



# **EXTENUATING CIRCUMSTANCES POLICY**

## **GUIDELINES FOR STUDENTS AND STAFF**

### **Appendix M Annexe 1**

**2018-19**

In the Code of Practice on Assessment and all Appendices the term “student” includes apprentices on degree apprenticeship programmes

Please note that this document is for guidance purposes only and the University’s formal policy, arrangements and procedures are contained in the document **Code of Practice on Assessment Appendix M – Policy on Extenuating Circumstances in Relation to Performance in Assessments and Examinations** which takes precedence over these Guidelines.

### **WHAT ARE EXTENUATING CIRCUMSTANCES?**

Extenuating circumstances (formerly known within the University of Liverpool as ‘mitigating circumstances’) are circumstances beyond a student’s control which have affected their performance in assessments (whether an examination, essay, practical or other form of assessment). They may include:

- Bereavement – death of a close relative/significant other/close friend (of a nature which, in an employment context, would have led to an absence in accordance with the compassionate leave regulations)
- Serious short term illness or accident (of a nature which, in an employment context, would have led to an absence on sick leave)
- Evidence of a long term health condition worsening or of a change in a fluctuating condition
- Significant adverse personal/family circumstances
- Other significant exceptional factors for which there is evidence that performance has been impaired.

The following may **not** be regarded as extenuating circumstances:

- Alleged statement of a medical condition without reasonable or contemporaneous evidence (medical or otherwise) to support it
- Alleged medical circumstances outside the relevant assessment period or learning period for which appropriate adjustments for extenuating circumstances have already been made.
- Alleged medical condition supported by “retrospective” medical evidence – that is, evidence that is not (contemporaneous) in existence at the same time as the illness, e.g. a doctor’s note which states that the student was seen (after the illness occurred) and declared they had been ill previously, except where there is evidence that the student had unknown or undisclosed mental health difficulties.
- Long term health condition for which the student is already receiving reasonable or appropriate adjustments.
- Retrospective disclosure of circumstances or withholding of details on grounds of sensitive personal, family or cultural reasons.
- Minor illness or ailment which is unlikely to have had a significant impact on the student’s performance.
- Failure to attend an examination due to misreading the examination timetable.
- Inadequate planning and time management.
- Having more than one examination on the same or consecutive days.
- Examination clashes arising from incorrect registration by the student, i.e. examinations scheduled to take place at the same time (students are responsible for reporting any examination clashes which occur in their examination timetable to their School Examinations Officer and the Student Administration and Support Division so that alternative arrangements can be made).
- Any event that could have been reasonably expected or anticipated, such as sporting events (except where covered by the University’s Policy on Flexible Arrangements for Learning and Assessment for Students with a Recognised Sporting Talent) or pressures from paid employment, or other study commitments.
- Events such as holidays and weddings.
- Financial issues or their effect where these are reasonably foreseeable (e.g. Financial Suspension for non-payment of tuition fees, eviction for non-payment of rent).
- Any University procedure relating to investigations into breaches of academic integrity or misconduct except where the student has been exonerated or any University appeal procedure except where the appeal has been upheld
- Any completed police investigation or criminal legal proceedings into the actions or activities of the student except where no charge, caution or other penalty is imposed or where a charge is dropped or found not proven.
- Failure to follow good practice with regard to use of IT (e.g. failure to back-up documents or protect against computer viruses).

### **Clinical Professional Programmes**

Where assessments involve direct contact with the public, there is an ethical obligation to protect the public. Where a student is aware of a pre-existing extenuating circumstance that may adversely affect their performance, the professional requirement is that they should not practise until well enough to do so. You should therefore not undertake the clinical assessment and you should present your evidence of extenuating circumstances as outlined below. Attending a clinical assessment is a declaration that you are fit to sit that assessment and therefore a retrospective application for consideration of extenuating circumstances may be considered under fitness to practise procedures.

## **1. ABSENCE FROM EXAMINATIONS/SUBMISSION OF ASSESSMENT**

- 1.1 If you are unable to attend an examination or assessment which counts towards the final mark of a module owing to illness or other unavoidable circumstances, you must inform your department/school, preferably in writing or by email, **before the examination or assessment deadline**, in order for the absence to be regarded as authorised. Provided that acceptable evidence of 'good cause' for such absence (e.g. a medical note) is presented for consideration by the Extenuating Circumstances Committee in accordance with the procedures set out below, you will be granted a right to re-assessment as a first attempt (unless the examination or assessment missed was not a 'first attempt' examination). Only in exceptional circumstances, where a Board of Examiners on the advice of the Extenuating Circumstances Committee, judges that it was not feasible for prior notification to have been provided, will you be granted a 'first attempt' re-assessment if you are absent from an examination or fail to submit an assessment without informing your department/school in advance.
- 1.2 If you are absent from an examination or fail to submit an assessment without good cause, the Board of Examiners may determine that you should not be granted a re-assessment attempt without repeating the year of study (even if you have informed your department/school in advance).
- 1.3 If your performance has been affected by a disability and you have a Student Support Information Sheet which identifies reasonable adjustments to address any barriers you experience as a result of your disability you cannot claim extenuating circumstances for difficulties relating to your disability. If you experience an unexpected change to your disability which is not addressed by the reasonable adjustments and/or you develop a new condition you may be able to request extenuating circumstances. You should seek advice from your named school contact or Disability and Dyslexia Contact in such circumstances.

## **2. REPORTING EXTENUATING CIRCUMSTANCES**

### **2.1 Contact your academic adviser or School teaching support staff**

It is our responsibility to report any illness or other extenuating circumstances. Before proceeding with the Extenuating Circumstances procedure it is very important that you contact your academic adviser or School teaching support staff for advice; this is to ensure that you follow the procedure correctly, and provide the information required. For students not studying on-campus in Liverpool the responsibility for forwarding information to the relevant Department/School is delegated as follows:

- a) In the case of **online** students to the Laureate Student Support Team;
- b) For the London campus to the London-based Student Experience Team;
- c) In the case of other **off-campus students** to the local Programme Leader/Director of studies or their nominee.

