



Extenuating Circumstances Policy

EXTENUATING CIRCUMSTANCES DURING COVID-19

Panel meetings will be conducted virtually.

For Hilary and Trinity 2021-22 students declaring COVID-19 as the reason for an extenuating circumstance must register their status with the College through the reporting system [here](#). If students have not reported their positive test or self-isolation status the extenuating circumstances application will be rejected.

Extensions to deadlines will be 10 days for applications related to COVID-19.

INTRODUCTION

1. Throughout their studies, students are required to complete and submit, or sit, a wide range of assessments. ¹ This will require students to balance their workload and use time-management skills to ensure that assessments are submitted to stated deadlines. However, New College of the Humanities (the College) recognises that there may be serious adverse circumstances outside of a student's control that prevent them from completing assessments.
2. For the purposes of this Policy, all summative assessment elements for the following programmes are included:
 - 2.1 Undergraduate degree programmes
 - 2.2 Postgraduate degree programmes
 - 2.3 Work-based Learning degree programmes
 - 2.4 Mobility programmes
 - 2.5 Pathway programmes
 - 2.6 NCH Diploma
 - 2.7 Degree programmes delivered by collaborative partners

¹ Students include apprenticeship learners i.e. pre-End Point Assessment. For an integrated EPA, this policy stands. If the apprenticeship degree is not integrated, the EPA rules will apply.

DEFINITION

3. The College defines Extenuating Circumstances as:
"serious or significant circumstances which are unforeseen and beyond a student's control and could significantly impair their academic performance in one or more assessed activities, possibly over a short period of time."²
4. The aim of the Extenuating Circumstances (EC) Policy is to:
 - 4.1 Make clear the serious adverse factors that the College will consider as Extenuating Circumstances and the process to be followed for submission.
 - 4.2 Ensure fair and equal treatment of all students when considering Extenuating Circumstances.
5. The College can only accommodate requests for extensions to deadlines for written assignments. Oral presentations, where possible, are assessed as soon as possible within the sitting but may be deferred to the next sitting. Examinations are deferred to the next sitting.
6. Students are encouraged to seek support from the **Student Wellbeing Coordinator** (SWC) and carefully consider whether it is in their best health and academic interests to submit an EC application. Learners on work based learning programmes should seek support from the **Business Relations Manager** (BRM) in the EDGE Team in the first instance.
7. Students who encounter circumstances that adversely affect their attendance or tuition for a period in excess of 28 days should discuss this with **Student Support and Development** (SSD). It may be in the student's interests to suspend their studies, or to consider an alternative mode of study, until such time as they have been able to resolve the circumstances in question.
8. Students with permanent or long-term conditions that impact their ability to study must be assessed by SSD in liaison with the student's Head of Faculty/Programme Director, and an agreed support plan will be put in place. Such students will not be eligible for Extenuating Circumstances as a result of their condition, unless they suffer an acute episode which may then fall under the criteria for Extenuating Circumstances.
9. The **Student Welfare Policy** covers longer-term matters which impact on a student's learning experience.

THE 'FIT TO STUDY' PRINCIPLE

10. The College operates a 'fit to study' approach to Extenuating Circumstances. This means that all students who submit an assessment are, by doing so, declaring themselves fit to be assessed. The student will determine if:
 - 10.1 They are 'fit to study' and undertake the assessment; no Extenuating Circumstances application will be accepted under the Extenuating Circumstances Policy, unless an unforeseen personal circumstance occurs during an examination.
 - 10.2 They have experienced an extenuating circumstance but will be 'fit to study' with additional time; an assessment can then be submitted with a

² Office of the Independent Adjudicator

claim made under the Extenuating Circumstances Policy for an extension to the submission deadline date of seven days.

10.3 They are not 'fit to study' even with an extension; no assessment is submitted and a claim is made under the Extenuating Circumstances Policy.

11. A student might find themselves in a position where they were not well enough to determine whether to submit an assessment element or make an EC application. In cases such as this, students should claim through the appeals procedure, providing evidence to support their claim.

