



UNIVERSITY OF
LIVERPOOL

CODE OF PRACTICE ON ASSESSMENT APPENDIX M

Policy on Extenuating Circumstances in Relation to Performance in Assessments and Examinations

2018-19

Applicable to all cohorts

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

Policy on Extenuating Circumstances in Relation to Performance in Assessments and Examinations

1. Definition of Extenuating Circumstances

1.1 Students sometimes perform more poorly in assessments (whether examinations or other types of assessments) than their previous performance or achievements would have predicted. Sometimes this poor performance can be attributed, or partially attributed, to particular circumstances beyond the control of the student. These circumstances are described as ‘extenuating circumstances’ (formerly known within the University of Liverpool as ‘mitigating circumstances’) if they are accepted as a valid explanation of the poorer than expected performance; this context ‘poorer than expected performance’ includes missing assessments or examinations. When a Board of Examiners accepts that there have been extenuating circumstances, it will usually not regard the student’s poorer than expected performance *at its face value* in making decisions about the student’s progress in studies or final degree classification.

1.2 Extenuating circumstances might include:

- Illness affecting the student
- Bereavement
- Serious illness affecting a close family member
- Unforeseeable or unpreventable events.

Independent documentary evidence, such as medical certificates, must be provided in all cases to verify extenuating circumstances. If the documentary evidence 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 the value or weight they attached to the evidence in deciding a case of extenuating circumstances.

1.3 The following will **not** be regarded as extenuating circumstances:

- Failure to attend an examination due to misreading the examination timetable
- Events such as holidays and weddings
- Inadequate planning and time management
- Having more than one examination on the same day
- 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 Departmental 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 or pressures from paid employment, or other study commitments.

1.4 In the case of continuously assessed coursework (as opposed to examinations), where a student experiences illness or other serious extenuating circumstances around the time of a submission deadline, and can support such a claim with independent documentary evidence, the deadline may be extended and a new submission date agreed in accordance with normal Departmental procedures. If, however, this is not possible, either because of the student’s circumstances or for academic or logistical reasons, a case for consideration of extenuating circumstances in relation to the missed assessment may be submitted (see also section 9.2 below).

1.5 In clinical professional programmes, where assessments involve direct contact with the public, relevant Schools (currently Dentistry, Medicine, Health Sciences and Veterinary Science) have 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. The student should therefore not undertake the clinical

CODE OF PRACTICE ON ASSESSMENT – APPENDIX M
Policy on Extenuating Circumstances in Relation to Performance in Assessments and Examinations
2018-19 and ALL COHORTS

assessment (as defined by that School) and should present their extenuating circumstances as outlined within this Appendix. A student who attends a clinical assessment will therefore be declaring themselves fit-to-sit. Lodging of extenuating circumstances retrospectively will be considered as a fitness to practise matter (See Section 11.3). Where a student becomes unwell during a clinical assessment, the assessment will cease and normal extenuating circumstances procedures will be followed.

- 1.6 Extenuating circumstances will not be accepted either as a good reason for committing academic misconduct as defined in Appendix L to the Code of Practice on Assessment (CoPA) or for condoning breaches of the required conduct in examinations as defined in Appendix D to the CoPA.

2. Extenuating Circumstances Disability and Long Term Illness

- 2.1 Students whose performance has been affected by a disability who have a Student Support Information Sheet which identifies reasonable adjustments to overcome these barriers cannot claim extenuating circumstances for the impact of their disability. Where a student experiences an unexpected change to their disability which is not addressed by the reasonable adjustments and/or develops a new condition they may be able to request extenuating circumstances. Students should seek advice from their named school contact or Disability and Dyslexia Coordinator in such circumstances. Where a student has been advised to seek support from the Disability Support Team and does not take that advice, a subsequent, related application for extenuating circumstances may not be accepted.
- 2.2 The University will not normally accept extenuating circumstances for the same student and the same illness or temporary disability for more than two assessment periods. If the student's condition persists for more than six months the student should contact the Disability Support Team to discuss eligibility for reasonable adjustments as a disabled student.