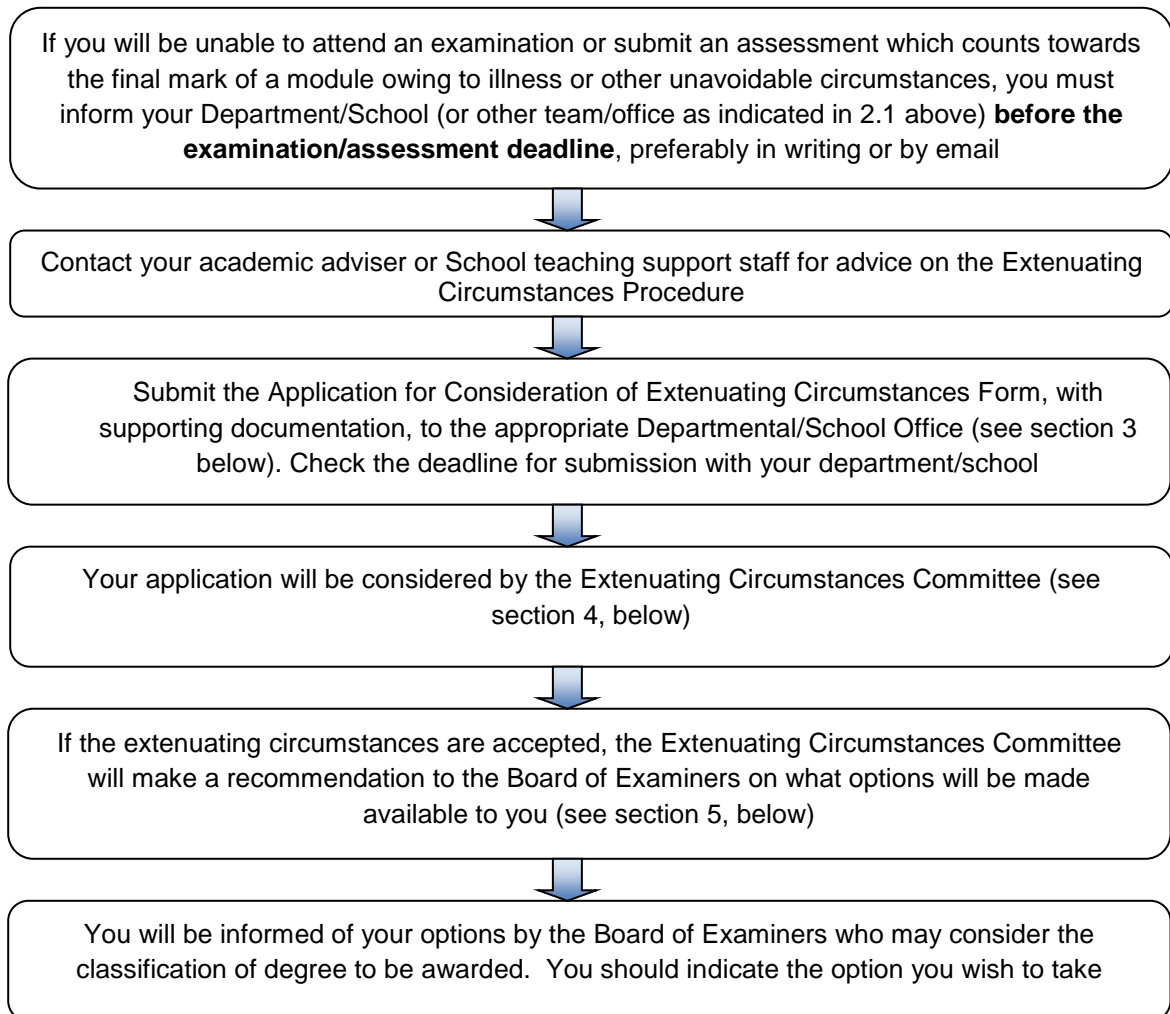
### **2.2 Contact your department/school**

Claims for extenuating circumstances are only considered at a few meetings during the year. In the case of coursework (e.g. essays), if you are experiencing extenuating circumstances around

the time of the submission deadline for a claim, you should contact your department/school to discuss the possibility of an extension to the deadline. This will only be granted on the basis of medical grounds or other exceptional circumstances and requires the permission of the Head of Department/Dean of School (or his/her nominee). A valid Doctor's certificate will be required to verify illness; self-certification is not adequate.

See below for details of the Extenuating Circumstances Process:

### **THE EXTENUATING CIRCUMSTANCES PROCESS**



### **3. COMPLETING AND SUBMITTING THE EXTENUATING CIRCUMSTANCES FORM**

#### **3.1 Complete the Application for Consideration of Extenuating Circumstances Form**

Any meeting with your academic adviser or School teaching support staff is only for advice. Following this meeting, you should complete the official form and submit it, with supporting evidence, e.g. a medical certificate, to the Head of the Department/Dean of School in which you are registered (in some Departments/Schools this might be the Assessment Officer or Board of Examiners). In the case of Combined Honours students, the form should be submitted to the Combined Honours Office; in the case of Joint Honours students, it should be submitted to the Head of Department/Dean of School in which you are registered via the Department/School Office. Your case cannot be submitted unless you submit a completed extenuating circumstances form with supporting information.