SELF-CERTIFICATION EXTENUATING CIRCUMSTANCE APPLICATIONS

12. Students are not restricted to the number of extenuating circumstances applications throughout their period of study at the College.
13. Each student is permitted ONE extenuating circumstance application per academic year where they are able to self-certify their application and, therefore, are not required to submit evidence to support their application.
14. Students should note that they MUST submit an application form and tick the 'self-certified' box when they are using this option. The extenuating circumstances criteria must still be met ([ANNEX A](#)). Once a student has used their single self-certified application allowance for that academic year, they will not be entitled to any more self-certified extenuating circumstances that year.
15. The self-certified allowance will reset the following academic year and it is not reliant on the student progressing to the next level of study.

MAKING AN APPLICATION

16. Students should submit an EC application to the [Academic Services Coordinator \(ASC\)](#) or [Operations Quality Manager \(OQM\)](#) (for work related learning) within the 28 days preceding the submission deadline or exam date indicating their preference for either a deferred assessment element or an extension.
 - 16.1. Deferred assessment element: a deferral is when the student is permitted to take the assessment at the next available opportunity without any additional penalty, such as a capped final mark. The next opportunity is usually during the retake period where students who have deferred their first attempt at the assessment will take it as a first attempt and not as a referred assessment retake.
 - 16.2. Extension: an extension is when a student is permitted to submit their assessment (written assignment) normally seven days after the published deadline. This is the new deadline for submission. Any lateness of this submission will be subject to the Late Submission Penalties as defined in the Assessment Regulations for Taught Awards.
17. Retrospective application: Where students are unable to submit their EC application before the submission deadline or examination date, they are permitted to submit an EC application with additional supporting evidence indicating why they were unable to submit before the deadline. This will be

classed as a retrospective application and must be submitted no later than seven days after the date of the submission deadline or examination date.

INELIGIBLE EXTENUATING CIRCUMSTANCES

18. Applications must be made within the 28 days preceding the submission deadline or examination. Applications made more than 28 days in advance of the submission deadline or examination will not be accepted.
19. Extenuating Circumstances do not encompass normal life challenges that individuals are expected to deal with routinely. The following incidences will not be considered as valid for submission under this Policy:
 - 19.1 The downtime of College computer networks (except for extended periods of time) and problems with personal IT equipment.
 - 19.2 Loss of computer data (such data should be backed-up) or not having the correct software installed on device
 - 19.3 Poor work practices, e.g. unintentional submission of incorrect assessments.
 - 19.4 Accommodation and travel problems.
 - 19.5 Personal/part-time job commitments³.
 - 19.6 Personal holidays.
 - 19.7 Peaks in assessment work demands.
 - 19.8 Religious festivals: these are known in advance and students should build in any associated commitments to their assessment planning for all assessments except examinations.
 - 19.9 Financial difficulties.
 - 19.10 Complaints against staff or in relation to programme delivery. These are managed through the College's Complaint Procedure for Students.
 - 19.11 Students should plan their work so that they can accommodate the disruption of minor illness.
20. An EC application cannot be *normally* made for an assessment element that has already received an approved deferral or extension through the EC policy, unless there is a new significant unforeseen circumstance.

EVIDENCE

21. A claim for Extenuating Circumstances must meet the College's published criteria and be accompanied by valid evidence (with the exception of self-certified applications), showing the impact of the circumstances on the student's ability to sit or complete a particular assessment (as stated in [ANNEX A](#)).
22. Students are encouraged to speak to the SWC/BRM for advice on whether their circumstances meet the stated criteria and on how to make an effective

³ Unforeseen circumstances relating to work commitments for Learners on work-based learning degree apprenticeship programmes are eligible criteria for extenuating circumstances.

application. Supporting evidence should refer directly to how the Extenuating Circumstances affected the student's ability to complete or sit assessments.