3. Absence from examinations

- 3.1 If a student is unable to attend an examination or assessment which counts towards the final mark of a module owing to illness or other unavoidable circumstances, they must inform their Department, 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, the student will be granted a right to be re-assessed as a first attempt (unless the examination 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 the student to have provided prior notification, will a student who is absent from an examination or fails to submit an assessment without informing their Department in advance, be granted a 'first attempt' re-assessment.
- 3.2 Boards of Examiners may determine that a student who is absent from an examination or fails to submit an assessment without good cause (even when they have informed their Department in advance) should not be granted a re-assessment attempt without repeating the year of study.

4. The procedure to be followed by the student

- 4.1 The student should be encouraged to contact their academic adviser for advice before proceeding with the Extenuating Circumstances procedure. It should be made clear to the student that this informal meeting does not constitute a formal application to have their circumstances considered. The formal application procedure is that the student should complete the official extenuating circumstances claim form and submit it, with supporting evidence, e.g. a medical certificate, to the Head of the Department/Dean of School in which the student is registered via the

CODE OF PRACTICE ON ASSESSMENT – APPENDIX M
Policy on Extenuating Circumstances in Relation to Performance in Assessments and Examinations
2018-19 and ALL COHORTS

Departmental/School Office, where it will be date-stamped and forwarded to the Departmental/School Extenuating Circumstances Committee. In the case of Combined Honours students, the completed official form should be submitted to the Combined Honours Office. It will be the responsibility of the School of Combined Honours to forward the information or seek advice on the case from the relevant Departments/Schools. In the case of Joint Honours students, the case should be submitted to the Head of Department/Dean of School in which the student is registered via the Department/School Office. It will be the responsibility of this Department/School to forward the information or seek advice on the case from other relevant Departments/Schools in which the student is studying. 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.

Examples of the type of evidence which Extenuating Circumstances Committees may expect to see are provided in Annexe 1 of this Appendix.

- 4.2 The form and supporting evidence must be submitted as soon as possible. This will be *within five working days* after the events under consideration occur. In exceptional cases only, together with the provision of full, further supporting evidence as to why the submission was unavoidably delayed, it will be 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 affected will be considered.

(See also section 2 above concerning the necessity for students to inform their Department in advance if they are unable to attend an examination or submit an assessment which counts towards the final mark of a module.)

Deadlines for the submission of applications must be made clear to all students in good time. A claim cannot be delayed, nor can evidence relating to it be delayed, on the grounds of sensitive personal, family or cultural reasons.

- 4.3 Other than in exceptional circumstances (see section 11 below), it will not be possible for extenuating circumstances to be taken into account after the Board of Examiners meets to discuss the results..

5. Departmental procedures

- 5.1 Departments should publish contact details of those staff whom students should notify if they are going to be absent from an examination. Departments must keep written records of students' notifications of their absences from examinations.

- 5.2 Extenuating circumstances claims and their supporting evidence should be considered by the Department's/School's Extenuating Circumstances Committee before the main Board of Examiners' meeting. The Extenuating Circumstances Committee is a Committee of the Board of Examiners, and should comprise at least three members of the Board of Examiners. The Extenuating Circumstances Committee will seek advice from relevant staff, e.g. academic advisers, when considering claims, particularly when a claim relates to modules taken outside the 'home' Department.

- 5.3 Extenuating circumstances claims and supporting documentation provided with them must be considered as highly confidential and access to them must be restricted solely to:

- Members of the Extenuating Circumstances Committee
- External Examiners
- Professional Services staff who provide support to the Extenuating Circumstances Committee (for students on online programmes, this shall include appropriate members of staff of Laureate Online Education e.g. their Student Support Manager)

CODE OF PRACTICE ON ASSESSMENT – APPENDIX M
Policy on Extenuating Circumstances in Relation to Performance in Assessments and Examinations
2018-19 and ALL COHORTS

Students should be advised that, by submitting personal and sensitive information (such as a medical note), in support of a claim for extenuating circumstances, they are giving their express written permission for this information to be passed to those persons listed above in order that decisions may be made in relation to their claim. In addition, unless the student expressly withdraws this permission, the information will be made available (where relevant) to those University staff who are involved in the University's various appeals procedures should the student enter any of those procedures (e.g. Progress Appeals, Assessment Appeals).