In completing the form, you must ensure that you have listed all modules/assessment components which you consider have been affected. If you submit a claim in one semester or in one year, it does not automatically carry forward to the next semester or year and you will need to submit a new claim if you consider that you have an ongoing condition or other circumstances. Please note that, if you have previously declared in a claim to the Extenuating Circumstances Committee an illness or other physical or mental condition which has affected you for six or more months or if you have previously been advised to suspend your studies because of your circumstances, the Extenuating Circumstances Committee may decide that your circumstances can no longer be considered as 'unforeseeable.' If you have an ongoing illness or other physical or mental condition which has affected you for six or more months, you should contact the University's Disability Support Team (email [disteam@liv.ac.uk](mailto:disteam@liv.ac.uk)) in order that the University can consider whether there is a case for reasonable adjustments to be made to your studies rather than considering your condition through repeated individual Extenuating Circumstances claims. If, after reasonable adjustments have been made, there are unforeseeable changes to your condition which affect your performance it is, of course, appropriate to submit an Extenuating Circumstances claim.

### **3.2 Submit the extenuating circumstances form together with supporting evidence**

The extenuating circumstances form and supporting evidence must be submitted as soon as possible (normally within five working days) after the events under consideration occur, and no later than the earlier of:

- a) a date that may be specified by the Extenuating Circumstances Committee, or
- b) one week before the meeting of the Board of Examiners at which the results of the assessments concerned will be considered.

(See also section 1 above concerning the requirement for you to inform your department/school in advance if you are unable to attend an examination or submit an assessment which counts towards the final mark of a module.) It is your responsibility to check with your Department/School's office when the meeting of the Board of Examiners will be held.

If there is good reason why you cannot yet provide independent documentary evidence, you should still submit your claim form on time. You academic adviser or School teaching support staff can advise you on what alternative evidence you could consider providing (e.g. for bereavement, a copy of a funeral order of service, a letter from a clergyman or undertaker involved in the funeral arrangements, or a newspaper or online obituary or funeral notice may be submitted rather than a death certificate). If you are waiting for evidence to be provided to you, you should explain on the form what evidence you intend to submit, the reasons why you cannot yet submit it and the date by which you expect to be able to submit it. The Extenuating Circumstances Committee will then decide whether to accept that there is good reason why you have not yet been able to provide the evidence and may make a preliminary decision on whether your claim is likely to be accepted provided your evidence is received by a deadline which the Committee will set. Should you not then provide the evidence by that date, the Committee may decline to accept your claim.

While we wish to help you in any way possible, we can only make an accurate decision if we are informed of your circumstances in a full and timely manner. A claim should not be delayed, nor can evidence relating to it be delayed, on the grounds of sensitive personal, family or cultural reasons.

Other than in exceptional circumstances (see section 9 below), it will not be possible for extenuating circumstances to be taken into account after the Board of Examiners meets to discuss the results. You may not normally appeal against the decision of the Board of Examiners if you have failed to report extenuating circumstances that may have affected the Board's final decision.

Your case must explain:

- what the circumstances are
- which assessments were affected
- how it affected you in relation to your studies or an assessment
- precisely when the circumstances occurred

Evidence should be submitted wherever possible. Independent documentary evidence will be necessary in most cases, although evidence which is less independent may be acceptable in some cases where it is accepted that independent corroboration is difficult to obtain. Submitted evidence should be dated and its source or author clearly stated. Where no evidence (independent or otherwise) can be provided, it is at the discretion of the Extenuating Circumstances Committee to decide whether it is more likely than not the claimed circumstances have occurred.

### **3.3 What supporting evidence is needed?**

Independent documentary evidence will be necessary in most cases. Submitted evidence should be dated and its source or author clearly stated. Where no evidence (independent or otherwise) can be provided, it is at the discretion of the Extenuating Circumstances Committee to decide whether it is more likely than not the claimed circumstances have occurred.

If the original documentation is provided in a language other than English then you must provide an independent translation. If documentary evidence relating to illness is provided by someone other than a medical practitioner (as recognised by the GMC) the documentation must include details of that person's qualifications or standing; the evidence will still need to be accepted by the Extenuating Circumstances Committee and it will be for the Board of Examiners to make a judgement as to value or weight they attached to the evidence in deciding a case of extenuating circumstances

You need to be aware that some services (e.g. doctors) may make a charge for the provision of a letter, statement or other evidence and that this will not be reimbursed by the University.

The Extenuating Circumstances Committee will expect to see independent documentary evidence which is contemporaneous with the events which you are claiming have affected your performance. The Committee may decline to accept statements from medical practitioners, counsellors or other similar people which show that you have only approached them after the assessment about something on which you could have consulted with them in advance of the assessment or that you have not had a face-to-face consultation with them for a condition likely to have affected you for more than a few days. Staff in the University's support services (e.g. Counselling Service) may decline to provide you with a statement if they consider that they cannot confirm that the circumstances which you are claiming have affected your performance predate your assessment.

In the event that your circumstances are such that there is no independent documentary evidence, the Extenuating Circumstances Committee will expect to see evidence that you alerted someone within the University, at the time, that you were experiencing difficulties with your studies. This may be a letter from your academic adviser or School teaching support staff or from a central support service (e.g. Counselling Service, Student Support Services). Such people may decline to provide you with a statement if they consider that they cannot confirm that the circumstances which you are claiming have affected your performance predate your assessment; it is at their discretion whether or not to provide a statement.

Please note that claims will only be considered if they are submitted on the correct form with supporting evidence. For online students the claim form is located on the Centre for Student Success website for completion online.

Please be assured that all cases will be treated in the strictest confidence.

