

B1: Regulations for extenuating circumstances

Academic year 2014/15

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Introduction

1. In the course of their studies students may experience circumstances that temporarily make it impossible for them to participate in their programmes, submit their assessments, or attend examinations. Likewise, students may fall ill or encounter circumstances that cause them to perform less well in an assessment than might have been reasonably expected, given their previous performance. Where students encounter such circumstances the University will consider an application from the student that their work and assessments have been affected by their circumstances and that these should be recognised as helping to explain their performance or under-performance.
2. The University requires that requests for the consideration of extenuating circumstances are made by the student on their own behalf. Exceptionally, and only where a student is unable to submit a request for the consideration of extenuating circumstances on their own behalf, whether through illness or other unforeseen circumstances, (see Regulation 6 below), the University will consider an application made by a third party on behalf of the student. For such an application to be accepted the University requires that the application on behalf of the student states why the student was unable to make the application themselves; the name and contact details of the third party and their connection to the student; and that the application is supported by evidence (see Regulation 7 below). Where the University receives such an application it refers it to an Extenuating Circumstances Panel to determine whether it should be considered and addressed.

Authorising extensions to deadlines

3. When a student knows before a submission or other deadline that an illness, the worsening of a chronic illness, or an otherwise unforeseen event is beginning, or about to begin, and can provide independent evidence to substantiate this, they should notify the person specified in the programme handbook to receive information on extenuating circumstances so that, where possible, any impending deadline can be adjusted. This should avoid the need for the student to apply for the consideration of extenuating circumstances after an examination or assessment deadline. For each programme, the handbook states which staff have authority to vary individual deadline for affected students by stated amounts subject to the provision of evidence to support the student's request.
4. In cases where assessed work has been submitted after the deadline and matters are put forward by a student for consideration as extenuating circumstances, the University will enquire into the matters in order to ensure that it does not unintentionally provide an advantage to an individual in relation to other students. The University does this through its Faculties, by convening an Extenuating Circumstances Panel, the members of which have been trained to deal with requests for the recognition of extenuating circumstances.

Circumstances that may give rise to a request for the recognition of extenuating circumstances

5. Students who encounter unforeseen circumstances affecting their ability to submit assessed work, or that are likely to affect their attendance or their performance in an assessment, may apply to the person specified in their programme handbook to receive requests for the recognition of extenuating circumstances.

6. The University will consider requests for the recognition of extenuating circumstances where there has been:
- (i) bereavement through the death of a close relative or significant other that in employment would lead a reasonable employer to grant compassionate leave. In such an instance the University will require independent evidence of the nature of the relationship;
 - (ii) serious short-term illness or accident of a nature that, in employment, would lead a reasonable employer to agree to absence on sick leave;
 - (iii) a long-term (chronic) health problem suddenly worsening;
 - (iv) for part-time and distance learning students in full-time employment only, an increase in their workload due to circumstances beyond their control, or being required by their employer to work through periods normally available for study and/or assessment;
 - (v) other exceptional circumstances that will affect the student's ability to submit an assessment on time or to attend an assessment, or have affected them.

Evidence required

7. Where a student encounters unforeseen circumstances that are consistent with any of the matters outlined in Regulation 6 above, and wishes them to be recognised as extenuating circumstances they are required to provide supporting evidence. This is to be set out in writing, in English, and be signed by the person providing it. The nature of the evidence that the University requires includes:
- (i) for bereavement; a death certificate or a signed and dated letter from a minister of religion, medical practitioner, police officer, solicitor, magistrate or other officer of the law or a person with equivalent professional standing;
 - (ii) for illness; a signed and dated letter from a medical practitioner (GP, clinical specialist, or registered professional in psychiatric practice) that states the dates when the illness affected the student and how, without breaching confidence, the circumstances affected or are likely to affect:
 - the student's ability to prepare for an assessment, submit or attend for an assessment
 - the student's ability to recognise and deal with their circumstances;
 - (iii) for a student awaiting a diagnosis of an illness or condition; a signed and dated letter from a medical practitioner (GP, clinical specialist, or registered professional in psychiatric practice) that states the dates when the student attended for treatment, when tests were undertaken, and when a diagnosis is expected;
 - (iv) for accident or injury to the student; a copy of an accident report provided by a police officer, Magistrate, or Magistrate's Clerk, or a signed and dated letter from a medical practitioner. In all cases where a letter is provided it must state the dates when the accident or injury affected the student; the position and qualification(s) of the person providing the letter; and their contact details;
 - (v) for significant adverse personal or family circumstances being encountered by the student; a signed and dated letter from one or more of the following; a medical practitioner, a social worker (stating their position with respect to the student), a registered psychological therapist, a registered professional

