesses, accidents or injuries</p>
Court Attendance	<p>Jury service or attendance at court or tribunal as a witness, defendant or plaintiff</p>	<p>Official correspondence from Court or Tribunal Authority</p>			
Miscellaneous			<p>Serious disruption caused by terrorist incident or natural disaster</p>	<p>Evidence of serious disruption to travel or other plans preventing attendance at or completion of assessment or submission of work AND/OR written evidence of impact to claimant from</p>	<p>Any circumstances which have not clearly impacted on academic performance or do not clearly relate to the timing of the assessment</p> <p>Visa problems</p>

				registered medical practitioner	Failure of IT equipment or poor working practises – failure to back up work for example. Minor private or public transport failure, holidays or booked travel arrangements  Not realising/remembering dates of deadlines
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