### **3.4 Examples of acceptable evidence**

**The following examples are not exclusive, but are provided to indicate the types of evidence which an Extenuating Circumstance Committee will be expecting to see in support of claims relating to different types of circumstance.**

#### Physical illness

The Extenuating Circumstances Committee will normally expect to see written independent evidence on headed paper from a medical practitioner (letter from a GP or consultant, hospital discharge notice if you missed an assessment due to hospitalisation), nurse practitioner or dentist or similar documentation. Written evidence from Complementary Therapists or overseas practitioners will only be considered where the University is satisfied that the therapist or practitioner is a member of a recognised professional body and is appropriately qualified to provide a diagnosis. Evidence must include a clear statement of diagnosis or, where this has not yet been reached, details of symptoms. The claim must also include a clear statement of why and how you consider that this illness has affected your assessment. Submission of a prescription form or notes on possible side-effects from medication will not be accepted on their own. The Extenuating Circumstances Committee will normally expect that you have consulted the person providing the evidence in person and may not accept, for example, evidence obtained following an online or telephone consultation.

#### Mental illness

The Extenuating Circumstances Committee will normally expect to see written independent evidence on headed paper from a GP, psychiatric practitioner or counsellor including explanation of why and how your studies have been affected and the period affected. The University Counselling Service will only provide a letter if you have received support over a period relevant to the extenuating circumstances claim and will not normally provide a letter following a first consultation made after the assessment concerned. The claim must also include a clear statement of why and how you consider that this illness has affected your assessment. The Extenuating Circumstances Committee will normally expect that you have consulted the person providing the evidence in person and may not accept, for example, evidence obtained following an online or telephone consultation.

#### Long-term condition or disability

Where the effects of a long-term health condition or disability may be expected to have a potential impact on your studies, the University expects that you will discuss this with the Disability Support Team in good time before assessments to determine whether the University needs to make reasonable adjustments to your studies or assessments. An extenuating circumstances claim will only be considered where either (a) a new condition or disability is diagnosed too late to allow reasonable adjustments to be considered or put in place or (b) you have been affected by a sudden deterioration or change in your condition (e.g. side effects from recent change of medication, flare-up/incident in close proximity to assessment (e.g. epileptic seizure or migraine on the day of the assessment)). The Extenuating Circumstances Committee will normally expect to see written independent evidence on headed paper from a GP or consultant or a needs assessor or the Disability Support Team including an explanation of why and how your studies have been affected over and above any reasonable adjustments already made. Where the claim relates to a flare-up/incident, written independent evidence on headed paper from GP or consultant will be required.

#### Pregnancy

Pregnancy and its normal course in itself do not constitute extenuating circumstances. However, you may submit an extenuating circumstances claim if there is some medical complication over and above the normal course (e.g. threat of or actual miscarriage, excessive morning sickness, pre-eclampsia), in which case it should be evidenced and treated as for a physical illness (see above) or if a psychological effect your performance can be evidenced (e.g. threat of or actual miscarriage, decision about possible termination, adverse reaction from partner or family) in which case it should be evidenced and treated as for either a physical illness or a mental illness (see above) or relationship problems (see below).

*Illness of family member*

The Extenuating Circumstances Committee will normally expect to see written independent evidence on headed paper from a GP or consultant or hospital discharge notes plus an explanation of why and how your studies have been affected and documentary confirmation of the relationship of the person concerned to you.

*Caring responsibilities*

The expectation is that students with known caring responsibilities should normally have made appropriate arrangements to be able to manage these ordinarily alongside their studies. An extenuating circumstances claim will therefore only be considered where there are unforeseen circumstances (e.g. illness of another carer, unforeseen need to change care arrangements). For example, a parent may be expected to foresee that they will need to make care arrangements for their child during a half-term holiday but not to foresee that a child-minder is unwell and thus unable to care for their child on the day of an exam. Equally, a student who has an elderly parent with Alzheimer's Disease may need to make an extenuating circumstances claim if their studies are affected by an unforeseen need to respond to a deterioration in their parent's condition requiring new care arrangements to be made. The Extenuating Circumstances Committee will normally expect to see written independent evidence which confirms the circumstances and their timing.

*Bereavement*

The Extenuating Circumstances Committee will normally expect to see a death certificate, funeral service booklet, newspaper obituary, letter from minister or undertaker or similar documentation. The claim should also make clear the nature or the kinship or relationship between the deceased and you and how you consider that you have been affected by the bereavement. This is particularly necessary where the kinship is not within the immediate family (e.g. a step-grandparent, a cousin) or the relationship is not one of kinship (e.g. death of a friend, death of a friend's parent). Claims relating to bereavements will normally be accepted only for the semester in which the bereavement occurred. If you consider that you have been affected for longer, additional evidence of how you have been affected will be required (e.g. letter from GP or counsellor).

*Illness of an animal*

The expectation is that you will normally be able to make arrangements for the animal to be seen by a veterinary surgeon at a time which does not impact on your studies. Where this is not possible, or where you are claiming that a protracted illness or treatment has affected your studies, the case will need to include a clear statement of how you consider that they have been affected and evidence will be required (e.g. bill from a veterinary surgeon).

*Death of an animal*

The Extenuating Circumstances Committee will expect to see a bill from a veterinary surgeon or pet undertaker. The case will need to include a clear statement of how you consider that you have been affected by the bereavement and the Extenuating Circumstances Committee may take into consideration the type and age of the animal and the circumstances of the death.

*Accident to a family member, your property etc.*

The Extenuating Circumstances Committee will normally expect to see a police report, insurance claim document, doctor's letter or hospital records, newspaper article, or a solicitor's letter or similar documentation. The case will need to include a clear statement of when the accident occurred and how you consider it has affected you.

*Relationship problems*

It is recognised that it may be difficult to obtain independent evidence but the Extenuating Circumstances Committee will expect to see a case which includes details of the nature of the relationship (i.e. whether it is the break-up of your own relationship or of a relationship which has a significant impact on them (e.g. parental separation/divorce), a statement of the extent to which you consider it has impacted on you and any evidence which can be provided, preferably by a third party. This might include a change of address/bank account/tenancy agreement or a letter from a third party e.g. a family friend, Relate, a counsellor or a solicitor. The Committee will need



to have sufficient evidence to take into consideration the timing of the break-up and the duration of the relationship and any associated circumstances (e.g. change of accommodation) which may also have impacted on your performance. It is noted that decisions may need to be taken on the balance of probabilities rather than on firm evidence.