23. A statement from a parent/guardian/spouse/partner will not be accepted as evidence without additional, independent documentary confirmation.
24. Where a student has been receiving regular, ongoing support from SSD for a long-term mental health or medical condition and the student cannot obtain a doctor's appointment in good time, a statement can be obtained from SSD, confirming the student's engagement with support measures and resources, for an occurrence of an acute episode of their condition. This SSD statement will be considered acceptable evidence for the purposes of an EC application.
25. The student must present all evidence in English. Where, for example, an overseas student is taken ill in their home country and corroborating evidence is provided in the language of that country, then it should be accompanied by a translation, certified officially as being correct e.g. by a Public Notary or by a member of staff who is fluent in that language.
26. It is the responsibility of the student to ensure that all supporting evidence is submitted with the application form, otherwise the application will not be reviewed by the Extenuating Circumstances Panel (ECP) and can be rejected.

APPLICATION PROCEDURE

27. Students should submit an Extenuating Circumstances Application Form⁴ and evidence to the ASC or OQM.
28. Extenuating Circumstances applications must be completed fully, including the student's preference for a deferred assessment element or an extension (see paragraphs 16.1 and 16.2 for definitions).
29. Where students are unable to submit their application and evidence before the submission deadline or examination date they must indicate clearly on the application why they were unable to do so. This will be classed as a retrospective application and will be expected to be submitted within seven days of the submission deadline or examination, unless there is a significant unforeseen circumstance.
30. All applications will be considered by the Extenuating Circumstances Panel (ECP) at the first available meeting.

EXTENUATING CIRCUMSTANCES PANEL

31. The ECP has delegated authority from the Progression and Award Board (PAB/PAB (WRL)) and ultimately from Academic Board to determine the outcome to award a deferral or an extension for all summative course assessment elements. The decisions of an ECP are reported to the relevant PAB/PAB (WRL).
32. The ECP will meet on a weekly basis with the option to add additional meetings as required.
33. The ASC will convene the ECP meetings.

⁴ <https://www.nchlondon.ac.uk/about-us/nch-academic-handbook/>

34. The ECP members will consist of:
 - 34.1 Registrar [Chair].
 - 34.2 Assistant Registrar (AR) [Secretary].
 - 34.3 One member of faculty from the Extenuating Circumstances standing ECP.
 - 34.4 For work-based learner EC applications, the Assistant Vice President for Digital Innovation & Enterprise Learning, or nominee.
 - 34.5 For Collaborative Partner EC applications, a member of the collaborative partner programme team.
35. The ECP members must be:
 - 35.1 Independent of any Faculty of the student.
 - 35.2 Free of any bias or any reasonable perception of bias.
36. The SWC/BRM will be present during the ECP, to provide additional context to the EC application. The SWC/BRM will NOT be involved with the decision-making aspect of the ECP.
37. An ECP will be quorate provided the Chair and the faculty member are in attendance. For work-based learner applications, the Assistant Vice President for Digital Innovation and Enterprise, or nominee, will be present. For Collaborative Partner EC applications, a member of the collaborative partner programme will be present.
38. The Chair may use discretion to hold meetings by virtual means (for e.g. via Zoom) where appropriate, ensuring that the ECP is able to make thorough and reasonable decisions.
39. Registry will provide regulatory guidance to ECP on the discharge of their functions. The ECP will not make a judgment on the extent to which a particular set of circumstances has impacted on an individual student's performance. Therefore, in considering submissions, ECP decisions will be influenced solely by:
 - 39.1 Whether the circumstances align with **ANNEX A**.
 - 39.2 The adequacy of the documentary evidence provided and whether it aligns with the requirements of **ANNEX A**.

CONFIDENTIALITY

40. The ASC/OQM will prepare the application form and supporting evidence, ensuring that all personal information that could identify the student is redacted.
41. The ACS/OQM will ensure that applications and evidence are securely shared with sitting ECP members only and in advance of the meeting.
42. The College reserves the right to escalate concerns in line with their duty of care - see Student Confidentiality Statement.

DELEGATION OF AUTHORITY

43. ECPs may exceptionally need to take action outside scheduled meetings. In such cases, the ECP may delegate responsibility to the Chair of the Panel. The Chair's Actions will be recorded and reported to the next meeting of the ECP.

