

## 4. EXTENUATING CIRCUMSTANCES

This section of the Student Regulations Framework applies to all taught programmes of Plymouth Marjon University, whether undergraduate or postgraduate.

### 4.1 Introduction

1. Students must undertake a wide range of assessments in different formats. This requires them to balance their workload and use time management skills to ensure that assessments are submitted to stated deadlines. However, the University recognises that serious adverse factors beyond a student's control (extenuating circumstances) can prevent them from completing assessments; this procedure enables them to be taken into account when considering a student's assessment profile.

### 4.2 Definition

1. Extenuating circumstances are defined as circumstances which are outside the control of the student and negatively affect performance. Students and staff should follow these procedures where circumstances are:
  - **Severe:** the event or circumstance must have had a serious impact on assessment performance
  - **Unexpected:** the student must have had no prior knowledge that a particular event would occur
  - **Unpreventable:** there must have been no reasonable steps that the student could have taken to prevent the event or circumstance from occurring

- **Relevant:** the event or circumstances must have occurred at the time of the assessment or during the period immediately leading up to the assessment date
- **Corroborated:** the claim must meet any requirements for independent documentary evidence outlined in the Extenuating Circumstances guidance

Students may experience immediate events that prevent them from attending for, or submitting, an assessment, and/or preliminary events that impact on their ability to prepare for an assessment.

2. The aim of these procedures is to:

- ensure that students are appropriately supported when extenuating circumstances are brought to the attention of the University in a timely manner
- ensure that all students are treated fairly and equitably in the light of extenuating circumstances
- outline the responsibilities of students in informing the University of circumstances which are affecting their performance
- protect the academic integrity of programmes for all students
- make clear the types of serious adverse factors that the University will consider as extenuating circumstances

3. Students can download the Extenuating Circumstances Claim Form and find related guidance in the Registry Documents section on MyMarjon. All forms should be submitted to the Extenuating Circumstances team by the published deadlines and should be accompanied by documentary evidence where required. Decisions are emailed to students within 48 hours where possible, however, in busier periods this may extend to within one week.

### 4.3 Examples of Extenuating Circumstances

1. The University considers the following to be examples of extenuating circumstances but this list is not exhaustive and other circumstances are considered appropriate so long as circumstances meet the definition above:
  - The death or serious illness of a close family member or friend
  - Serious short-term illness or injury that is impacting a student's ability to study
  - Worsening of an ongoing illness or disability - including mental health conditions
  - Significant personal or family crisis directly affecting the student
  - Witnessing or involvement in a traumatic incident
  - Statutory parental leave
  - Court attendance, jury service, other public/civic duty or obligation
  - Competing in sport or participation in other activity at national or international level.
  
2. These procedures are intended to apply to individuals. They do not apply when a failure in programme management arrangements has disrupted the learning and assessment of a group or groups of students. In such cases, the Dean/Director of School and the programme team should provide appropriate remedies, taking advice from the University Secretary and Registrar. If those remedies are unsatisfactory, students may use the complaints procedure at Section 17 of this Framework.

## 4.4 Extenuating Circumstances not considered to be valid

1. Extenuating circumstances cover critical incidences and do not encompass normal life challenges. The following circumstances are not considered extenuating by the University, although the University has services in place which can support and advise students who are dealing with some of the difficulties indicated below:

- A medical condition, medical circumstances or disability for which no supporting evidence has been presented
- Any circumstances for which appropriate adjustments have already been made by the University and where there is no evidence of a worsening of the condition which requires further consideration
- Assessment-related stress which is not diagnosed as an illness or discussed with Student Wellbeing and Support
- An illness occurring after an examination/in-class test or the deadline for submission of coursework
- A minor illness such as a cough or cold
- Pregnancy, except for morning sickness or a period of three weeks immediately preceding the due date, and except for complications relating to the pregnancy which medical evidence can substantiate
- Poor working practice such as:
  - the student's failure to back up electronic documents regularly and securely
  - not acquainting themselves with the times, dates, and places where assessments were to be submitted or examinations to be sat

- erroneous e-submission, including e-submission to an incorrect module code
- poor time management during peaks in assessment work demands
- Problems with network facilities, personal computers or printers, unless a student is unable to access campus. Faults associated with the VLE, Turnitin or University maintained network facilities preventing online assessment submission will be managed in line with University policy
- Where students are studying on a full-time basis, issues relating to paid employment except in cases of work placements which contribute to the programme of study
- House moves, renovations or other routine, rather than emergency, accommodation difficulties
- Holidays, including attendance at marriages, festivals and like events
- Financial difficulties
- Additional learning needs
- Complaints against individual members of staff, or complaints about the delivery of the module/programme, which are managed through the University's Complaints Procedure (see Section 17 of this Framework).

## **4.5 Extenuating Circumstances and Valid Evidence**

1. The following general principles apply to the extenuating circumstances procedure:

- Extenuating circumstances cannot be valid for more than twenty working days

- Students whose circumstances exceed twenty working days must discuss the matter with Student Wellbeing and Support so that they can be supported or to discuss a possible interruption of studies
- Evidence must include specific dates for the period of the claim and should correspond with the dates recorded on the claim form.