Victim of crime

The Extenuating Circumstances Committee will expect to see a crime incident number, victim support letter, newspaper article, solicitor's letter or similar documentation. The case will need to include a clear statement of when the crime occurred and how you consider it has affected you.

Witness to crime

The Extenuating Circumstances Committee will expect to see police or court correspondence, a solicitor's letter or similar documentation. The case will need to include a clear statement of when the crime occurred and how you consider it has affected you.

Police investigation and/or court appearance to answer charges

This will not be accepted as an extenuating circumstance where you have been found guilty of an offence. If you have been found not guilty or no charge has been brought, you may submit a claim which will need to include a clear statement of the duration of any police investigation and, where relevant, the date of any court appearance. Evidence may include police or court correspondence, a solicitor's letter or similar documentation. If you have been charged (whether found guilty or not guilty) you should note that there is a requirement to declare receipt of the charge to the University (see <http://www.liv.ac.uk/student-administration/student-administration-centre/policies-procedures/conduct-discipline/#adviceinformation>)

Accommodation problems

The Extenuating Circumstances Committee will expect to see a letter from a Hall Warden/Manager or Residential Advisor, correspondence with a landlord/letting agent, correspondence with a Council, correspondence with a Housing Advisor or Liverpool Student Homes, a solicitor's letter or similar documentation. The case will need to include a clear statement of what has occurred and how you consider it has affected you.

Financial problems

The Extenuating Circumstances Committee will expect to see a bank statement, correspondence with Student Finance, a letter from the Financial Support Team, correspondence with an employer or similar documentation. The case will need to include a clear statement of when the problems occurred, what you have done in response to them and how you consider it has affected you. Financial suspension because of non-payment of fees to the University will not be considered as an extenuating circumstance.

Travel problems

The Extenuating Circumstances Committee will expect to see an online or newspaper weather/traffic report from the day in question, correspondence from a travel provider, tickets or similar documentation. The case will need to include a clear statement of what has occurred and how you consider it has affected you.

IT failure

Claims of failures of University equipment, including IT systems and computer viruses will only be accepted when they are verified by the Computing Services Department. Failures of IT systems external to the University will require documentary evidence from the service provider or a repair service, verifying the timing and nature of the fault. The Extenuating Circumstances Committee may not accept your claim if it considers that you have failed to take reasonable precautions (e.g. you have lost work which you did not back up).

Religious observance

Independent documentary evidence is required in all cases (e.g. a letter from a minister or religious leader) and you must demonstrate that there was a requirement for you to attend or participate, and the reasons why you could not attend on a different occasion which did not

coincide with your studies or assessment. Where religious observances require fasting, the University will not normally regard this as an extenuating circumstance.

#### Employment

If you are a full-time student, you will not normally be eligible to claim for extenuating circumstances in relation to employment. This includes claims relating to resit examinations during vacation periods. If you are a part-time student, you will need to provide written evidence from your employer if unexpected additional work duties prevent you from full engagement with your studies or if you are unable to take leave to attend an assessment. Evidence should normally include a letter from your employer.

#### Events during an examination

You should raise with an invigilator any issue which occurs during an examination which you consider has affected your performance. The invigilator will record this on the examination room report and your School will be informed. If you are taken ill during an exam, you will need to submit an extenuating circumstances form and appropriate evidence (see Physical illness above). If you consider that something else has affected your performance (e.g. temperature of the room, disruption caused by another exam candidate), you must inform the invigilator during the exam and then submit an extenuating circumstances form. On occasions where the invigilator informs your School that something has occurred which may have affected a large number of students sitting the examination (e.g. building noise, error on the exam paper, fire alarm), your School may email you after the examination to confirm that the Board of Examiners will be informed of the circumstances and take them into consideration for all students affected and you may therefore not need to submit an extenuating circumstances form.

#### Foreseeable events

Reasonably foreseeable events will not normally be considered as extenuating circumstances. However, provision is made for elite sports events through the University's Policy on Flexible Arrangements for Learning and Assessment for Students with a Recognised Sporting Talent (Elite Athletes) (see [http://www.liv.ac.uk/media/livacuk/tqsd/code-of-practice-on-assessment/appendix\\_O\\_cop\\_assess.pdf](http://www.liv.ac.uk/media/livacuk/tqsd/code-of-practice-on-assessment/appendix_O_cop_assess.pdf)). In exceptional circumstances, a claim may be accepted for missed in-class tests if you can produce evidence that you have an interview for a substantive job (e.g. a post-graduation job, or a main job if you are studying part-time) or for a professional examination (e.g. if you are studying part-time) and cannot make alternative arrangements to attend these. Such claims will not normally be accepted in relation to submission of coursework or for missed formal examinations.

#### Research-related problems

If you consider that you have been affected by a delay (not of your making) in obtaining ethical approval or unforeseeable problems with collection of data, you should normally apply for an extension to your submission date rather than by submitting an extenuating circumstances claim after submission. If you consider that you have been affected by problems relating to supervision, this should be raised in good time through the Student Complaints Policy and Procedure.

#### Visa or passport problems

These will only be accepted where there is evidence which shows that any delay in obtaining or renewing a visa or passport have not been of your making (e.g. not because you have failed to apply in good time or to satisfy financial requirements). The Extenuating Circumstances Committee will expect to see a letter from the UKVI, a letter from passport authority, a letter from International Support Team or similar documentation.