EXTENUATING CIRCUMSTANCES PANEL OUTCOMES

44. The ECP's decision will be entirely based on the evidence provided by the student. An ECP cannot endorse Extenuating Circumstances where no evidence has been submitted. Decision on an outcome can be 'pending' where exceptional events mean delay in obtaining evidence e.g. death of a family member.
45. Where they deem it necessary, the ECP may exceptionally require the student to submit further evidence. However, ECPs will not interview students as part of the decision-making process.
46. Where an ECP accepts the extenuating circumstances and associated evidence as valid, then the ECP will award a deferred assessment or an extension (see paragraph 16).
47. Where an ECP does not accept that the extenuating circumstances and/or associated evidence are valid, then the ECP will not award a deferred assessment or an extension and the assessment and course outcome will be determined in accordance with the Assessment Regulations for Taught Awards.
48. When a student has submitted an application for three or more assessments, they will be automatically referred to SSD for a review of support or guidance.
49. The ACS/OQM will complete the EC Panel Outcome Form and inform the student of the outcome. For collaborative partner students, the OQM will inform the collaborative partner programme team of the outcome, who in turn will inform their student of the outcome.
50. The decision of the ECP will be conveyed to each student within three days of the ECP held to consider the EC application, and they will be informed about the appeal procedure.
51. If the application is approved by the ECP, the student will be given the full mark awarded for the assessment, unless the claim was for a referred assessment in which case the mark will still be capped at 40% (UG) or 50% (PG).
52. If the request is not approved and the submission deadline is missed, the Late Penalties Policy will be implemented (see Assessment Regulations for Taught Awards).
53. Students who do not submit their written assignment within seven days, and have no approved extenuating circumstances, are deemed to have failed that assessment element and the mark recorded will be 0%.
54. If a student requests an extension retrospectively, the new submission deadline will be set from the date the EC application was reviewed by the ECP.

STUDENT APPEALS AGAINST THE DECISION OF AN EXTENUATING CIRCUMSTANCES PANEL

55. Students are expected to submit an appeal in a responsible manner. Where the College receives a frivolous or vexatious appeal, the matter will be referred under the Student Code of Conduct and Disciplinary Procedures.
56. Students may seek support from SSD when writing an appeal. An appeal can only be lodged by the student and cannot be made by a third party, other than in circumstances where, at the time allowed for the appeal to be lodged, the student

is suffering from such physical or mental incapacity as to prevent the student acting for themselves.

PROCEDURE

57. A student may make an appeal against a decision of the ECP by completing a Student Appeal Form and submitting it together with supporting evidence to the Registrar, within 14 days of the outcome of the ECP being conveyed to the student, where:
 - 57.1 Processes were not conducted in accordance with current approved policies and procedures or other irregularity concerned with the EC process.
 - 57.2 New, relevant, written extenuating circumstances are presented, supported by appropriate evidence, that for good reason were not originally made available to the ECP, and therefore were not considered at the time of the decision of the ECP.
 - 57.3 There is evidence of bias.
58. The standard of proof in appeals is on the 'balance of probabilities' rather than 'beyond reasonable doubt'.
59. In making an appeal the burden of proof is on the student to show that one of the matters listed above applies.
60. The Registrar shall assess whether there are valid grounds for an appeal within seven days.
61. The Registrar, on the basis of evidence, may either:
 - 61.1 Uphold the appeal in which case the Registrar will be required to take Chair's action to amend the decision of the ECP.
 - 61.2 Refer the appeal to the Extenuating Circumstances Appeal Board (ECAB) which will normally take place within seven days
 - 61.3 Inform the student that there are no grounds for an appeal and therefore this marks the end of the College's internal procedures and will be issued a COP letter. The letter will draw the student's attention to the Office of the Independent Adjudicator, to whom any final appeal can be made.

