

Title: Extenuating Circumstances
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## 2P: Extenuating Circumstances

### Introduction

1. Throughout their studies, students are required to complete and submit, or sit, a wide range of assessments. This will require students to balance their workload and use time management skills to ensure that assessments are submitted to stated deadlines. The University recognises, however, that there may be serious adverse circumstances outside a student's control that prevent them from completing assessments.
2. These regulations set out:
  - i. the serious adverse factors that the University will consider as extenuating circumstances and the process to be followed for submission; and
  - ii. How the University provides for the fair and equal treatment of all students when considering extenuating circumstances.
3. Students are encouraged to seek support through the Student Hub. They should consider whether it is in their best academic interests to retake an assessment at a later date on a deferred basis or to submit a request for a late submission up to five working days after the original deadline date.
4. Students who encounter circumstances that adversely affect their attendance or tuition for a period in excess of 20 working days should seek advice at the Student Hub, or the support services within their partner institutions. There are options for students to suspend their studies, or to consider an alternative mode of study.
5. Students with permanent or long term conditions should agree a support plan through Student Services. Those students are not be eligible for Extenuating Circumstances as a result of their condition, unless they suffer an acute episode which may then fall under the criteria for Extenuating Circumstances. The University has other policies to cover longer term issue which have an adverse impact on study.

### Definition

6. The University defines extenuating circumstances (EC) as:

*“Significant, unforeseen, short term circumstances, beyond the control of the student that result in a major impact on their ability to complete an assessment.”*

## Ineligible extenuating circumstances

7. Extenuating circumstances do not encompass normal life challenges that individuals are expected to deal with routinely. The following incidences will not be considered as valid for submission under this policy:
  - i. the down-time of University, or partner (for students studying at a partner institution), computer networks (except for extended periods of time) and problems with personal IT equipment;
  - ii. loss of computer data (such data should be backed-up);
  - iii. accommodation and travel problems;
  - iv. personal/part-time job commitments (This only applies to students who are part-time or are required to be in employment in order to enrol on the course);
  - v. personal holidays;
  - vi. peaks in assessment work demands;
  - vii. Religious festivals: these are known in advance and students should build any associated commitments in to their assessment planning;
  - viii. financial difficulties;
  - ix. complaints against staff or in relation to course delivery. These are managed through the University's Student Complaints Policy.
  - x. Students should plan their work so that they can accommodate the disruption of minor illness.

## The 'Fit to Study' principle

8. The University operates a 'fit to study' approach to extenuating circumstances. This means that all students who submit an assessment are, by doing so, declaring themselves fit to be assessed. The student will determine if:
  - i. they are 'fit to study' and undertake the assessment; no extenuating circumstances application will be accepted under the EC Policy;
  - ii. they have experienced an extenuating circumstance but will be 'fit to study' with additional time; an assessment can then be submitted with a claim for an extension to the deadline date of five working days;
  - iii. they are not 'fit to study' even with an extension; no assessment is submitted and a claim is made under the EC Policy.
9. An EC claim will not be considered for poor performance for an assessment. There is an exception to this regulation where there is evidence that a student was not fit to determine their capacity to be assessed when deciding whether to make a submission. A claim may be made as an academic appeal and must be accompanied by independent documentary evidence.
10. Exceptionally, students who are ineligible to progress to the next level/stage and are required to repeat failed units may apply to retake the whole level/stage, including units passed, where they have evidence that their studies were affected due to extenuating circumstances beyond their control. Students must submit an extenuating circumstances application as an appeal of the results with relevant evidence as detailed in Annex 1.

## **Evidence**

11. A claim for extenuating circumstances must meet the University's published criteria and be accompanied by valid and independent evidence, showing the impact of the circumstances on the student's ability to sit or complete a particular assessment (as stated at Annex A).
12. A statement from a parent/guardian/spouse/partner or a member of academic staff will not be accepted as evidence without additional, independent documentary confirmation.
13. The student must present all evidence in English. Where, for example, an overseas student is taken ill in their home country and corroborating evidence is provided in the language of that country, then it should be accompanied by a translation, certified officially as being correct e.g. by a Notary Public or by a member of staff who is fluent in that language.
14. Absence through illness must be evidenced by a statement from a medical practitioner and may seek to verify such evidence. Medical self-certification is not acceptable evidence for an extenuating circumstance submission.

## **Timing of an Extenuating Circumstances Application**

15. An extenuating circumstances application must be made before the relevant Progression and Award Board. Any extenuating circumstances submissions made after the Board meeting will only be considered in accordance with the Academic Appeal Policy (Academic Handbook section 2M).