2. There are 5 categories of Extenuating Circumstances:

- **Self-Certification**

- For circumstances of no more than 5 days which include the submission date
- This can be used once per Term/Semester and requires no evidence
- This gives an extension to the original deadline of 10 working days for all work submitted to be submitted electronically in line with University requirements
- Presentations and clinical examinations can be re-scheduled within the 10 working days at the module leader's discretion

**or**

- Will be deferred to the next resit session as will all other exams.

- **Standard ECs of 6 days or more**

- Can be claimed for University defined acceptable circumstances of no more than 20 working days, including weekends and Bank Holidays
- Appropriate evidence must be provided with the claim (see Extenuating Circumstances Guidance)

- **Student Support Short-Term**

- where DIAS submits a claim for Extenuating Circumstances on the student's behalf, when the student is known to them and has had an exacerbation of a recorded existing condition
- No evidence is required.

- **Student Wellbeing and Support Extended Term**

- Where Student Wellbeing and Support can submit an Extended claim for a student with known, long-term, circumstances that are having a significant impact on the student's ability to study
- Can be claimed for up to one academic year
- Evidence is discussed or provided to Student Wellbeing and Support
- Will be approved as the default status for all assessments during the stated period so that multiple Extenuating Circumstance claims do not have to be submitted throughout the year
- Students can submit assessments where they are able, which will supersede the Extenuating Circumstance status.

- **Academic Module Assessment ECs**

- To be claimed by the module leader on behalf of the module cohort where there are circumstances impacting the delivery of an academic course or placement
- Can be all or one or more element of the assessment

3. A working day is defined as a day on which the University (or Partner Institution) is open, so includes student vacation periods but excludes weekends, Bank Holidays and other times that the University or Partner Institution is closed, such as the period between Christmas and New Year.

4. To be fair and transparent, applications for extenuating circumstances must be evidence based and judged within clearly defined guidelines. This also helps students who are not fit to undertake an assessment to understand the nature of the evidence required. The supporting evidence required is stated in the Extenuating Circumstances Guidance. Students should ask Student Wellbeing and Support and/or the Extenuating Circumstances team for advice on how to apply and their chances of success.
5. Supporting evidence must refer directly to how the extenuating circumstances have impacted upon the student's ability to complete or sit assessments on their scheduled due date.
6. Corroborating evidence must:
  - be written by appropriately qualified professionals who are independent to the student. Evidence from family and/or friends will not normally be accepted.
  - be on headed paper and signed and dated by the author. Evidence presented by email is acceptable if the email has been sent by the author from the official domain name of the author's organisation
  - confirm specifically that the circumstances were witnessed on the relevant date as opposed to being reported retrospectively
  - All evidence should be in English. Where, for example, a 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 accurate as advised by the Extenuating Circumstances team.

## 4.6 Serious and Confidential Extenuating Circumstances

1. The University recognises that there are circumstances which may be traumatic or extremely personal to a student. In these cases, the student may seek the advice of Student Wellbeing and Support who will decide whether or not the circumstances are both serious and confidential.
2. If satisfied that the circumstance is valid, the member of staff will refer the case to the Registry & Compliance Manager for direct approval without the need for evidence or explanation to be supplied to the Extenuating Circumstances team.
3. Exceptionally, for example due to the incapacity of the student, written statements on a student's behalf may be considered at the discretion of the Registry & Compliance Manager. The student will need to consent to this, unless the circumstances themselves have made it impossible for the student to give consent, and the submission must make it clear how that consent has been given.
4. A request must be made in writing, detailing:
  - the intervention involved;
  - the reasons for its consideration;
  - the module assessment affected and submission dates
5. The student will receive a notification that the Extenuating Circumstances have been approved.

## **4.7 Timing of an Extenuating Circumstances Submission**

1. Extenuating circumstances claims must normally be made by the end of the semester or term to which they relate. Submissions that relate to years already completed will not be considered.
2. Deadlines for the submission of completed forms and evidence are published annually via the Assessments Calendar. However, students should submit claims as early as possible and by no later than the published deadline, particularly with regard to major assessment tasks such as dissertations so that a decision can be made promptly.

## **4.8 Misrepresentation and falsehood**

1. By submitting a claim, students certify that the information they have provided is true and complete, and that misrepresentation or falsehood related to extenuating circumstances may lead to the application of the Student Misconduct Procedures. The Extenuating Circumstances procedure is intended to be supportive and claims will be treated in good faith by University staff. Students are encouraged to seek advice from Student Wellbeing and Support or the Extenuating Circumstances team if they have any queries about a claim.

## **4.9 Data Protection Act 2018**

1. By submitting an extenuating circumstances form, students agree to the University holding this personal data in accordance with its Records Retention Policy and its obligations under the Data Protection Act 2018, which aligns with the General Data Protection Regulation (GDPR).

