Procedures for the Consideration of Exceptional Circumstances

Preamble

1.1 In determining these procedures Senate has sought to ensure that students with valid reasons for requesting to defer an assessment or to be granted an extension to a coursework deadline will be treated fairly and have their requests considered as quickly as possible whilst also protecting the standard of the University’s awards by deterring frivolous or unnecessary requests.

1.2 These procedures should be applied by Faculties and by partner institutions approved to offer collaborative programmes, unless alternative arrangements have been approved in respect of a particular partner. For ease of reference, partner institutions are described as the ‘College’ in these procedures.

1.3 When applying these procedures to students with disabilities, Faculties are required to take account of the Procedures for Applicants and Students with a Disability or Specific Learning Need outlined on pages P 62 – P 71 of Part II of the University’s Academic Regulations and Policies.

1.4 These procedures govern the treatment of all requests to defer an assessment unless, exceptionally, the Senate has agreed that an exemption may be applied in respect of a particular programme. In such cases the alternative regulations will be detailed in the Student Course Handbook.

Policy

2.1 It is the responsibility of students to attend invigilated assessments and other forms of assessment and to submit work for assessment as required.

2.2 Information about the nature and timing of assessment will be published to students. The Student Course Handbook will also define those items of assessment which are classified as coursework.

2.3 Exceptional circumstances are defined as personal circumstances which are unforeseeable or beyond the student’s control and which have a major impact on the student’s ability to submit or attend an assessment.

2.4 A student who is unable to attend an invigilated assessment or other form of assessment task or to meet a coursework deadline because of exceptional circumstances may make a request either:

- to defer the attempt at the assessment(s) to a later date i.e. to delay taking the assessment until the next scheduled opportunity. A different assessment task may be set for the deferred assessment;

or

- for an extension to complete coursework.

A student must select which of these two remedies he or she is seeking. A request cannot be made for both simultaneously.
2.5 A request to defer an assessment or for a coursework extension may be made in respect of each assessment attempt.

2.6 If a student with disabilities has a Support Summary recommending additional time to complete coursework, the student may be granted an alternative deadline in accordance with the Procedures for Applicants and Students with a Disability or Specific Learning Need in Part II of the Academic Regulations and Policies. The granting of additional time to complete the coursework does not affect the student’s right to submit a request for a deferral of assessment on the grounds of exceptional circumstances provided the student’s request is based on exceptional circumstances which have not already been taken into account in the Support Summary.

2.7 Extensions will be granted only where the nature and timing of the particular assessment are such that an extension can be granted. Where the nature or timing of a particular assessment is such that an extension to the deadline cannot be granted this will be made clear to students in the schedule of assessment. A student may submit a request to defer the assessment because of exceptional circumstances if the nature or timing of the particular assessment is such that an extension could not be granted. Where, in accordance with 2.6 above, a student with disabilities has been given an alternative deadline and it would not be possible for a further extension to be granted because of the nature of the coursework or the timing of the alternative deadline, the written confirmation of the alternative deadline will make it clear that it will not be possible for the student to apply for an extension to this deadline.

2.8 If a student develops long term medical problems or personal difficulties he or she should consider requesting an interruption of studies until his or her circumstances improve. A student wishing to interrupt study should consult his or her personal tutor/course director. All requests for an interruption of study must be approved by the Faculty as described in the Guidance Notes on Withdrawal and Interruption of Studies by Students on Taught Programmes.

2.9 Students who submit an item of coursework or attend an invigilated assessment, such as an examination, presentation or recital cannot subsequently claim that poor performance was due to exceptional circumstances, except in cases where a student is taken ill during the invigilated assessment or is subsequently found to have been suffering from an undiagnosed condition at the time (see 4.9 - 4.11 below).

**Procedures**

A diagram of the following procedures can be found in the Notes of Guidance for Students Making a Request for the Consideration of Exceptional Circumstances below.