## **Extensions to the submission deadline date**

16. Students may submit assessments up to five working days after the deadline submission date where extenuating circumstances have impacted on their learning and where late submission would put them in a position of being 'fit to study' and to complete the work.
17. In these circumstances students should submit an Extenuating Circumstances Form, indicating that they wish the EC Panel to consider their formal request for an extension to the submission date. The request must state the EC category under which the student is claiming an extension and must include relevant evidence.
18. All extension requests will be considered by the University's Extenuating Circumstances Panel at the first available opportunity. Dependent on the timing of an Extenuating Circumstances Panel such requests might not be considered until after the student has submitted the assessment.
19. If the extension request is approved by the Extenuating Circumstances Panel, the student will be given the full grade awarded for the work, unless the claim was for a referred assessment in which case the mark will be capped at 40%. If the request is not approved the assessment mark will be capped at 40% for first attempts, referrals will be treated as a non-submission and awarded a mark of zero.

20. Students who submit later than five working days after the deadline submission date, with or without an EC request form for late submission, will not have work marked. The work will be regarded as a non-submission for assessment purposes.
21. The University can normally only accommodate requests for extensions to deadlines for written text assessments.
22. Students are advised to seek the advice of their unit leader regarding the possibility of rescheduling assessments relating to group work, presentations and other practical based assessments. With the approval of the unit leader these may be rescheduled as long as the assessment is completed within the submission period as outlined in the assessment brief.

### **Extenuating Circumstances Panel**

23. The Extenuating Circumstances Panel has delegated authority from the Progression and Award Board and ultimately from Academic Board to determine the out to award a deferral or extension decision for units and assessment elements. The decisions of an Extenuating Circumstances Panel are reported to the relevant Progression and Award Board.
24. The Head of Student Registry and Student Systems will constitute the Extenuating Circumstances Panel and arrange for meetings to be held regularly in order to consider student submissions and provide timely decisions.
  - i. The Head of Student Registry and Student Systems or nominee (Chair);
  - ii. The Head of Student Services or nominee;
  - iii. A Students' Union Sabbatical or Welfare Officer, nominated by the President of the Students' Union;
  - iv. An academic representative from the Extenuating Circumstances standing panel, with no personal knowledge of the students being presented.
25. A panel will be quorate provided the Chair and two of the three other panel members are in attendance. The Chair may use discretion to hold panel meetings by correspondence where appropriate, ensuring that the panel is able to make thorough and reasonable decisions.
26. The Head of Quality Management will provide regulatory guidance to Extenuating Circumstances Panels on the discharge of their functions. The panel will not make a judgement on the extent to which a particular set of circumstances has impacted on a student's performance. Therefore, in considering submissions, panel decisions will be influenced solely by:
  - i. Whether the circumstances align with Annex A; and
  - ii. The adequacy of the documentary evidence provided and whether it aligns with the requirements of Annex A.

### **Delegation of Authority**

27. Extenuating Circumstances Panels may exceptionally need to take action outside scheduled meetings. In such cases, the Panel may delegate responsibility to the Chair of the Panel. The Policy, Governance and Information Service will ensure that Chair's Actions are recorded and reported to the next meeting of the Panel.

## Extenuating Circumstances Panel outcomes

28. The Extenuating Circumstances Panel's decision will be entirely based on the evidence provided by the student. A Panel cannot endorse extenuating circumstances where no evidence has been submitted. Decision on an outcome can be 'pending' where exceptional events mean delay in obtaining evidence e.g. death of a family member.
29. Where they deem it necessary, the panel may exceptionally require a student to submit further evidence. However, panels will not interview students as part of the decision-making process.
30. Where an Extenuating Circumstances Panel accepts the circumstances and associated evidence as valid, then the panel will either award a deferred result for the assessment for which extenuating circumstances are accepted or will confirm the full assessment mark where a student has requested an extension to an assessment submission date.
31. Where an Extenuating Circumstances Panel does not accept that the circumstances and/or associated evidence are valid, then the panel will not award a deferred result or accept the extension to the submission and the assessment and unit outcome will be determined in accordance with the assessment regulations.

## Student appeals against the decision of an Extenuating Circumstances Panel

32. A student may make an appeal against a decision of the Extenuating Circumstances panel only on the follow following grounds in accordance with the University's Academic Appeals Policy (Academic Handbook Section 2M):  
  
*"Where new, relevant, written extenuating circumstances are presented [...] supported by appropriate evidence, that for good reason were not originally made available to the Extenuating Circumstances Panel."*
33. The Head of student registry and Student Systems will ensure that each student is informed of the decision of the Extenuating Circumstances Panel as soon as possible and informed about the appeal procedure.

## Confidentiality

34. Student extenuating circumstances will normally be processed by registry officers and disclosed only to members of the Extenuating Circumstances Panel. Exceptionally students may request their claim to be treated confidentially; in this case details are restricted purely to members of the Extenuating Circumstances Panel.

## Confidentiality and Data Protection

35. The University will respect the confidentiality of information supplied by a student in support of an application for Extenuating Circumstances. By submitting an extenuating circumstances form a student agrees to the University holding their personal data for the purposes of processing an EC claim. The University will hold this data in accordance with its

notification under the General Data Protection Regulation and other Data Protection Laws and the University's Records Retention Policy.