in psychiatric practice, an officer of the law, a teacher outside the University, a minister of religion. The letter they provide must give their position and qualification(s) and their contact details and must provide information on the time when the circumstances occurred and whether they are continuing;

- (vi) for University of Surrey Sports Scholars only, absence from the University when called to participate in national and international sports events and training;
 - (vii) for part-time and distance learning students in full-time employment only, who have experienced an increase in their workload due to circumstances beyond their control, or have been required by their employer or a client to work through periods normally available for study and/or assessment:
 - where they are in employment; a signed and dated letter from their employer, or their employer's authorised representative, stating that the student has been required by them to undertake work in the interests of the employer and that this was in time that had previously been agreed would be available for the student to study, prepare for assessment, or take an assessment
 - where they are self-employed; evidence from their client or the client's authorised representative stating that they have required the student to undertake unforeseen work that was necessary in the interests of the client's business, together with the dates and times when the student had been required to attend the client or undertake the previously unforeseen work
 - for military service; the individual's call-up papers (translated where necessary) together with evidence to show that the service cannot be deferred
 - (viii) a signed and dated letter of support or explanation from a support service in the University that relates to the date(s) of the unforeseen circumstances and explains (without breaching confidence) how they affected or are likely to affect the student's ability to submit an assessment, attend for an assessment, respond to requests for information from the University or represent themselves and their situation to the University.
8. Where a student submits a letter of support or explanation from a third party who is not a member of a profession, or an officer of the law, in connection with a request for recognition of extenuating circumstances, the letter should provide information about the person writing the letter, together with their contact details. They and the student should expect that the University will make follow-up enquiries to establish their good faith in providing the letter of support.
9. The University does not regard the following as sufficient evidence of grounds for recognising extenuating circumstances:
- (i) a claimed medical condition or medical circumstances where there is no medical evidence to support it;
 - (ii) self-certified illness or medical circumstances;
 - (iii) claimed medical circumstances for which appropriate adjustments have already been made by the University;
 - (iv) a claim for recognition of a medical condition that relies on evidence that does not relate to the time when the illness or condition occurred;

- (v) circumstances stated to be unforeseen that a reasonable person would view as foreseeable or preventable;
- (vi) a long term health condition, previously notified to the University, for which the student is receiving treatment and is receiving reasonable and appropriate adjustments to their learning opportunities and assessment arrangements, and which has not been subject to change;
- (vii) a minor illness that would not normally lead a responsible and reasonable employed person to take sick leave;
- (viii) holidays, including attendance at marriages, festivals and like events;
- (ix) financial matters;
- (x) problems with network facilities, personal computers, or printers, other than those provided and maintained by the University expressly to support the student;
- (xi) poor working practices such as
 - failure to back up electronic documents regularly and securely
 - failure on the part of the student to acquaint themselves with the times, dates, and places where assessments were to be submitted or examinations sat
 - poor time management
- (xii) failure on the part of the student to acquaint themselves with the University's assessment procedures including its procedures for reporting illness or unforeseen circumstances affecting their studies or assessments and its support arrangements.

Request for the recognition of extenuating circumstances

Burden of proof in seeking the recognition of extenuating circumstances

10. When making a request for the recognition of extenuating circumstances it is for the student to show that one of the circumstances listed in Regulation 6 above applies and to provide the necessary evidence to support their request (see Regulation 7 above).