3. **Arrangements for the submission of coursework**

3.1 It is the responsibility of the Faculty or College to ensure that coursework hand-in procedures are published to students and that students are notified of the dates by which they should submit each coursework. The coursework hand-in procedures include arrangements to ensure that accurate records are kept that work was submitted on time.
4. Submission of requests for the consideration of exceptional circumstances

4.1 Requests must be submitted on the appropriate form (called Request for consideration of exceptional circumstances) along with evidence to support the request. Copies of the form are available at the University from Faculty/Departmental offices, Student Services and the Students Union Advice Centre and from the designated College office. The form can also be found on the Claims and Appeals pages on iCity at https://icity.bcu.ac.uk/Student-Services/Complaints-and-Appeals. The completed form must be submitted to the Student Complaints, Appeals and Conduct office.

4.2 It is the responsibility of the student to provide evidence and any relevant information related to personal circumstances in support of his or her request to defer assessment or be granted an extension. Requests submitted without evidence will be rejected except in the circumstances outlined in 4.5 below.

4.3 Independent documentary evidence in support of the request must be attached to the form. Notes of guidance on these procedures can be found below. The guidance notes describe the kinds of circumstances that are deemed to be exceptional circumstances and the nature of the evidence that will be required to allow the validity of a request to be determined. Students are advised to read these notes of guidance carefully.

4.4 Requests must be submitted at least 7 working days before the deadline for the submission of the assessment or for the assessment task/invigilated assessment. For the purpose of these procedures working days shall be defined as Mondays to Fridays, including vacations but not including Bank Holidays and days when the University is officially closed.

4.5 Where, exceptionally, the request has to be submitted before the accompanying evidence can be provided and it is accepted that there appears to be a good reason for the delay in submitting the evidence, an initial judgement will be recorded as to whether the circumstances are such that a claim will be upheld if the evidence is satisfactory. This initial judgement shall be subject to confirmation when all the necessary supporting evidence has been provided. The need to provide supporting evidence will be communicated to the student as quickly as possible (see 4.6 and 4.7 below).

4.6 In the case of a request for a deferral of assessment, evidence provided to the Student Complaints, Appeals and Conduct office more than 10 working days after the request was submitted will not be considered and a decision to refuse the request to defer the assessment will be recorded. There may be certain circumstances when evidence cannot be provided within this timescale e.g. obtaining a death certificate from overseas. In such cases a decision may be made to extend the timescale.

4.7 In the case of a request for a coursework extension, evidence submitted by the student after the published assessment deadline will not be considered and a decision to refuse the request for an extension will be recorded.

4.8 Requests submitted less than 7 working days before the deadline/invigilated assessment will be only be considered where the student provides a satisfactory reason for the delay in their request or the nature of the circumstances, such as sudden illness or other emergency, dictated that the request could not be made earlier. The nearer to the published assessment deadline that the request is made, the greater the likelihood that the decision will be communicated to the student after
the assessment deadline. Where a decision to refuse a request is communicated to
the student after the assessment deadline or date of the assessment task/invigilated
assessment and the student has not submitted work for that assessment the student
will be deemed to have failed an attempt at the assessment.

4.9 In cases where a student is taken ill during an invigilated assessment it is the
student’s responsibility to submit a request for a deferral of assessment as soon as
possible. The last date on which such a request may be submitted is 5 working days
after the invigilated assessment. Requests submitted after that point will only be
considered where the student provides a satisfactory reason and evidence for the
delay. If, however, it is concluded that there was no good reason for the delay the
request will be refused.

4.10 There may, exceptionally, be a valid reason why a student cannot submit a request
prior to the date of assessment, for example, a previously undiagnosed medical
condition. It is the student’s responsibility to submit a request for a deferral of
assessment as soon as possible. Such claims will be considered where the student
provides a satisfactory reason and evidence for the delay in submitting the request.
If it is concluded that the circumstances are insufficient to approve the request or that
there was no good reason for the delay or that the delay has been longer than
necessary the request will be refused. Requests relating to an assessment taken in
a previous academic year will not be considered. A request for a coursework
extension will not be considered after the published assessment deadline for
submission.