EXTENUATING CIRCUMSTANCES APPEAL BOARD (ECAB)

62. The Registrar will convene a meeting of the ECAB to take place.
63. The composition of the ECAB will be:
 - 63.1 Head of Faculty (Chair).
 - 63.2 One member of faculty drawn from the EC pool.
 - 63.3 One member drawn from Academic Board or the Teaching, Learning and Enhancement Committee.
 - 63.4 Head of Quality Assurance (Secretary).
64. All faculty members must be independent of any Faculty to which the appeal relates.

65. The ECAB considerations will be limited to the grounds stated in the appeal and should not take the form of a rehearing. The ECAB will be provided with the Appeal Form and evidence.
66. The ECAB will:
 - 66.1 Review the decision made at the ECP and will decide to:
 - 66.1.1 Overturn the original decision and substitute such other remedy as it considers appropriate, in which case the Chair of the relevant ECP will be required to take Chair's action to amend the decision of the ECP.
 - 66.1.2 Reject the appeal, in which case the original decision will stand.
67. The Secretary of the ECAB shall notify the student of the decision within seven days.
68. The decision of the ECAB is final and no further appeal to the College may be permitted. The Registrar will notify the student that the internal appeals procedures have been completed and will issue a COP letter.

OFFICE OF THE INDEPENDENT ADJUDICATOR

69. At the end of the procedure, the complainant will receive a Completion of Procedures letter. At this point if the student remains dissatisfied, they have the right to refer the decision to the OIA, within 12 months of the date of the Completion of Procedures letter. Details are available [here](#).
70. The Office of the Independent Adjudicator (OIA) is an independent body set up as a result of the Higher Education Act 2004 to run a student complaints scheme. Membership of the OIA is a requirement of the Higher Education and Research Act 2017 and the Office for Students.

DATA PROTECTION

71. The College will respect the confidentiality of information supplied by a student in support of an application for Extenuating Circumstances. By submitting an Extenuating Circumstances Application Form and supporting evidence, the student agrees to the College holding their personal data for the purposes of processing an Extenuating Circumstances claim. The College will hold this data in accordance with their notifications under the General Data Protection Regulation and other Data Protection Laws and the College's records retention policies.

REPORTING, MONITORING, AND REVIEWING

72. The Registrar/OQM will report to the Course Assessment Board (CAB/CAB (WRL)) statistical information relating to Extenuating Circumstances on an annual basis.
73. CAB/CAB (WRL) will monitor the data and make recommendations to Academic Board as appropriate.
74. Academic Board will review the policy and procedures for their effectiveness.

Title: Extenuating Circumstances Policy					
Approved by: Academic Board					
Version number	Date approved	Date published	Owner	Location	Proposed next review date
4.0	January 2022	January 2022	Registrar	Academic Handbook/policies and procedures/ academic policies and procedures	April 2024
3.2	December 2020	December 2020	Registrar	Academic Handbook/policies and procedures/ academic policies and procedures	April 2024
3.1	October 2020	October 2020	Registrar	Academic Handbook/policies and procedures/ academic policies and procedures	April 2024
3.0	September 2020	September 2020	Registrar	Academic Handbook/policies and procedures/ academic policies and procedures	April 2024
Referenced documents	Academic Appeals Policy and Procedures; Student Welfare Policy; Complaint Procedure for Students; Extenuating Circumstances Application Form; Appeal Review Form				
External Reference Point(s)	UK Quality Code Theme: Enabling Student Achievement; Assessment; GDPR				