Requests made before an assessment deadline or the date of an examination

11. Failure to meet an assessment or other deadline notified by the University is normally penalised by the University. A request for recognition that there were extenuating circumstances is therefore a request to the University not to impose a penalty. For the University to do so requires that it deals with such requests, and the evidence provided to support them, fairly and thoroughly.
12. Where a student encounters unforeseen circumstances in advance of an assessment deadline, or an examination, they contact the person specified in their programme handbook to receive requests for the recognition of extenuating circumstances. Where the student is unable to contact the person specified in their programme handbook they contact the relevant Faculty Office to seek advice and support. They may also seek advice from officials of the University of Surrey Students' Union.
13. Requests for the recognition of extenuating circumstances are made on the University's standard form which can be found at www.surrey.ac.uk/oscar. Requests are submitted, together with the required supporting evidence, to the person or persons specified in the programme handbook to receive such

applications. Programme handbooks also state the periods by which a specified person or persons may extend a deadline where supporting evidence has been provided and accepted. Requests made in advance of an assessment deadline that are supported by relevant evidence are considered by the specified person or the Faculty's Associate Dean (as appropriate) as quickly as possible, normally within two working days.

Requests made in advance of an assessment deadline or examination that are not supported by evidence, or for which the evidence provided is unclear

14. Where the person specified in the programme handbook to receive applications for the recognition of extenuating circumstances is not provided with supporting evidence the application is not accepted. Where the specified person is unsure of the validity of the evidence provided they refer the matter to the Associate Dean (Learning and Teaching) or, in the absence of the Associate Dean, the Faculty Office.

Requests for substantial extensions to an assessment deadline

15. Where a student requests an extension that is longer than that which may be authorised by the person specified in the programme handbook, the latter will consult the relevant Associate Dean (Learning and Teaching) who may, exceptionally, grant a longer extension. Where granting such an extension would make it impossible for the student's work to be marked with equivalent work produced by their peers, without disadvantaging the latter, the Associate Dean may need to see cogent supporting evidence. Where they are satisfied that it is in the interest of fairness to recommend to the relevant Board of Examiners that a substantial extension to an assessment deadline would be appropriate the Associate Dean may either recommend that the student be set an alternative assessment task with the same learning outcomes or that they take a deferred assessment.
16. In cases where a student has requested a substantial extension to a deadline and has provided the required supporting evidence the Associate Dean (Learning and Teaching) may request that a Fitness to Study Panel be convened to consider the best options for the student. The Associate Dean, advised by the programme director and the student's personal tutor may also consider whether to advise the student of the option to withdraw from the University temporarily (with its agreement and support) and until their circumstances improve.

Request by a student registered with another University or higher education institution

Home institution

17. Where a student who is studying with the University for a time but is registered for the award of another University or higher education institution the procedures that apply for addressing a request for the recognition of extenuating circumstances both in advance of a deadline or examination and after its passage are normally specified as part of the formal agreement between the University and the other institution and the University follows these.
18. Where a student who is studying with the University for a time, but is registered for the award of another University or higher education institution, and there is no formal agreement between the University and the other institution, the student's request for the recognition of extenuating circumstances is reported to their 'home' institution, to be dealt with under its arrangements.

Requests by a student studying with more than one Faculty of the University

Home Faculty

19. Programmes that operate across more than one of the University's Faculties are located for administrative purposes with one Faculty. This is the 'home' Faculty for the programme and its students.
20. Requests for the recognition of extenuating circumstances by a student studying in more than one Faculty that are made before an assessment deadline has passed are directed to the person or persons specified in the relevant programme handbook to receive requests and grant extensions (see Regulations 12 and 13 above).
21. Requests for the recognition of extenuating circumstances by a student studying in more than one Faculty that are made after an assessment deadline has passed are submitted to the Faculty Office of the student's 'home Faculty'.