4.11 Where a disability has been identified after joining the University, the student may elect
to repeat, as though for the first time, any or all of the assessments he or she has
already taken during that academic year using the support specified in his or her
Student Support Summary. The student will not be permitted to repeat any
assessments taken in a previous academic year. In relation to dyslexia identified after
joining the University, the student may re-submit the same assessment in order to have
it re-marked in accordance with the University’s guidelines. The student will not be
permitted to re-submit any assessments taken in a previous academic year. A student
who wishes to repeat an assessment or have it re-marked should apply to do so by
sending the form called “Request for consideration of exceptional circumstances” to
the Student Complaints, Appeals and Conduct office. Applications may be made at
any point during the relevant academic year within a reasonable time after the
identification of the disability. The Student Complaints, Appeals and Conduct office
will contact the Director of Faculty Administration and Disability Services to confirm that
the student has a Support Summary and that the support specified within it was not in
place for the assessment in question. Once this has been confirmed, the claim to
repeat an assessment will be upheld (see Procedures for Applicants and Students
with a Disability or Specific Learning Need in Part II of the Academic Regulations and
Policies).

5. Consideration of Requests

5.1 Requests for the consideration of exceptional circumstances from students taking
programmes offered by a Faculty/College are considered by the Student Complaints,
Appeals and Conduct office and members of the Register maintained by the Student
Complaints, Appeals and Discipline Committee (SCAD). No other body or individual
member of staff has the authority to grant a deferral of assessment or an extension to
a coursework deadline.
5.2 The Student Complaints, Appeals and Conduct office is authorised to grant a request in the following circumstances:

5.2.1 when the student has submitted an original medical note or Doctor’s letter or other satisfactory documentary evidence indicating inability to work or study which covers the date(s) of the assessment(s) concerned;

5.2.2 when the student has submitted acceptable independent evidence of a close bereavement which took place no more than one month before the assessment concerned;

5.3 The Student Complaints, Appeals and Conduct office is authorised to refuse a request in the following circumstances:

5.3.1 where there is no evidence to support the claim;

5.3.2 the dates of the exceptional circumstances do not match the date of assessment.

5.4 Where, exceptionally, a claim has to be submitted before the accompanying evidence can be provided:

5.4.1 The Student Complaints, Appeals and Conduct office is authorised to make an initial judgement as to whether the circumstances are such that the claim will be upheld provided satisfactory evidence is supplied;

5.4.2 when the supporting evidence is submitted it will be considered by the Student Complaints, Appeals and Conduct office and a member of the register maintained by SCAD. This person will not be a member of the student’s Faculty or College. If the evidence does not support the claim, or the reason for late submission is found to be invalid, the student will be deemed to have failed the assessment.

5.5 Where the facts or the evidence submitted are complex, requests will be considered by the Student Complaints, Appeals and Conduct office and a member of the register maintained SCAD. This person will not be a member of the student’s Faculty or College.

5.6 The decision on the validity of the request will be based entirely upon consideration of the documentary and supporting evidence provided by the student.

5.7 The Student Complaints, Appeals and Conduct office or the nominee from the register maintained by SCAD should establish whether there is acceptable evidence of exceptional circumstances and should look for medical or other documentary evidence. Only an original copy of a medical certificate or Doctor’s letter can be accepted. Account may also be taken of other evidence where the nature of the exceptional circumstances is such that this would be appropriate or necessary.

6. Decisions

6.1 A response to the student regarding a request for a deferral of assessment or a coursework extension will be communicated to the student no more than 5 working days after receipt of the request provided the request was made more than 7 working days before the assessment.
6.2 The Student Complaints, Appeals and Conduct office or the nominee from the register maintained by SCAD shall determine that:

6.2.1 a valid request has been made and approve the request; or

6.2.2 a valid request appears to have been made and there are good reasons for a delay in submitting evidence; or

6.2.3 there are no or insufficient grounds and reject the student’s request; or

6.2.4 the student has not provided documentary evidence to support the request and that there was no good reason for any delay in providing this evidence and therefore reject the student’s request.