ANNEX A: EXTENUATING CIRCUMSTANCES AND VALID EVIDENCE

Category ref:	Valid circumstance	Examples of valid supporting evidence	Timeframes ⁵
A	<p>Acute Health issue/flare up</p> <p>A short-term illness or acute episode, new diagnosis or medication change for a long-term condition that is likely to incapacitate the student during the period they might have reasonably been expected to spend time on preparation for submission or for sitting an assessment. This encompasses personal injury/accident with extended impact.</p>	<p>An independent doctor’s medical certificate relevant to the period of the claimed Extenuating Circumstances and stating that the student was unfit to study.</p> <p>A signed statement from an independent doctor in evidence of the requirement to attend hospital would also be appropriate.</p> <p>A letter from SSD is accepted as evidence of the student having health problem(s) and of seeking advice and support from College services.</p> <p>A statement from a recognised independent professional relevant to the period of the claimed Extenuating Circumstances and stating that the student was unfit to study.</p> <p>Photograph of the injury, prescription scripts or prescription boxes.</p>	<p>Maximum of 28 days.</p>
B	<p>Illness of a dependent</p> <p>Acute illness/accident affecting a dependent/close relative that required the constant attention of the student.⁶</p>	<p>An independent doctor’s medical certificate signed to verify the illness, or other medical evidence signed by an appropriate independent medical professional, together with a statement by the student, explaining why their personal attention was necessary and no</p>	<p>Maximum of 28 days.</p>

⁵ The valid circumstance must have occurred within the 28 days preceding the submission deadline or date of examination.

⁶ A close relative is defined as someone from the student’s immediate family, such as parent or sibling, or a member of the family with whom the student has lived.

		other family member could be expected to provide support.	
C	Bereavement Death of a close relative, partner, or close friend. ⁷	Production of a copy Death Certificate, Coroner's report or order of service.	Maximum of 28 days.
D	Court Attendance Jury Service or attendance at Court or a Tribunal as a witness, defendant or plaintiff, on the date the assessment was due to be submitted or assessment sat OR impacting on the period during which the student might reasonably have been expected to prepare for submission or revise for the assessment.	Official correspondence from the Court or Tribunal confirming attendance requirement.	Length of court attendance plus one week.
E	Victim of Crime The student was the victim of a crime that was reported to the appropriate authority for investigation and the nature of the crime was such that it was likely to have prevented the timely submission of an assessment or sitting an assessment; or to have impacted adversely on the student during the period in which the student might reasonably have been expected to prepare for submission or for sitting an assessment.	Copy of police/crime report. A statement from a recognised independent professional that is relevant to the period of the claimed extenuating circumstances and stating that the student was unfit to study.	Maximum of 28 days. Where future issues arise, which are linked to the original crime, e.g. court attendance, other relevant categories of this policy should be used.
F	Military Reserves The student is in the military reserves (Navy/Army/Air Force) and is required to undertake annual training.	Official correspondence from the Commanding Officer stating that the commitment cannot be moved to another date.	Length of attendance at training.
G	Sport commitment at national/ county level The student is selected to compete at national or county level at sporting events that require absence from the College on the date the assessment was due to be submitted or assessment sat.	Official correspondence from the relevant sporting body confirming the requirement to be available on specified dates.	Length of attendance at sporting event.

⁷ This does not include pets.

	Training requirements associated with sporting commitments are not deemed valid Extenuating Circumstances.		
H	<p>Retake level rather than individual courses</p> <p>Where students, who are ineligible to progress to the next level, believe their studies in the courses passed and not being retaken were affected due to circumstances beyond their control.</p>	A statement from a recognised independent professional that is relevant to the period of the claimed Extenuating Circumstances and stating that the student was unfit to study.	Submitted as an appeal within 14 days of the release of the results.
I	Apprenticeship work commitments	Written confirmation from Line Manager or Employer	Maximum of 28 days.
J	<p>Other exceptional and personal circumstances that do not come under the categories listed</p> <p>Where students believe they have experienced severe and exceptional circumstances that are not listed here but would reasonably be considered as valid Extenuating Circumstances, then they should discuss this with their Head of Faculty/Programme Director in good time to meet any stated submission deadlines.</p> <p>The Head of Faculty/Programme Director will inform the SWC, who will consult the Chair of the ECP and then advise the student if the circumstances are deemed appropriate for submission to the panel.</p>	Where the Extenuating Circumstances are considered to be valid, students will be advised by the SWC of the nature of the evidence required to support the submission.	Maximum of 28 days.
K	<p>Religious Festivals</p> <p>Where, for good reason, a student did not advise the College of a religious festival in advance of the examination timetable being published</p>	Advisement of a religious festival	Day of examination