## **4.10 Support for Students**

1. Plymouth Marjon University places great emphasis on supporting its students. The University recognises that students who have recourse to these procedures may require additional support. Students are therefore encouraged to seek advice from Student Wellbeing and Support which includes professional counsellors; from their Personal Development Tutor; or from the Student Union.
2. During the course of their studies students may also experience personal issues that hamper their ability to learn, or undertake assessments, but do not meet the criteria for extenuating circumstances. In all such cases students should contact those identified above.

## **4.11 Procedures at Partner Organisations**

1. All arrangements on collaborative programmes relating to extenuating circumstances are expected to align with those of the University.
2. All decisions relating to Extenuating Circumstances will be conveyed to the University's Extenuating Circumstances team to be recorded on the students' records.

## **4.12 The 'Fit to Sit' Principle**

1. The University operates a 'fit to sit' approach to extenuating circumstances. This acknowledges that only the individual student concerned, with advice from others where appropriate, can know if an event has impacted upon their ability to undertake an assessment. A student confirms that they are 'fit to sit' by submitting an assessment or sitting an examination and a subsequent

claim will only be considered in exceptional circumstances, where a student is shown to have been unable to reasonably make the required judgement.

2. It follows that students should only try to meet learning outcomes when they are fully fit to do so. The Extenuating Circumstances team will not judge the impact of particular circumstances on any individual, but will either accept that the evidence presented by the student meets the criteria or that it does not; if it does not, the claim will be rejected.
3. The Extenuating Circumstances decisions are used to inform the Module Assessment Board that deals with the relevant module. Where there are valid extenuating circumstances, Module Assessment Boards must waive the assessment penalty for late submission, provided the work was submitted within ten working days of the due date of submission, and ensure the assessment attracts the full mark it merits. Students may not submit a further extenuating circumstances claim within this period to extend the time further, but this deadline may be varied exceptionally by the University Secretary and Registrar.
4. Where a student cannot submit the assessment within 10 working days but has valid Extenuating Circumstances, so that no attained mark is recorded for an assessment, Module Assessment Boards will record an interim mark and annotation.
5. The Progression and Award Board:
  - will permit the assessment of the module in the form of the affected assessment(s) to be deferred until specified dates, usually the next available assessment period.
  - may exceptionally, if the same type of assessment cannot be used again, permit a different assessment(s), which must be defined and made known to the student, to be deferred until specified dates. Some assessments (for example, some professional placements) must be repeated exactly and may not, therefore, be available in defined resit/deferral periods.

Students will be informed about such assessments in the programme handbook.

#### **4.13 Extenuating Circumstances Appeal Process**

1. A student who is dissatisfied with any aspect of the Extenuating Circumstances application process or decision, should contact the University's Extenuating Circumstances team (or for Partner institutions, their Extenuating Circumstances team) in the first instance, as an informal resolution of their appeal may be possible. If the student is dissatisfied with the informal response, then they may write formally to the Registry & Compliance Manager, within twenty working days of receipt of the notification of the informal response. Complaints against individual members of staff, or complaints about the delivery of the module/programme are managed through the University's Complaints Procedure (see Section 17 of this Framework).
2. The letter or e-mail should be entitled 'Extenuating Circumstances Appeal' and should clearly state the reasons for the student's dissatisfaction and any information that they feel has not been considered. The appeal should include new information about the Extenuating Circumstances claim that was not available at the time of the decision.
3. If the formal response does not resolve the complaint, the student may appeal against the decision in writing to the University Secretary and Registrar.
4. The University Secretary and Registrar and a member of Senate will convene as an Adjudication Panel to investigate the appeal. The Panel's decisions will be determined by the nature of the circumstances, the documentary evidence provided and the alignment with the requirements of Section 4.5 of this Framework. Where the Adjudication Panel deems an appeal to be without adequate substantiating evidence, they may decide to reject it without further discussion.

5. The Panel meets as soon as is practicable to consider additional evidence and agree the outcome of a claim.
6. The appellant will be advised of the Panel's decision within 10 working days. If it decides that an Extenuating Circumstances claim is Not Valid the reasons for this will be stated.
7. The Panel's decisions inform the Module Assessment Boards and Progression and Award Boards. Academic appeals can only be made on the grounds set out in the academic appeals process described in Section 16 of this Framework.

#### **4.14 Office of the Independent Adjudicator for Higher Education**

1. If an appellant remains dissatisfied after the appropriate internal processes have been exhausted, they can ask the University to issue a Completion of Procedures letter in order for the Office of the Independent Adjudicator for Higher Education (OIA) to review their appeal.
2. The University must issue a Completion of Procedures letter in order for the OIA to review an appeal. A Completion of Procedures letter will be issued automatically where valid grounds are not found at the adjudication stage and otherwise on request. If a Completion of Procedures letter is issued before the adjudication stage has been conducted, the letter will make it clear that the student has not completed the University's internal processes.
3. All requests for review must be made to the OIA within twelve months of the date of issue of a Completion of Procedures letter. For full details please contact <http://www.oiahe.org.uk>.

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