Request at the time of an assessment deadline or examination

'Fitness to sit' declaration and extenuating circumstances

22. Where a student is taken ill or is affected by unforeseen circumstances immediately before or during an examination but nonetheless chooses to continue, they will advise the invigilator of their situation and in the presence of the invigilator will endorse the fitness to sit declaration with the following statement:

'Although I am taking this assessment I am unwell and/or affected by unforeseen circumstances and I have drawn this to the attention of the invigilator.' [Delete as appropriate].
23. The invigilator(s) notes in their report all cases where a student has made a statement in the format specified in Regulation 22 above. Where the student subsequently wishes to follow up their statement on the examination book and to the invigilator that they were unwell at the time of the assessment, or otherwise affected by unforeseen circumstances, and to request that the University should recognise that there were extenuating circumstances, the student is required to provide medical or other relevant supporting evidence within five working days after the relevant assessment or examination (see Regulations 6 and 7 above).
24. Where medical or other relevant supporting evidence is provided within five working days that:
 - supports the student's claim that they were affected by illness or unforeseen circumstances immediately before or at the time of the examination or assessment, and
 - the declaration of fitness to sit was endorsed as above, and reported by the invigilator

the matter is treated as a request for the recognition of extenuating circumstances, and is referred to an Extenuating Circumstances Panel.
25. Where, following an examination or assessment the invigilator(s) report does not show that the student reported their circumstances at the relevant time, or the student does not provide supporting evidence within five working days of the assessment or examination, the matter is not referred to an Extenuating Circumstances Panel and no further action is taken.
26. Exceptionally, having experienced unforeseen circumstances in an examination or assessment, the student may be unable by reason of those circumstances to request the University to recognise extenuating circumstances and to provide the

supporting evidence as set out in Regulations 23 and 24 above. In such a case, where the student can subsequently provide evidence to show why they were unable to provide the required evidence within the specified period, the matter may be referred to an Extenuating Circumstances Panel to rule whether the evidence to account for the delay should be accepted as well as whether the original circumstances should be treated as extenuating circumstances.

Request after an assessment deadline or examination

27. Where there is a request for the recognition of extenuating circumstances after the deadline for an assessment has passed, or after an examination, the student is required to describe the circumstances and provide supporting evidence. The student is also required to show why it was not possible for them to notify the University of their circumstances before the deadline or at the time of the examination or assessment. Students making such a request do so by completing the University's standard form and submitting it to the relevant Faculty Office. The University's standard form can be found at www.surrey.ac.uk/oscar.
28. Subject to the student being able to provide the required supporting evidence the following may be considered to be valid reasons for not having provided evidence of illness at the time:
 - that the student was awaiting a diagnosis or its confirmation
 - that the nature of the illness affected the student's capacity to be aware of their condition and report it
 - that the student did not have access at the time to their medical (including psychiatric) practitioner or registered counsellor, their minister of religion, or solicitor, to provide support and the required independent evidence
29. Completed requests for the recognition of extenuating circumstances after an assessment deadline has passed, or after an examination, are submitted to the Faculty Office and a receipt should be requested. Confidential information should be provided in a sealed envelope, marked 'CONFIDENTIAL. REQUEST FOR RECOGNITION OF EXTENUATING CIRCUMSTANCES', with the student's name and their University identifier on the outside of the envelope, together with the name of their programme and any relevant modules.

Postal submission of requests after an assessment deadline or examination

30. Where the time of an assessment deadline or an examination has passed, and a student wishes to submit an application for the recognition of extenuating circumstances, the University expects them to submit their application in person to their Faculty's Office. Where it is not possible for the student to lodge their application in person, they may do so by post, or digitally, via the University's email systems.
31. A student who uses the post to submit a request for the recognition of extenuating circumstances after the passage of a deadline, or after an assessment or examination, is required to enclose the request and the supporting evidence in sealed envelope marked as described in Regulation 29 above. This should be enclosed in a sealed outer envelope, addressed to the relevant Faculty Office, marked clearly 'URGENT: EXTENUATING CIRCUMSTANCES REQUEST'.
32. Where after the passage of a deadline, or after an assessment or examination, a request for the recognition of extenuating circumstances is submitted by post it is the student's responsibility to make and retain copies of the completed form and the evidence submitted with it for their own use and to secure proof of posting.

