

# Birmingham City University

## Extenuating Circumstances Procedure

### Introduction

This procedure applies only to students who are currently enrolled on a programme of study offered directly by us or at selected partner organisations. Your student handbook will tell you if you need to use a different procedure for your programme of study. It is important that you read the whole of this procedure.

We will assume that you are fit and well enough to take your assessments ('fit to sit') unless you tell us otherwise by making a claim for extenuating circumstances (see below for an explanation). We will ask you to declare that you are fit to sit each time you take an assessment that makes up part of your module mark. You **must** make sure you organise your time so that you can complete your assessments by the deadline set or be prepared for your exam. You need to build in some extra time in case everything does not go according to plan. You **must** also back up your work in case your computer fails or you lose it.

### What are extenuating circumstances?

Extenuating circumstances are personal circumstances that:

- you could not have predicted would happen;
- you have no control over; and
- have seriously affected your ability to do your assessment.

The following are valid reasons for making a claim for extenuating circumstances if you are able to show that they are preventing you from completing your assessments as planned.

- Illness or injury which lasts for more than one week that is serious enough to stop you from researching, rehearsing, writing, or revising for your assessment.
- Significant illness or injury on the day of or during a 'live assessment' such as an exam or performance.
- Serious illness of a close family member which means you need to provide significant caring support that you had not planned for.
- Death of someone close to you or the significant, ongoing effects of grief following the death of someone close to you.
- Unexpected and significant increase in your employment workload that is beyond your control (if you are a part-time student).
- Being the victim of a crime.
- Being called for jury service or as a witness in a trial.
- Requirements of military service.

#### Example 1

You become ill with food poisoning the day before you are due to sit an exam. You could not have predicted you would be ill, you have no control over becoming ill, and you will be too ill to go to your exam. As long as your medical note confirms the dates of your food poisoning, your **claim is likely to be successful**.

Claims based on any of the following will not be successful.

- Assessments that took place in a previous academic year.
- Going through our disciplinary or fitness-to-practise proceedings.
- A long-term health condition that we have already made reasonable adjustments for under a disability support summary or occupational health assessment.
- A holiday (you must make sure that you do not take holidays that affect your learning or assessment).
- A computing, IT, or printing failure (unless a relevant part of the University network is affected).
- Theft or loss of computing equipment.
- Failing to allow for reasonable delay (for example, not allowing enough time to print your assessment work or for moderate travel delays).
- Making a mistake in reading the exam timetable or location details.
- Stress or anxiety caused by the assessment (unless your claim is supported by medical evidence) as this is a common experience of many students.
- Employment or voluntary work (unless you are a part-time student and there is an unexpected and significant increase in your workload).
- The death or illness of a family pet.

#### Example 2

You receive your lecture and assessment schedule at the beginning of the academic year. You then book a holiday overseas. Your flight leaves three days before you are due to submit your coursework. Your claim will **not be successful** as you had control of when you went on holiday, knew you would be out of the country on the date your coursework was due in, and could have submitted your coursework ahead of the deadline before you travelled.

#### Example 3

Your coursework is due at 12.00 noon. You arrive at University at 11.00am to print and submit your coursework. The printers you usually use are all busy so you go to another building to print there, but that printer is not working. You print your work at 11.55am and are ready to submit it at 12.10pm but are told your work is late. Your claim will **not be successful** as you did not allow enough time to print and submit your work.

#### Example 4

You have been diagnosed with diabetes and given a disability support summary. This entitles you to extra time to complete your assessments. You are due to start your exam at 2pm, and this allows you extra time. On the way to the exam you suffer a hypoglycaemic attack. You could not have predicted you would be ill, you have no control over becoming ill, and you will be too ill to sit your exam. As long as your medical note confirms the date of your hypoglycaemic attack, your **claim is likely to be successful**.

## When should I think about taking a formal break from my studies?

You cannot keep claiming extenuating circumstances again and again for the same reasons. So, if it is going to be difficult for you to study properly for more than a few weeks, it may be best for you to take a formal break from your studies and come back when you are able to manage better.