6.3 Where a request for a deferral of assessment is granted, the deferred assessment or re-assessment will take place at the next scheduled assessment opportunity.

6.4 Where a student's request for an extension is successful the maximum extension that can be granted is 10 working days after the published deadline.

6.5 Where a student with disabilities has been given an alternative deadline (see 2.6 above), the Student Complaints, Appeals and Conduct office or the nominee from the register maintained by SCAD is empowered to grant an extension for a maximum of 10 working days beyond the date set for the alternative deadline, provided the student’s request for an extension is based on exceptional circumstances which have not already been taken into account in the Support Summary.

6.6 Where a request is rejected the decision will be communicated to the student on the same day by the Student Complaints, Appeals and Conduct office. Where the decision is communicated prior to the date of the scheduled invigilated assessment/assessment task or published coursework deadline the student will be permitted to attend the scheduled invigilated assessment/assessment task or to submit the coursework by the published deadline. Where the decision cannot be communicated until after the scheduled invigilated assessment/assessment task or after the published coursework deadline and the student has not submitted work for that assessment the student will be deemed to have failed an attempt at the relevant item(s) of assessment.

6.7 Where a student applies for an extension in respect of the first attempt at an assessment and the request is unsuccessful, coursework submitted late will be capped at the pass mark provided it is submitted within 5 working days of the published deadline. Coursework submitted more than 5 working days after the published deadline will not be marked. The student will be deemed to have failed an attempt at the assessment.

6.8 Where a student applies for an extension in respect of a re-assessment and the application is unsuccessful, the student will be deemed to have failed the re-assessment if the coursework is submitted late.

6.9 Where an extension request is unsuccessful a student cannot subsequently make a request to defer that assessment unless new circumstances arise in the period before the published assessment deadline.
6.10 Where an extension is granted a subsequent request to defer the assessment cannot be made unless new circumstances arise during the period of extension.

6.11 Decisions will be communicated to the next meeting of the Examination Board. The Examination Board cannot vary a decision or take it into account when considering a student’s performance.

7 Decisions of the Examination Board regarding students who have been granted a deferral of assessment

7.1 Where a student’s request for a deferral of assessment has been granted and his or her exceptional circumstances are such that it would not be possible for the student to be assessed or re-assessed at the next opportunity, the Student Complaints, Appeals and Conduct office will refer the matter to the Examination Board. The Examination Board will agree a later date by which the student must be assessed or re-assessed unless 7.2 below is invoked.

7.2 Where a student’s exceptional circumstances are such that it would not be possible for him or her to complete the assessment an aegrotat award may be recommended where it is available. In such circumstances the Student Complaints, Appeals and Conduct office will refer the matter to the Examination Board, which will decide whether or not an aegrotat award should be made. In making such an award the Examination Board must be satisfied that, but for illness or other valid cause, the student would have reached the standard required for the award.

7.3 Before an aegrotat award is conferred under 7.2 above, the student must have signified that he or she is willing to accept the award and understands that this implies waiving the right to be assessed or re-assessed under 6.3 or 6.4 above.

8. Records of Requests and Decisions

8.1 The Student Complaints, Appeals and Conduct office shall keep a full record of decisions and shall ensure that appropriate records are maintained in order that it can, if necessary, take into account how similar cases have been treated in the past when determining decisions.

9. The Role of Staff

9.1 Where a student invites a member of staff with personal knowledge of the exceptional circumstances to provide relevant information in support of the request the member of staff may do so if he or she deems it appropriate and in the interests of the student.

10. Procedures for Appeal against a Decision

10.1 A student may appeal against the decision if:

10.1.1 he or she believes that there has been a material procedural irregularity which has demonstrably affected the outcome;
or

10.1.2 there is new evidence which would demonstrably have affected the outcome and could not reasonably have been made available when the claim was considered.