In exceptional circumstances, where the student is considered to be a risk to themselves or to others or there is a statutory obligation on the University to provide information to a third party or, for relevant clinical programmes, where there may be a Fitness to Practise issue, the extenuating circumstances claim may be provided, in confidence, to relevant persons without the student's further permission. In such circumstances, the student must be informed and reasons for the disclosure be given to them.

Documentation provided by a student with a extenuating circumstances claim or created in consideration of a claim must be kept on file in such a manner that no person without permission to access it may view it (e.g. hard copies in a sealed envelope marked 'confidential – extenuating circumstances,' electronic copies in password-protected files).

All documentation submitted as an extenuating circumstance shall normally be retained for a period of at least one year and not for longer than a period of six years after the student has left the University. Documentation shall be held in accordance with the University's Data Protection Policy (https://www.liverpool.ac.uk/legal/data_protection/policy/).

- 5.4 The Extenuating Circumstances Committee should only consider claims submitted on the correct form with supporting evidence. If the original documentation is provided in a language other than English then independent translation must be provided by the student. **All cases should be treated in the strictest confidence.** Students do not attend the meeting.

The Extenuating Circumstances Committee should 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.

- 5.5 The Extenuating Circumstances Committee should report to the Board of Examiners on the impact of the extenuating circumstances and make a recommendation as to the action to be taken. In formulating its recommendation, the Committee should always seek to act in the best interests of the student. The Extenuating Circumstances Committee should minute the rationale behind any recommendations it makes in order to give External Examiners an insight to the decision making process; this will be treated with strict confidence by the External Examiners. 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 should 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.

Exceptionally, where the Extenuating Circumstances Committee considers that there may be valid reasons why a student has been unable to submit full or sufficient documentary evidence with a claim, the Committee may defer a decision or make a provisional recommendation pending the student being given an opportunity to submit further evidence by a given deadline.

- 5.6 The Extenuating Circumstances Committee should not send documents to the Board of Examiners, nor should there be any further discussion of the merits of the claim itself when the Board meets.

CODE OF PRACTICE ON ASSESSMENT – APPENDIX M
Policy on Extenuating Circumstances in Relation to Performance in Assessments and Examinations
2018-19 and ALL COHORTS

However, while the details of the case itself should not be discussed, it is permissible for the Board to consider the implications of recommendations made by the Committee in view of the overall profile of the student. Ideally, the External Examiner present at the Board of Examiners should also be present at the Extenuating Circumstances Committee. In the event that this is not possible for practical reasons, the External Examiner should have, as a minimum requirement, access to the full minutes of the Extenuating Circumstances Committee. The School/Department should ensure that the Extenuating Circumstances Committee takes place sufficiently in advance of the Board of Examiners so that these minutes can be distributed to the External Examiner.

6. Possible courses of action

6.1 If the Extenuating Circumstances Committee agrees that there were extenuating circumstances in relation to the student's performance, it should recommend one of the following courses of action, detailed in sections 6.2 to 6.6 below, to the Board of Examiners:

6.2 Undergraduate programmes (including clinical programmes), non-final year failed or under-performed modules

- a) If the student has failed an examination/assessment such that s/he does not meet the criteria for progressing to the next year of their studies, the Extenuating Circumstances Committee may recommend to the Board of Examiners that the student should be permitted to re-sit/re-take the examination/assessment as though it were a first, and therefore uncapped, attempt. This course of action should also be applied when an Extenuating Circumstances Committee recommends that the student is deemed to have missed the examination/assessment on the first occasion with good cause and as a result has failed to meet the criteria for progression. Following such a 'first attempt' re-assessment, the Board of Examiners will not take into account the original claim of extenuating circumstances when considering progression or final degree classification.
- b) If, in **any year of study in which the marks contribute to the final degree classification (except the final year)**, the student has failed or missed an individual examination or assessment but has passed the module as a whole or if the student has passed all the assessments for the module but the Extenuating Circumstances Committee judges that the mark(s) achieved in one or more of the assessment(s) was/were affected by the extenuating circumstances, the Board of Examiners should permit the student to elect to:

either re-sit/re-take the relevant examination(s)/assessment(s) with the possibility of improving the mark (see section 7.3);

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.