Digital submission of requests after an assessment deadline or examination

33. A student who is unable to attend the University to present their request for the recognition of extenuating circumstances in person, after the passage of a deadline, or after an assessment or examination, may do so via email. In this case the email containing the request and evidence, as password protected attachments, should be sent to the Faculty Registrar and the subject line of the email should read: 'URGENT: EXTENUATING CIRCUMSTANCES REQUEST'. The password(s) for the documents should be sent in a separate email to the Faculty Registrar's email address.
34. For requests for the recognition of extenuating circumstances after the passage of a deadline or after an assessment or examination that are submitted by email it is the student's responsibility to keep copies of all related documentation.

Notifications by Faculty Offices

35. When a request for the recognition of extenuating circumstances is received after the passage of a deadline, or after an assessment or examination the Faculty Office, notifies the relevant Associate Dean, (Learning and Teaching) and the Office of Student Complaints, Appeals and Regulation (OSCAR).
36. As noted in Regulation 21 above, in cases where a student requesting the recognition of extenuating circumstances is based in one Faculty but studies in others, the student's home Faculty Office handles the request and notifies its counterparts in the other Faculties and their Associate Dean(s).

Storage of requests for the recognition of extenuating circumstances

37. Each application by a student for the recognition of extenuating circumstances, together with the supporting information they provide is stored securely and separately by the relevant Faculty Office. Confidential information in applications is not linked to a student's individual record but the date of the application and the assessment(s) to which it relates are recorded on the Student Progression Information record.

Consideration of requests for the recognition of extenuating circumstances by an Extenuating Circumstances Panel

38. Each Faculty maintains an Extenuating Circumstances Panel in order to consider requests for the recognition of extenuating circumstances submitted after the passage of an assessment deadline or an examination.
39. The membership of an Extenuating Circumstances Panel is approved by the Dean of Faculty. It consists of two members of staff from the relevant Faculty, one of whom is normally the Faculty Registrar, together with a member of staff from another Faculty. The Faculty Registrar Chairs the Panel and its work is supported by a member of the Faculty Office.
40. Staff who serve as members of an Extenuating Circumstances Panel are required to state that they have no current academic or personal connection with the student (or students) to come before the Panel. Where they are unable to do so an alternate, who has had no academic or personal connection with the student (or students), substitutes for them.
41. Extenuating Circumstances Panels are convened to consider requests for recognition of extenuating circumstances associated with:
 - impairment of a student's performance in an assessment arising from illness or unforeseen circumstances

- failure to provide evidence of extenuating circumstances before an assessment deadline or examination
- the late submission of an assessment
- failure to attend for an assessment (including an examination)
- failure to submit an academic appeal within the timeframe specified by the University.

Confidentiality

42. Extenuating Circumstances Panels deal with requests for the recognition of extenuating circumstances in confidence, to the extent that this is compatible with making enquiries and holding meetings to consider the matter. Papers, emails, and telephone conversations that are connected to requests for the recognition of extenuating circumstances are kept securely and are not disclosed where it is not strictly necessary as part of the extenuating circumstances procedure. All parties observe the requirements of confidentiality in all matters to do with extenuating circumstances and information to which the University, the University of Surrey Students' Union, their staff, and their equivalents for Associated and Accredited Institutions, are party.