If this happens, you can ask for an interruption of studies (IoS). This is an approved leave of absence from all study for a set period and may be taken for a number of reasons including ill health, financial, academic or personal reasons. You will need to look carefully at the rules for an interruption of studies including when you are allowed to take it. If you are considering asking for an interruption of studies, you should discuss this with a relevant member of staff, usually your personal tutor or programme leader, who can help you make this decision. You will need to read the extra information that is available at [www.icity.bcu.ac.uk/Academic-Registry/Information-for-Students/Interruption-Transfer-and-Withdrawal/Interruption-of-Studies](http://www.icity.bcu.ac.uk/Academic-Registry/Information-for-Students/Interruption-Transfer-and-Withdrawal/Interruption-of-Studies)

### Example 5

You are due to sit exams in January. You suffer a painful injury to your arm which stops you revising. You make a successful claim for extenuating circumstances and are allowed to sit your exams at the next available opportunity, which is in May. Your arm injury continues to cause you problems and you have a disability support summary put in place. Despite the reasonable adjustments that are made, you do not feel you are able to fully prepare for your exams and you submit an extenuating circumstances claim. Your claim will **not be successful** as your condition is ongoing, is covered by a disability support summary, and you could have taken an interruption of studies to allow you time to recover.

## What happens if I submit my coursework after the deadline but don't have extenuating circumstances?

Meeting deadlines is an essential employability skill so if you do not meet the deadline you will be given a reduced mark. This makes sure that students who submit their work late do not have an advantage of extra time over students who submit theirs on time.

We apply the following penalties if you are late submitting work at the first attempt.

You submit your coursework	Mark awarded
Before the deadline	Your work is marked using the full scale (it is marked out of 100%)
Up to two hours after the deadline	Your mark is reduced by 10% of the awarded mark
Between two hours and five working days after the deadline	Your work is capped at the pass mark for your programme of study

**If you submit your re-sit work after the deadline you will have failed the assessment.**

#### Example 6

Your dissertation deadline is 12.00 noon. You submit your work at 1.15pm. The mark awarded to your work is 60%, but this is reduced because you were late submitting your work. As your work was submitted within two hours of the deadline, the mark awarded is reduced by 10% of 60% which is 6%, so you are given 54%.

#### Example 7

Your coursework deadline is 12.00 noon on a Monday. You submit your work at 10am on the following Wednesday. As this is between two hours and five working days after the deadline and you are an undergraduate student, your work is marked but your mark is capped at 40%.

### What happens if I believe I have extenuating circumstances?

If you believe you have extenuating circumstances and can provide evidence of this, you can make a claim using the Extenuating Circumstances Claim Form as described below under 'How to claim'. You must submit your claim as soon as you know you will not be able to attend your assessment or submit your coursework. Do not wait to submit your claim form for any reason, including if you do not yet have all your evidence.

Unless there are exceptional circumstances, you **must submit your claim before the planned assessment date or deadline**. We will only consider a claim made after this if there is a good reason (for example, if you were ill on the day of the exam). As completing coursework should not be a 'last minute' process there are very few circumstances in which we will accept an extenuating circumstances claim for coursework made after the deadline.

If your extenuating circumstances do happen on the day, you must submit your claim no later than five working days after the assessment date or the deadline, with evidence that shows why you were not able to attend your assessment or submit your work on time. If you submit your claim later than this, you will also need to provide evidence that shows why you could not have submitted your claim within the five days.

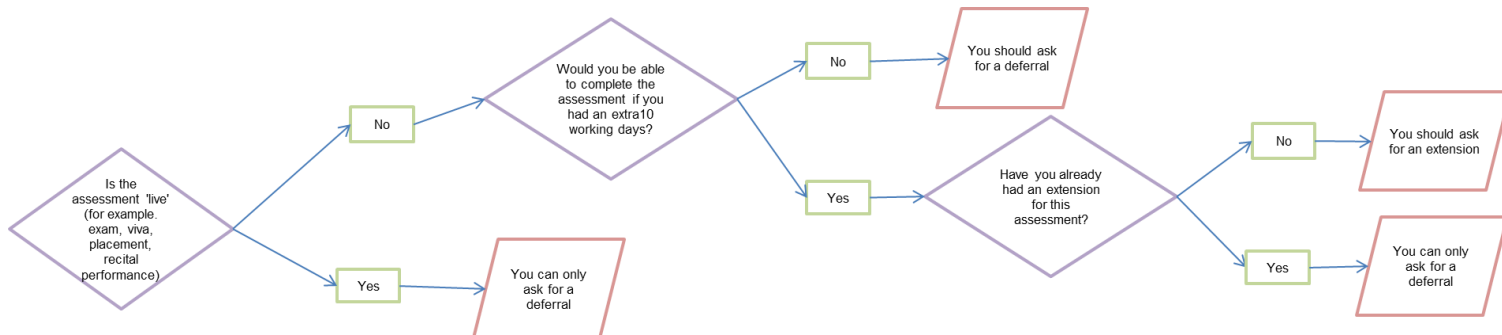
When making a claim you can either ask for:

- **an extension** – if your claim is successful, you will be given an extra 10 working days after your original deadline to submit your work (this is only available for coursework and some presentations); or
- **a deferral** – if your claim is successful, you will complete the assessment at the next available opportunity. Please be aware that this may be a few weeks or up to a year following the original assessment date. You must check with your faculty before asking to defer your assessment. (This is the only option

for most live assessments which include an examination, viva, placement, recital or performance, and some presentations.)

You must carefully think through whether you need an extension or a deferral as, once you have received a decision on your claim, you cannot change your request. If you have already been given an extension but you are still experiencing the extenuating circumstances at the time of your new deadline, you will have to make a new claim for a deferral. You cannot ask for a further extension.

The following flowchart is designed to help you decide whether you should apply for an extension or a deferral.



Your claim will need to be supported by evidence (see below). Once we receive your claim form and evidence, it will usually take up to five working days for Complaints and Appeals to issue a decision. The sooner you make a claim the sooner you will know the outcome. If your claim is not successful you will know that, unless you complete your work on time, you will be given a fail or possibly a penalty for missing a deadline. If your claim is successful you will know that you have extra time or that you can take the assessment later.

### **What if I attempt an assessment, either coursework or a live assessment, and then find out later that I wasn't 'fit to sit'?**

If you are claiming because you attempted the assessment but now realise that you were ill at the time, you can only ask for a deferral not an extension. As you originally told us that you were fit to sit the assessment, you are responsible for providing evidence that confirms:

- you were ill when you took the assessment, and your performance would have been significantly affected; and
- you did not know you were ill or ill enough for it to affect your performance significantly, meaning you did not realise you were not fit to sit the assessment.

You should not wait to submit your claim form for any reason, including if you do not currently have your evidence. You must make the claim within 10 working days of the assessment date or deadline.

If your claim is successful, you will complete the assessment at the next available opportunity. Your faculty can confirm when this would be. This means that your first attempt will not count so, if you get a lower mark next time, you cannot ask for the first mark to be used instead.

### **What if I submit some coursework or take a live assessment and am then diagnosed with a disability that affected my performance?**

If you are diagnosed with a disability after you have done your assessment and the disability affected your performance in the assessment, you will have different options depending on the circumstances.

- For any disability and any type of assessment you may ask to repeat the assessment. The first assessment attempt will not count and you will do the assessment again with the reasonable adjustments from your disability support summary in place. This means that, as your first attempt will not count, if you get a lower mark next time you cannot ask for the first mark to be used instead.
- If you are diagnosed as having a specific learning difficulty and the type of assessment is anything other than a placement, you could instead ask to have your assessment marked again, taking into account the reasonable adjustments in your disability support summary.

If you are claiming for a placement you cannot ask to have the assessment remarked because there is a requirement for reasonable adjustments to be in place for the assessment of your placement. You are only allowed to repeat the assessment as set out above.

### **How to claim**

You must use the current version of the Extenuating Circumstances Claim Form available on iCity (insert hyperlink). When you have filled in your form, email it to [complaintsandappeals@bcu.ac.uk](mailto:complaintsandappeals@bcu.ac.uk). Or you can take your claim form to Complaints and Appeals or to your faculty office. If you hand in your form at your faculty office, they will send it to the Complaints and Appeals team by secure internal post. You must make arrangements to submit your supporting evidence (see below) as soon as possible.

### **Evidence**

You are responsible for getting and submitting all evidence you want to use to support your claim. If possible, submit your evidence at the same time as you submit your claim. If you do not have your evidence but have filled in your claim form, submit your claim form anyway and send us your evidence as soon as it is available.

As a guide, we accept the following evidence.