## Annex A: Extenuating Circumstances and Valid Evidence

CATEGORY REF.	VALID CIRCUMSTANCE	EXAMPLES OF VALID SUPPORTING EVIDENCE	TIMEFRAMES
A	<p><b>Acute Health issue/flare up</b></p> <p>A short term illness or acute episode, new diagnosis or medication change for a long term condition that is likely to have incapacitated the student during the period they might have reasonably been expected to spend time on preparation for submission or for sitting an assessment. This encompasses personal injury/accident with extended impact.</p>	<p>A doctor's medical certificate relevant to the period of the claimed extenuating circumstances and stating that the student was unfit to study. A signed statement from a doctor in evidence of the requirement to attend hospital would also be appropriate. <u>The University will not accept student self-certificates.</u></p> <p>A statement from a recognised independent professional e.g. Steps to Wellbeing, Mind or SSU Wellbeing case worker relevant to the period of the claimed extenuating circumstances and stating that the student was unfit to study.</p>	Maximum of 20 working days.
B	<p><b>Illness of a dependent</b></p> <p>Acute illness/accident affecting a dependent/close relative that required the constant attention of the student.</p>	<p>A doctor's medical certificate signed to verify the illness, or other medical evidence signed by an appropriate medical professional, together with a statement by the student, explaining why their personal attention was necessary and no other family member could be expected to provide support.</p>	Maximum of 20 working days.
C	<p><b>Bereavement</b></p> <p>Death of a close family member, partner or close friend</p>	<p>Production of a copy Death Certificate, Coroner's report or order of service.</p>	Maximum of 20 workings days.
D	<p><b>Court Attendance</b></p> <p>Jury Service, or attendance at Court or a Tribunal as a witness, defendant or plaintiff, on the date the assessment was due to be submitted or assessment sat OR impacting on the period during which the student</p>	<p>Official correspondence from the Court or Tribunal confirming attendance requirement.</p>	Length of court attendance plus one week

CATEGORY REF.	VALID CIRCUMSTANCE	EXAMPLES OF VALID SUPPORTING EVIDENCE	TIMEFRAMES
	might reasonably have been expected to prepare for submission or revise for the assessment.		
E	<p><b>Victim of Crime</b> The student was the victim of a crime that was reported to the appropriate authority for investigation and the nature of the crime was such that it was likely to have prevented the timely submission of an assessment or sitting an assessment; or to have impacted adversely on the student during the period in which the student might reasonably have been expected to prepare for submission or for sitting an assessment.</p>	<p>Copy of police/crime report.</p> <p>A statement from a recognised independent professional (e.g. Steps to Wellbeing; Mind; or a member of Solent Student Services who has been in regular, ongoing contact with the student) that is relevant to the period of the claimed extenuating circumstances and stating that the student was unfit to study.</p>	<p>Maximum of 20 working days.</p> <p>Where future issues arises, which are linked to the original crime, e.g. court attendance, other relevant categories within this policy should be used.</p>
F	<p><b>Military Reserves</b> The student is in the military reserves (Navy/Army/Air Force) and is required to undertake annual training.</p>	Official correspondence from the Commanding Officer stating that the commitment cannot be moved to another date.	Length of attendance at training
G	<p><b>Sport commitment at national/ county level</b> The student is selected to compete at national or county level at sporting events that require absence from the University (or partner institution) on the date the assessment was due to be submitted or assessment sat.</p> <p>Training requirements associated with sporting commitments are not deemed valid extenuating circumstances.</p>	Official correspondence from the relevant sporting body confirming the requirement to be available on specified dates.	Length of attendance at sporting event.
H	<p><b>Work Commitment (This only applies to students who are part-time or are required to be in employment in order to enrol on the course)</b></p> <p>Where an unexpected and/or non-negotiable work</p>	Signed correspondence from employer (senior manager) confirming the commitment and the duration and that it could not have been undertaken by another member of staff.	Maximum of 20 working days.



CATEGORY REF.	VALID CIRCUMSTANCE	EXAMPLES OF VALID SUPPORTING EVIDENCE	TIMEFRAMES
	requirement has prevented timely submission of an assessment or studying for/attending an assessment.		
I	<p><b>Retake level/stage rather than individual units</b></p> <p>Where students, who are ineligible to progress to the next level/stage, believe their studies in the units passed and not being retaken were affected due to circumstances beyond their control.</p>	A statement from a recognised independent professional (e.g. Steps to Wellbeing; Mind; or a member of Solent Student Services who has been in regular, ongoing contact with the student) that is relevant to the period of the claimed extenuating circumstances and stating that the student was unfit to study.	Submitted as an appeal within 10 working days of the release of results.
J	<p><b>Other exceptional and personal circumstances that do not come under the categories listed</b></p> <p>Where students believe they have experienced severe and exceptional circumstances that are not listed here but would reasonably be considered as valid extenuating circumstances, then they should seek advice at the Student Hub (or equivalent for students studying at a partner institution) in good time to meet any stated submission deadlines.</p>	Where the extenuating circumstances is considered to be valid, students will be advised of the nature of the evidence required to support the submission.	Maximum of 20 working days.