#### Errors or unsatisfactory provision by the University

If you consider that you have been affected, for example, by incorrect information about resit requirements, failure to correctly register you for a changed module in good time, ambiguities in an examination paper or poor teaching, you should normally raise this in good time through the Student Complaints Policy and Procedure. If your complaint is upheld and you consider that your performance was affected, unless you are informed that the outcome of your complaint will be considered by the Board of Examiners, you should submit an extenuating circumstances claim and provide as evidence a copy of the outcome letter from your complaint.

#### **4. HOW ARE CASES CONSIDERED?**

##### **4.1 The Extenuating Circumstances Committee and the Board of Examiners**

Once you have submitted your extenuating circumstances claim form and supporting evidence, your case will be considered by the Department/School's Extenuating Circumstances Committee before the main Board of Examiners' meeting.

The Extenuating Circumstances Committee is made up of departmental/school teaching staff and representatives from the Board of Examiners.

The Board of Examiners is a body made up of the members of teaching staff of the University for your programme of study, teaching staff of other programmes and external examiners. This body considers the ranges of marks for programmes of study and also special cases.

##### **4.2 The Extenuating Circumstances Committee meeting**

The Extenuating Circumstances Committee meets in advance of the Board of Examiners and will consider each individual case and seek advice from relevant staff, e.g. academic and personal tutors, particularly when a claim relates to modules taken outside the 'home' department/school, before making a recommendation to the Board of Examiners on whether it considers the extenuating circumstances to be valid. You will not attend the meeting.

The Extenuating Circumstances Committee will take into account the following when considering the claim:

- The seriousness of the circumstances, including the length of time they lasted
- The documentary evidence provided
- The amount of work that was affected by the circumstances
- Whether the mark achieved under the circumstances was inconsistent with those achieved in periods of study unaffected by extenuating circumstances.

Where an Extenuating Circumstances Committee considers reasons/evidence to support a prior reported absence from an examination or failure to submit an assessment, the Committee will either confirm that the absence was authorised (i.e. 'absence with good cause') or determine that the reasons/evidence submitted do not constitute 'good cause' for the absence.

The Extenuating Circumstances Committee will apply academic judgement in formulating its recommendations to the Board of Examiners and will always seek to act in the best interests of you, the student. The decisions of the Extenuating Circumstances Committee are not subject to appeal.

If the Extenuating Circumstances Committee decides that your claim of extenuating circumstances is not valid, it will reject it and not make any recommendation to the Board of Examiners. It is therefore important that the Extenuating Circumstances Committee has access to full, frank and fully documented evidence to support your claim.

#### **5. IF MY CASE IS ACCEPTED, WHAT ARE MY OPTIONS?**

##### **5.1 After the Board of Examiners**

You will be informed of the outcome of your claim after the meeting of the Board of Examiners.

If it is found that extenuating circumstances have affected a student's performance, the Extenuating Circumstances Committee and the Board of Examiners can make recommendations/awards respectively on degree classifications (e.g. First, 2:1 etc.). However,

the Committee and the Board cannot change individual assessment/module marks; a mark can only be increased if the examination/assessment is re-sat/re-taken but you should be aware that the resit could also lead to a lower mark being awarded (see section 6, below). The recommendations that can be made will depend on your stage of study and the type of assessment affected. If you are given a choice to let a mark stand or to re-sit/re-take an assessment/examination, you will be asked to indicate your choice at this point. You should check carefully below to find the option that applies to you.

**5.2 Undergraduate programmes (including clinical programmes), non-final year (e.g. 1<sup>st</sup> and 2<sup>nd</sup> Year BA Hons; 1<sup>st</sup>, 2<sup>nd</sup>, 3<sup>rd</sup> Year Integrated Masters/ BA Hons with a Year Abroad or Year in Industry; 1<sup>st</sup>, 2<sup>nd</sup>, 3<sup>rd</sup>, 4<sup>th</sup> Year 5 Year Integrated Masters)**

**a) Progression to the next year of study**

If you have failed an examination/assessment due to extenuating circumstances, and this would prevent you from progressing to the next year of your programme, the Extenuating Circumstances Committee may permit you to be re-assessed as though the examination/assessment were a first, and therefore uncapped, attempt (see section 7, below). This may also be permitted if the Extenuating Circumstances Committee confirms that you have missed an examination/assessment on the first occasion with good cause and as a result have failed to meet the criteria for progression.

**b) Assessment marks that contribute to your final degree classification**

If, in any year of study in which the marks contribute to the final degree classification (except the final year), you have failed or missed an individual examination or assessment but have passed the module as a whole or the mark(s) achieved in one or more of your assessment(s) was/were affected by the extenuating circumstances, the Board of Examiners may permit you to:

either: be re-assessed in the relevant examination(s)/assessment(s) with the possibility of improving the mark (see section 7, below);

or: keep the original mark but the Board of Examiners will take account of the fact that the performance represented by the mark was affected by extenuating circumstances when the degree classification is determined at the end of the final year.

**c) Extenuating circumstances that affect a re-assessment of an examination or assessment**

If extenuating circumstances have affected a re-assessed examination or assessment, the Extenuating Circumstances Committee may recommend that you should be allowed to re-sit/re-take the examination/assessment again. This may be effected either by allowing you to 'carry' the failed credit (normally no more than 15 credits) into the next year of study or to repeat the year. Permission to carry failed credit will only be granted to students progressing from year 0 to year 1 and year 1 to year 2 of an undergraduate programme. This will only be allowed in the case of students who have a strong academic record and have provided evidence of extenuating circumstances or other just cause. A strong academic record would normally be evidenced by obtaining an overall module average of at least 50% of passed credit.