Extenuating circumstance	Evidence includes:
You have a serious illness or accident	<ul style="list-style-type: none"> <li>• Letter from a doctor, hospital or nurse</li> <li>• Must be on official, headed paper</li> <li>• Must be written at the time of the illness or accident</li> <li>• Must say that you are or will be unfit to study at the time of the assessment</li> </ul>
A very close relative is seriously ill	<ul style="list-style-type: none"> <li>• Letter from a doctor, hospital or nurse confirming the circumstances and the effect these are having on your ability to do the assessment</li> <li>• Must be on official, headed paper or have an official stamp</li> <li>• Must confirm the dates of the illness</li> </ul>
A very close family member or friend dies	<ul style="list-style-type: none"> <li>• Medical letter explaining how your grief is affecting your ability to do the assessment</li> <li>• Death certificate</li> </ul>
You face an unexpected or serious difficulty on the day of a live assessment, such as a severe transport delay	<ul style="list-style-type: none"> <li>• Letter from a transport or motoring organisation, or a garage</li> <li>• Must be on official, headed paper</li> </ul>
You have a serious personal problem	<ul style="list-style-type: none"> <li>• Letter from a doctor, solicitor or other professional person confirming the circumstances and dates, and how the problem is affecting your ability to do the assessment</li> <li>• Must be on official, headed paper</li> </ul>
You have a long-standing health condition which suddenly gets worse	<ul style="list-style-type: none"> <li>• Letter from a doctor, hospital or nurse</li> <li>• Must be on official, headed paper or have an official stamp</li> <li>• Must be written at the time</li> <li>• Must say that you are or will be unfit to study</li> </ul>
There is a sudden, significant change to your employment (part-time students only)	<ul style="list-style-type: none"> <li>• Letter from your employer outlining the changes and the dates these will apply from</li> <li>• Must be on official, headed paper</li> </ul>
You are the victim of a crime	<ul style="list-style-type: none"> <li>• Police report giving the date of the crime</li> <li>• Must be on official, headed paper.</li> </ul> <p><b>We do not accept crime reference numbers alone without further information.</b></p>
You are called for jury duty	<ul style="list-style-type: none"> <li>• Jury summons letter</li> </ul>
You are diagnosed as having a disability during the current academic year	<ul style="list-style-type: none"> <li>• Evidence that confirms:               <ul style="list-style-type: none"> <li>○ you have been diagnosed with a disability that would have affected your performance in the assessment</li> <li>○ the disability diagnosis was made after you attempted the assessment</li> </ul> </li> </ul>

In all cases, you may be able to support your claim with a statement of support from a University member of staff such as your personal tutor or programme leader. This is known as a staff statement of support.

We do not accept photographs as evidence.

Evidence must be:

- genuine – we will reject your claim if we find that any of the evidence you submit is false, forged or has been tampered with in any way;

- independent – we do not accept letters from relatives or friends;
- written in English – if the evidence was written in a language other than English, you must also supply an officially translated copy; and
- on official, headed paper or have an official stamp or seal of the issuing authority.

The evidence you provide does not have to be an original document. We will accept photocopied or scanned documents, but we may decide that we need to see the original document as well.

Complaints and Appeals regularly check the evidence they receive to make sure it is genuine. By submitting your claim, you are giving us permission to carry out these checks. If you submit evidence which we find is false, forged or has been tampered with in any way, we may start a disciplinary investigation and your claim will not be allowed.

### **How do you make the claim decision?**

Members of staff in Complaints and Appeals will assess your claim using the following criteria.

- Are you a current student?
- Could you have predicted the circumstances?
- Did you have any control over the circumstances and could you reasonably have avoided them?
- Has your ability to do the assessment been seriously affected?
- Have you provided relevant evidence?
- Is the evidence genuine or has it been tampered with?
- Is the evidence independent?
- Does the evidence support your claim?
- Does the evidence cover the date (or dates) of the assessment?

### **Claim decision**

Once we receive your claim form and evidence it usually takes up to five working days for Complaints and Appeals to issue a decision on your claim. We will email the decision to you using your University email address.

If your claim is successful, and was for:

- an extension, you must make sure you complete your assessment within 10 working days of the original assessment deadline;
- a deferral, you must contact your faculty for your new assessment deadline date;
- a re-mark, you must contact your faculty about resubmitting your work; or
- for a repeat of the assessment, you must contact your faculty about repeating the work with any reasonable adjustments in place.



If your claim is not successful we will explain why. If you do not understand or are not satisfied with the outcome, you should use the Academic Queries and Appeals Procedure to raise a query on the outcome.