If the student elects to re-sit/re-take the assessment, their original claim of extenuating circumstances should **not** be taken into account when the final degree classification is determined. If the student elects not to re-sit/re-take the assessment, the Extenuating Circumstances Committee will make a note of the extenuating circumstances, will consider the impact of the affected mark(s) on the student's overall results at the end of their final year and will make an appropriate recommendation to the Board of Examiners as to the classification that should be awarded.

6.3 Undergraduate programmes, final year failed or under-performed module(s)

- a) If extenuating circumstances are judged by the Extenuating Circumstances Committee to have affected the student's performance in the final year of an undergraduate programme, the Extenuating Circumstances Committee will recommend whether there is enough assessed work to determine that an award should be made. In the case of a classified degree,

CODE OF PRACTICE ON ASSESSMENT – APPENDIX M
Policy on Extenuating Circumstances in Relation to Performance in Assessments and Examinations
2018-19 and ALL COHORTS

this should normally amount to 60 credits in the final year. There should also be evidence that the programme's learning outcomes have been met. These issues are, however, a matter for academic judgement.

- b) If the Extenuating Circumstances Committee recommends that there is enough work, the Board of Examiners will consider the award which should be made (including the class of the award, if appropriate) and will offer the student the option of **either** accepting that award **or** of being re-assessed in the missed/affected assessments as a 'first attempt' at either the August/September sitting or the next ordinary sitting. Such 'first attempt' re-assessments shall only be possible if they can be accommodated within the maximum period of registration on a programme. In considering the award to be made, the Board of Examiners will take account of the extent to which the student's performance in the assessed work which is available is judged to have been affected by extenuating circumstances.
- c) If the Extenuating Circumstances Committee considers that there is not enough assessed work to determine that an award be made to the student, or that the programme's learning outcomes have not been met, they will recommend to the Board of Examiners that the student be allowed to re-take/re-sit the missed/affected assessments as a 'first attempt' at either the August/September sitting or the next ordinary sitting. Such 'first attempt' re-assessments shall only be possible if they can be accommodated within the maximum period of registration on a programme. In circumstances where a student is allowed by the Board of Examiners to re-take/re-sit missed/affected assessments on the grounds of ill-health, the student or their representative may apply for the award of an *aegrotat* degree, in accordance with the provisions of paragraphs 3.2-3.6 of Appendix I or paragraphs 1.8, 2.92.-2.9.8 and 3.9.2-3.9.8 of Appendix J. *Aegrotat* degrees are awarded at the discretion of the Board of Examiners, on the recommendation of the Extenuating Circumstances Committee, only on the grounds that it is considered that a student's ongoing illness would preclude them from re-sitting/re-taking the missed/affected assessments, or where a student has been offered an exit award and it is deemed that the student was unable to complete the degree owing to ill-health. The Board of Examiners will only offer an award (other than an *aegrotat* award) if the student has completed the year of study but missed/failed/performed poorly in assessments. If the student has not completed the year of study, they will be required to re-take the year in whole or in part. In degree programmes which have 'mandatory' modules or elements, the student will be required to achieve a pass in the assessment to be eligible for the degree to be awarded.