The usual rules with regard to marks achieved in re-assessments will apply (unless the re-assessments are being regarded as 'first attempts' on account of extenuating circumstances). When an assessment is re-sat/re-taken as a 'first attempt' all the options available in relation to first attempts will be available to the Extenuating Circumstances Committee and the Board of Examiners i.e. your examination/assessment will be treated as if you had never previously taken the exam or attempted the assessment. Where the failed credit is 'carried' into the next year of study and then re-assessed, the Board of Examiners will not take into account the original claim of extenuating circumstances when considering progression or final degree classification.

### **5.3 Undergraduate programmes, final year**

#### **a) Enough assessed work has been completed to determine an award**

If extenuating circumstances are judged by the Extenuating Circumstances Committee to have affected your performance in the final year of an undergraduate programme, the Extenuating Circumstances Committee will decide whether there is enough assessed work to determine that an award should be made.

If the Extenuating Circumstances Committee considers that there is enough work, they will recommend the award which should be made (including the class of the award, if appropriate). You may be offered the option of:

either: accepting that award;

or: of re-taking/re-sitting the missed/affected assessments as a 'first attempt' at the next ordinary sitting (see section 7, below)

In considering the award to be made, the Extenuating Circumstances Committee will take account of the extent to which your performance in the assessed work which is available is judged to have been affected by extenuating circumstances.

#### **b) Not enough assessed work has been completed to determine an award**

If the Extenuating Circumstances Committee considers that there is not enough assessed work to determine that an award be made to you, or that the learning outcomes of the programme have not been met, they will recommend that you be offered the option of:

either: accepting an *aegrotat* degree<sup>1</sup>;

or: of re-taking/re-sitting the missed/affected assessments as a 'first attempt' at the next ordinary sitting (see section 7, below)

You may only be offered an award (other than an *aegrotat* award) if you have completed the year of study but missed/failed/performed poorly in assessments; if you have not completed the year of study, you will be required to re-take the year in whole or in part. In degree programmes which have 'mandatory' modules or elements, you are still required to achieve a pass in the assessment to be eligible for the degree to be awarded.

If you are offered the option of re-taking/re-sitting the missed/affected assessments, and you wish to take this offer rather than to accept an award, you will need to formally notify the Student Administration and Support Division that you do not wish to accept the award. Details about this are provided on the University's website at <https://www.liverpool.ac.uk/student-administration/exams/results/resits/> and this includes details of how to download the necessary form and the deadline by which it must be submitted. If you do not return the form by the deadline given, it will be assumed that you wish to accept the award.

### **5.4 Postgraduate taught programmes**

#### **a) Award criteria has been met**

If you have met the criteria for the award, the Extenuating Circumstances Committee will recommend that you be offered the option of accepting the appropriate award. Due account will be taken of the extenuating circumstances in determining whether the award should be at pass

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<sup>1</sup> An *aegrotat* degree is awarded in very exceptional circumstances where, owing to ill health, a student has not completed enough assessed work to be awarded an honours or non-honours degree and is unlikely to be able to do so in the future. It recognises that the student has undertaken a significant amount element of their programme of study, including assessment, and would have been expected, had they not suffered ill health, to have completed their programme successfully.

or distinction level. Alternatively, you may be offered the option of being re-assessed in the affected assessments with the possibility of improving the mark (see section 7 below).

**b) Award criteria has NOT been met**

If you have failed any of the assessments such that you have not met the criteria for the award, the Extenuating Circumstances Committee will recommend that you be allowed to be re-assessed in the failed assessments as 'first attempts' (see section 7 below). In exceptional circumstances, the Extenuating Circumstances Committee may also recommend that an award be made notwithstanding any failed assessments.

**5.5 Situations where no re-sit opportunity is available**

If you have failed an assessment for which no re-sit opportunity is available (e.g. the assessment of practical laboratory work) and as a result fail the module, the Extenuating Circumstances Committee will recommend to the Board of Examiners that you should be allowed to re-take the assessments the following year:

either: by re-taking the year of study;

or: re-taking the assessment while also pursuing your next year of study (see 5.2c above for the rules on the 'carrying' of failed credit).

If your performance in an assessment for which no re-sit opportunity is available is judged to have been affected by extenuating circumstances but you have passed the module, the Extenuating Circumstances Committee will consider the impact of the affected mark on your overall results at the end of the final year and will make an appropriate recommendation to the Board of Examiners as to the classification of degree you should be awarded.

**6. ASSESSMENT MARKS**

A mark can only be increased if you re-sit/re-take the examination or assessment and achieve a better performance; however, your performance in a resit may result in a lower mark being achieved and recorded as your final mark. If your claim is successful but you choose not to be re-assessed, the mark will not be altered, but the Extenuating Circumstances Committee will consider the impact of the affected mark on your overall results at the end of the final year and will make an appropriate recommendation to the Board of Examiners on the classification of your degree. If you have had extenuating circumstances accepted for more than one passed module, you may choose for each module whether you wish to be re-assessed or to keep the original mark.

**7. RE-ASSESSMENTS PERMITTED BY THE EXTENUATING CIRCUMSTANCES COMMITTEE**

If the Extenuating Circumstances Committee has judged that your performance has been affected by extenuating circumstances and you have been given the option by the Board of Examiners of re-taking/re-sitting the missed or affected assessment then you should note the following about re-assessment:

- (i) You will be permitted one re-sit/re-take of each of the examinations/assessments judged by the Extenuating Circumstances Committee to have been affected by extenuating circumstances. This re-assessment will be treated as a 'first attempt' and will be uncapped.
- (ii) If this re-assessment itself is then affected by extenuating circumstances, then you may be permitted further re-assessment as an uncapped, first attempt. This will require you to submit a new claim for extenuating circumstances which must be as carefully documented as any prior claim and submitted using the same procedure.

- (iii) Following any re-assessment that is permitted by the Extenuating Circumstances Committee to be taken as a first attempt that is uncapped, the Board of Examiners will not take into account the original claim of extenuating circumstances when considering progression or final degree classification.