10.2 Appeals must be made on the appropriate form and submitted to the Student Complaints, Appeals and Conduct office within 15 working days of the publication of the decision. The grounds for appeal must be made clear on the form. Where the appeal is based on the availability of new evidence (10.1.2 above) appropriate documentary evidence must be provided with the form and the student must state on the form why the evidence was not available at the time of the request was submitted. The notes of guidance on these procedures published below describe the nature of the evidence that will be required.

10.3 Within 5 working days, the Academic Registrar or nominee will review the appeal. The outcome of this review will find that either:

- there are no grounds for the appeal. If this is the case, the Student Complaints, Appeals and Conduct office will advise the student accordingly in writing and issue a Completion of Procedures letter;

  or

- there appear to be grounds for appeal. If this is the case, a Panel will be convened by the Student Complaints, Appeals and Conduct office to consider the appeal (see below).

10.4 Membership of the Panel shall comprise a Chair and two members of staff, all of whom will be selected from the register maintained by SCAD and none of whom will have had any previous involvement in the case.

10.5 A Secretary to the Panel will be appointed by the Academic Registrar. S/he will have had no previous involvement in the case. None of the members of the Panel will be from the Faculty/College which delivers the student’s programme. In order to reach a decision, the Panel may request additional evidence from the Faculty/College or the student. Normally, the Panel will not need to meet the student or representatives of the Faculty/College but the Panel may request a meeting if they believe this would be useful.

10.6 All members of the Panel must be involved in reaching the decision but the Chair may uphold an appeal on behalf of the Panel in the circumstances described at 10.8 below.

10.7 The Panel will consider the evidence provided by the student and, where appropriate, any evidence provided by the Faculty/College and either:

10.7.1 uphold the appeal

  or

10.7.2 decide that there is no case for reconsideration.
10.8 The Chair of the Panel may uphold the appeal on behalf of the Panel where the student has submitted new independent documentary evidence which the Chair is satisfied could not have been made available when the student’s request was previously considered and the evidence meets the following requirements:

10.8.1 the student has submitted an original medical note or Doctor’s letter indicating inability to work or study which covers the date(s) of the assessment(s) concerned;

or

10.8.2 the student has submitted acceptable independent evidence of a close bereavement which took place no more than one month before the assessment concerned;

A record of the Chair’s decision will be reported to the Panel and retained by the Student Complaints, Appeals and Conduct office.

10.9 The Panel’s decision will be communicated to the student in writing within 5 working days.

10.10 If the student making the appeal has received an Examination Board decision of ‘cannot proceed’ or ‘withdraw’, s/he should be allowed to attend classes pending the outcome of the appeal.

10.11 If an appeal in respect of a first assessment is upheld, the Examination Board will be advised that the original decision has been set aside and the student will be allowed to take his or her first assessment attempt at the next scheduled assessment opportunity.

10.12 If an appeal in respect of a re-assessment is upheld, the Examination Board will be advised that the original decision has been set aside and the student will be allowed to take that re-assessment attempt at the next scheduled assessment opportunity. The maximum mark which can be awarded for a module after re-assessment is the pass mark irrespective of the academic merits of the re-assessed work.

10.13 At the conclusion of the appeal process, the student will be informed that the University’s internal processes have been exhausted and of his/her right to submit the case to the Office of the Independent Adjudicator for Higher Education for consideration (see 12 below).

11. Office of the Independent Adjudicator (OIA)

If the student is not satisfied with the outcome of his/her appeal, s/he has the right to ask for a review by the OIA. This should be done by completing the Scheme Application Form, within three months of the date of the letter communicating the Panel’s decision.

Enquiries about the procedures for deferral of assessments should be directed to the Director of Faculty Administration or in the case of franchise provision the Course Director. Enquiries about the review of decisions reached by the Student Complaints, Appeals and Conduct office or the nominee from the register maintained by SCAD and/or an Appeal Panel should be directed to the Student Complaints, Appeals and Conduct office.