6.4 Postgraduate taught programmes – failed or under-performed module(s)

- a) If the student has met the criteria for the award, the Extenuating Circumstances Committee will recommend that the student be offered the option of accepting the appropriate award (due account having been taken of the extenuating circumstances in determining whether the award should be at pass, merit or distinction level) or of being re-assessed in the affected assessments with the possibility of improving the mark (see section 8.3).
- b) If the student has failed any of the assessments and not met the criteria for the award, the Extenuating Circumstances Committee will recommend that the student be allowed to re-sit/re-take the failed assessments as 'first attempts'. Such 'first attempt' re-assessments shall only be possible if they can be accommodated within the maximum period of registration on a programme. In exceptional circumstances, the Extenuating Circumstances Committee may also recommend that an award be made to the student, notwithstanding that they have failed assessments such that they have not met the criteria for the award.

6.5 'Carrying' of failed credit

Where the extenuating circumstances have affected a re-sit examination/assessment, the Extenuating Circumstances Committee may recommend that the student should re-sit/re-take the examination/assessment again. This may be effected either by allowing the student 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 given to students progressing from year 0 to year 1 and

CODE OF PRACTICE ON ASSESSMENT – APPENDIX M
Policy on Extenuating Circumstances in Relation to Performance in Assessments and Examinations
2018-19 and ALL COHORTS

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. Where the student is allowed to 'carry' the failed credit into the next year of study, the Board of Examiners will not take into account the original claim of extenuating circumstances when considering progression or final degree classification.

There is no right of appeal against a decision which requires students to repeat a year of studies even where extenuating circumstances have been accepted.

6.6 Situations where no re-sit opportunity is available

If the student fails an assessment for which no re-sit opportunity is available (e.g. the assessment of practical laboratory work) and as a result fails the module, the Extenuating Circumstances Committee will recommend to the Board of Examiners in consideration of accepted extenuating circumstances that the student 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 their next year of study. If performance in an assessment for which no re-sit opportunity is available is judged to have been affected by extenuating circumstances but the student nevertheless passes the module, the Extenuating Circumstances Committee will consider the impact of the affected mark on the student's overall results at the end of the final year and will make an appropriate recommendation to the Board of Examiners as to the classification the student should be awarded.

6.7 If the Extenuating Circumstances Committee decides that the student's claim of extenuating circumstances is not valid, it will reject it and not make any recommendation to the Board of Examiners.

7. Marks

7.1 A student's mark can only be increased if they re-sit/re-take the examination/assessment. If the student's claim is successful but they elect not to be re-assessed, the mark concerned will not be increased, but it will be flagged on the student's record as having been judged to have been affected by extenuating circumstances. Where such a mark is one which counts towards the final degree classification, the Extenuating Circumstances Committee will consider the impact of the affected mark on the student's overall results at the end of the final year and will make an appropriate recommendation to the Board of Examiners as to the classification the student should be awarded.

8. Re-sits/re-takes

8.1 The student 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.

8.2 If the re-sit/re-take itself is affected by extenuating circumstances, then the student will again be permitted to re-sit/re-take as an uncapped, first attempt. This claim must be as carefully documented as any prior claim from the student and submitted using the same procedure.

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

8.4 If a student has chosen to be re-assessed and does not then take the examination/assessment, this will be treated as an unauthorised absence and a mark of zero recorded unless, before the

CODE OF PRACTICE ON ASSESSMENT – APPENDIX M
Policy on Extenuating Circumstances in Relation to Performance in Assessments and Examinations
2018-19 and ALL COHORTS

examination/assessment, the student informs the relevant School/Department that they wish to rescind their decision and retain the original mark with a flag on their record to indicate that it had been judged to have been affected by extenuating circumstances.

9. Extenuating circumstances and elements of assessed work

9.1 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 should advise on what work must be completed in order that the final mark can be awarded.

9.2 Where an assessment or assessments have been missed by a student which total no more than 20% of a module's mark and the assessment concerned is not the final assessment for the module, and the student has provided evidence of extenuating circumstances, 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. For students on the online programmes an instructor may exempt a student for some or all assessed components in a single week only of a taught module; such exempted components must not exceed 20% of the overall module mark. A record should be made and the supporting documentation provided by the student should be retained. The module mark should be calculated on the basis of the remaining unaffected assessments.