Procedure

43. When conducting their business, Extenuating Circumstances Panels follow the University's *Regulations for hearings by panels*. They review requests for the recognition of extenuating circumstances, together with the supporting evidence provided with them against the criteria set out in Regulations 6 and 7 above.
44. In the interests of making timely decisions Extenuating Circumstances Panels do not normally invite the student to attend their meetings. Where a Panel does invite a student to attend they may be accompanied by a friend, normally another student or an official of the University of Surrey Students' Union.
45. Where an Extenuating Circumstances Panel is able to confirm:
- that the student's request for the recognition of extenuating circumstances is consistent with the criteria recognised by the University and is therefore valid, and that it is supported by the evidence submitted
 - that the circumstances reported would have affected the student's capacity to undertake the activities or assessments required of them

the Panel states this in writing to the Chair of the relevant Board of Examiners and recommends that they bring this information to the Board's consideration of the student's performance. At the same time the Faculty Office writes to the student, on behalf of the Chair of the Extenuating Circumstances Panel, to state its recommendation.

46. Where an Extenuating Circumstances Panel is not able to confirm that the claimed circumstances are consistent with the University's criteria as set out in Regulation 6 above it conveys this to the student in writing with a brief written explanation of the basis for its findings. Applications for the recognition of extenuating circumstances that are not confirmed by an Extenuating Circumstances Panel are not notified to Chair of the relevant Board of Examiners.

Medical and other supporting evidence provided by professionals

47. Where supporting evidence is provided from medical practitioners or other professionals, such as professional counsellors, an Extenuating Circumstances Panel will take it at face value and will only enquire into the authenticity of the

evidence. A Panel will also ask whether the supporting evidence relates to the period where the student claimed their performance was affected, and whether the evidence was provided sufficiently near in time to the circumstances stated for it to be reasonable to accept that the student was affected by the circumstances.

Withdrawal of request for the recognition of extenuating circumstances

48. Once a request for the recognition of extenuating circumstances has been accepted, the student cannot subsequently withdraw the request.

Appeal against the findings and recommendations of an Extenuating Circumstances Panel

49. If a student considers that their request for the recognition of extenuating circumstances has been dealt with unfairly or unreasonably by an Extenuating Circumstances Panel they may appeal against its findings and recommendations through the University's *Regulations for academic appeals*.

Repeated requests for consideration of extenuating circumstances

50. For continuing circumstances that are, by definition, foreseeable the University expects the student to make continuing arrangements whether through arranging additional learning support through an additional learning support statement or by taking steps to improve their circumstances.
51. Where repeated requests are received from the same student for the consideration of extenuating circumstances the programme director, level coordinator or their equivalent will seek to establish whether some underlying difficulty is hampering the student's progress with the advice of the University's professional services, such as the Additional Learning Support service (ALS) and/or OSCAR. If the difficulty appears to the programme director, level coordinator or their equivalent to relate to illness, or an undeclared disability, they will advise the student to seek the advice of the relevant University professional services.

Learning Support Adjustment (LSA) procedure

52. Where a student faces chronic, foreseeable or recurring circumstances or physical or other impairments that have the potential to hinder their academic progress they may inform the University through the programme director, or a member of the University's Additional Learning Support Service, that they wish to request advice and support with their particular learning support arrangements.
53. Under the LSA procedure ALS works with the student, their tutors and other professionals (as required), to assess the learning support needs of students with impairments. Following this assessment ALS will provide the student, where appropriate, with a written summary of the adjustments to the student's learning, teaching and assessment arrangements that ALS, in consultation with the programme director, has assessed as reasonable and a note will be added to the student's centrally held records. Adjustments suggested in an LSA statement are designed to provide the student with an equal opportunity to participate in all educational activities: they are not intended to provide an unfair advantage
54. Where a student has secured an LSA statement, ALS will ensure that the programme director or their equivalent is formally notified of its contents so that they can notify the relevant staff of the adjustments suggested in the LSA statement and periodically check their continuing suitability for the student. Where the LSA statement prescribes particular arrangements for sitting assessments or examinations ALS and the programme director or their equivalent each copy this

information to staff administering and invigilating the student's examinations and assessments.

Records of Extenuating Circumstances Panel hearings

55. The outcomes of Extenuating Circumstances Panel hearings, including the relevant correspondence, information and notes of findings and recommendations are held securely by the Faculty in accordance with the University's standard records retention policy and arrangements.