Whenever an examination/assessment is re-assessed, the mark achieved in the re-assessment always replaces any previous mark - even when the earlier mark is higher.

## **8. EXTENUATING CIRCUMSTANCES AND ELEMENTS OF ASSESSED WORK**

Where elements of the work making up the final mark are missing (for example, coursework) and the extenuating circumstances are accepted, the Extenuating Circumstances Committee will advise on what work must be completed in order that the final mark can be awarded.

Where an assessment or assessments have been missed by a student which total no more than 20% or less of a module's mark and the assessment concerned is not the final assessment for the module, it is open to the examiner to excuse the student from the assessment without the involvement of the Extenuating Circumstances Committee provided that it is possible for the student to demonstrate the achievement of the learning outcomes of the module through the other assessments/examinations. This still requires supporting documentation from you and will be recorded within the department/school. The module mark will then be calculated on the basis of the remaining unaffected assessments.

Where such an assessment is the final assessment for the module, you must inform your department/school, preferably in writing or by email, prior the assessment deadline, in order for the absence to be regarded as authorised. If you have provided prior notification, it is open to the examiner to excuse you from the assessment without the involvement of the extenuating circumstances committee provided that it is possible for you to demonstrate the achievement of the learning outcomes of the module through the other assessments/examinations. If you have not provided prior notification that you will be unable to complete an assessment which counts towards the final assessment of the module, the Board of Examiners may excuse you from attempting that assessment provided that you have already gained sufficient marks from other assessments in the module to pass the module or you can demonstrate that the learning outcomes of the programme have been achieved

## **9. EXTENUATING CIRCUMSTANCES CASES SUBMITTED AFTER THE BOARD OF EXAMINERS**

- 9.1 Extenuating Circumstances which are submitted after the Board of Examiners has met can only be considered if the nature of the extenuating circumstances themselves could be considered to have prevented you from submitting a claim to the Board of Examiners. You should be aware that a claim cannot be delayed, nor can evidence relating to it be delayed, on the grounds of sensitive personal, family or cultural reasons.

Extenuating Circumstances which are submitted after the Board of Examiners may be considered in the following ways:

- a) If, **prior** to a resit period, you consider that your first attempt at an assessment was affected by extenuating circumstances and that there are valid reasons why you could not have submitted an extenuating circumstances claim before the Board of Examiners met, you may submit a retrospective claim for consideration by the Extenuating Circumstances Committee meeting held after the resit period. In this situation, the Extenuating Circumstances Committee will only accept the claim if they consider that there were valid reasons why you could not have submitted the claim before the results of your first attempt were confirmed and that there is sufficient evidence to suggest that your performance at the first attempt was affected by the claimed circumstances. In this situation, the

Extenuating Circumstances Committee may recommend to the Board of Examiners that the resit attempt be regarded as a 'first attempt.'

- b) If, **subsequent** to a resit period, you consider that the resit attempt was affected by extenuating circumstances and that there are valid reasons why you could not have submitted an extenuating circumstances claim before the Board of Examiners met, any decision which the Board of Examiners has taken in relation to the requirement for you to repeat a failed module or component in the following academic session shall normally stand but you may submit a retrospective claim which shall be considered at the next normal meeting of the Extenuating Circumstances Committee. In this situation, the Extenuating Circumstances Committee may recommend to the Board of Examiners that the original resit result should be disregarded and the resit in the new academic session be regarded in its place (e.g. as your second attempt rather than third attempt). Other than such claims relating to the resit attempt, claims relating to a previous year of study will not normally be considered in subsequent years.
- c) If your studies have been terminated by the Board of Examiners because of a lack of progression, and you consider that you have extenuating circumstances which had not already been considered and that there are valid reasons why you could not have submitted an extenuating circumstances claim before the Board of Examiners met, you may submit evidence of those circumstances to the Faculty Progress Committee through the University's progress procedures (see the 'Guide on the Progress of Students on Taught Programmes of Study' (Appendix E of the Code of Practice on Assessment) which can be accessed at [https://www.liverpool.ac.uk/media/livacuk/tqsd/code-of-practice-on-assessment/appendix\\_E\\_cop\\_assess.pdf](https://www.liverpool.ac.uk/media/livacuk/tqsd/code-of-practice-on-assessment/appendix_E_cop_assess.pdf)).

9.2 Where extenuating circumstances are lodged retrospectively for a clinical assessment you will be deemed to be acknowledging that you were not fit-to-sit. The Extenuating Circumstances Committee will only consider the claim if it considers that there were valid reasons why you would not have been capable of recognising this at the relevant time. Where a claim is considered, the Extenuating Circumstances Committee may recommend that you are referred to fitness to practise procedures if the claim suggests that you are not fit to proceed with studies at the point of submission of the claim or that you require additional support or reasonable adjustments to be able to continue towards a professional qualification. Where it is determined that a claim has been submitted retrospectively without valid reason, this may be regarded as a fitness to practise matter by the relevant clinical school.

## **10. APPEALS**

You have the right to appeal through the Assessment Appeals Procedures (Code of Practice on Assessment, Appendix F) , under Section One or Section Two as appropriate, against a decision of an Extenuating Circumstances Committee and/or a Board of Examiners in relation to a **submitted extenuating circumstances claim** but only on the following grounds: that extenuating circumstances were divulged but:

- i. there was a procedural error in the decision taken by an Extenuating Circumstances Committee or Board of Examiners when considering the circumstances; or
- ii. the student is presenting new or additional material evidence, which, for valid reason, they were unable to provide at the time of submitting the extenuating circumstances claim.

In addition, if you are at the end of your programme of studies and you consider that there are extenuating circumstances which for good reason you **could not have submitted at the time, you may** submit an appeal under Section Two of the Assessment Appeals Procedure, but this will normally be limited to extenuating circumstances affecting your final year of study only.