9.3 Where such an assessment is the final assessment for the module, the student must inform their Department/School, preferably in writing or by email, and provide evidence of their extenuating circumstances, prior to the assessment deadline, in order for the absence to be regarded as authorised. If the student has provided prior notification, 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. If the student does not provide prior notification that they will be unable to complete an assessment which counts towards the final assessment of the module, the Board of Examiners may excuse the student from attempting that assessment provided that they have already gained sufficient marks from other assessments in the module to pass the module or the student can demonstrate that the learning outcomes of the programme have been achieved.

9.4 Where a student is not in the final year of undergraduate programmes or is on a taught postgraduate programme and they have missed an assessment or assessments which total more than 20% of a module's mark, neither the examiner nor the Extenuating Circumstances Committee nor the Board of Examiners may excuse them from the assessment(s).

10. After the Board of Examiners

10.1 The student should be informed of the outcome of their claim after the meeting of the Board of Examiners. If the student has a choice either to let a mark stand or to be re-assessed, they should be asked to indicate their choice.

11. Extenuating circumstances cases submitted retrospectively

11.1 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 a student submitting a claim to the Board of Examiners. Students should be made 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.

11.2 Extenuating circumstances which are submitted after the Board of Examiners has met may be considered in the following ways:

CODE OF PRACTICE ON ASSESSMENT – APPENDIX M
Policy on Extenuating Circumstances in Relation to Performance in Assessments and
Examinations
2018-19 and ALL COHORTS

- a) Where, prior to a resit period, students consider that their first attempt at an assessment was affected by extenuating circumstances and that there were valid reasons why they could not have submitted an extenuating circumstances claim before the Board of Examiners met, they may submit a retrospective claim which shall be considered by the Extenuating Circumstances Committee meeting held after the resit period. In this situation, the Extenuating Circumstances Committee shall only accept the claim if they consider that there were valid reasons why the student could not have submitted the claim before the results of their first attempt were confirmed and that there is sufficient evidence to suggest that the student's 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) Where, subsequent to a resit period, students consider that the resit attempt was affected by extenuating circumstances and that there were valid reasons why they could not have submitted an extenuating circumstances claim before the Board of Examiners met, any decision taken by a Board of Examiners in relation to the requirement for the student to repeat a failed module or component in the following academic session shall normally stand but they 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 the student's second attempt rather than third attempt). Other than such claims relating to the resit attempt, claims relating to a previous year of study shall not normally be considered in subsequent years.
 - c) Students who have failed to progress in their studies and whose studies consequently have been terminated may have a retrospective extenuating circumstances claim considered by a Faculty Progress Committee but such claims shall normally only be considered where there were valid reasons why they could not have submitted an extenuating circumstances claim before the Board of Examiners met and made the decision to terminate their studies.
- 11.3 Where extenuating circumstances are lodged retrospectively for a clinical assessment the student is acknowledging that they were not fit-to-sit. The Extenuating Circumstances Committee shall only consider the claim if it considers that there were valid reasons why the student would not have been capable of recognising this at the relevant time. Where a claim is considered, the Extenuating Circumstances Committee may recommend that the student is referred to fitness to practise procedures if the claim suggests that the student is not fit to proceed with studies at the point of submission of the claim or requires 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.

12. Progress Committee and Extenuating Circumstances

- 12.1 If the student fails to progress in their studies and elects to have their case heard by a Faculty Progress Committee, then the appropriate Progress Committee may take into account extenuating circumstances and the findings of Extenuating Circumstances Committees when considering student progress cases.

13. Appeals against decisions of Extenuating Circumstances Committees/Boards of Examiners

- 13.1 Students 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**

CODE OF PRACTICE ON ASSESSMENT – APPENDIX M
Policy on Extenuating Circumstances in Relation to Performance in Assessments and
Examinations
2018-19 and ALL COHORTS

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.

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

13.3 Students who are appealing against a decision of an Extenuating Circumstances Committee or using the Section Two appeals procedures outlined in Appendix F of the Code of Practice to submit a retrospective extenuating circumstances claim, should not expect to have a reassessment opportunity in the August/September period.