



# Union School of Theology Extenuating Circumstances Policy And Procedures

Approved by Union School of Theology (UST) Academic Board 17-01-2018

Policy reviewed by Academic Board 20-02-2019. Next policy review January 2022

## CONTENTS OF POLICY

1. Introduction
2. Legislative Framework
3. Policy
4. Admissible Grounds
5. Inadmissible Grounds
6. Application Procedure: Assignments
7. Extenuating Circumstances and the Examination Board: Undergraduate Students
8. Extenuating Circumstances and the Examination Board: Postgraduate Students
9. Aegrotat: Undergraduate Students
10. Appeal to UST
11. Appeals to External Bodies
12. Equal Opportunities
13. Data Protection
14. Responsibilities, Policy Approval and Review
15. Policy Communication

## 1. INTRODUCTION

- 1.1. UST recognises that students may suffer from sudden illness, or other serious and unforeseen event or set of circumstances, which adversely affect their ability to complete an assessment, or the results they obtain for an assessment. In such cases, this policy and procedure document will apply.
- 1.2. The [UST Learning Support Policy](#) outlines the help that is available to students with a long-term condition or disability.

## 2. LEGISLATIVE FRAMEWORK

This policy has been developed in accordance with the following regulations, policies and procedures. This list is not exhaustive:

- [UST Student Handbooks](#)
- [UST Learning Support Policy](#)
- [UST Disability Policy](#)
- [UST Equal Opportunities Policy](#)
- [UST Data Protection Policy](#)
- [Open University Handbook for Validated Awards](#)

### 3. POLICY

- 3.1. It is the student's responsibility to inform the School of extenuating circumstances, which they consider are affecting their ability to study and/or undertake assessments, using the procedures in this policy.
- 3.2. It is UST's responsibility to treat all extenuating circumstance applications confidentially, fairly and promptly, and in accordance with [UST's Equality and Diversity Policy](#), [Disability Policy](#), and [Learning Support Policy](#).
- 3.3. Students should make every effort to ensure that they are fit to study and undertake assessment, and, where a student feels that there are circumstances that are affecting them adversely, it is their responsibility to seek professional help, where relevant, to assist in resolving the problem.
- 3.4. Students are responsible for ensuring that they are available for all necessary study and assessment. A student will be in breach of [UST's Attendance Policy](#) if they do not attend an examination or comply with a coursework deadline and do not follow the extenuating circumstance procedure, or if their application for extenuating circumstances to be taken into account is insincere.
- 3.5. Extenuating circumstances cannot excuse academic misconduct.
- 3.6. The Programme Leader may consider late submission of assignments, due to extenuating circumstances, only if they meet the given criteria below.
- 3.7. Upon receipt of a student's extenuating circumstances application, it is the Programme Leader's responsibility to inform the student when the outcome of their application can be known. This is usually within seven days, but may be delayed pending the submission of evidence from the student.
- 3.8. The aim in dealing with student's work which has been affected by extenuating circumstances is that everyone should be assessed on equal terms, and no one should be put in a position of unfair advantage or disadvantage over other students.

- 3.9. Extenuating circumstances applications should be made at the earliest opportunity, i.e. as soon as the situation is foreseen, or as soon as possible, and no later than 7 calendar days after the circumstances apply. Only in very exceptional circumstances will an application be considered after the published deadline has elapsed.
- 3.10. Students are responsible for providing the required evidence demonstrating their claimed extenuating circumstances.
- 3.11. Confidential information will only be shared with UST for the purposes of implementing this policy in a fair and rigorous manner. Any student wishing to restrict the sharing of such information should make their wishes known to the Programme Leader, preferably in writing. Students should be aware that UST cannot respond to a student's circumstances if they remain unaware of relevant information.
- 3.12. Normally such wishes will be respected, unless to do so would be against the best interests of the UST community or the interests of safety or security of any person.
- 3.13. It is the responsibility of the Programme Leader to keep records of all claims and ensure that they manage and note extensions to deadlines and deferral of examinations, keeping the relevant lecturer informed.
- 3.14. If a request for extenuating circumstances is granted, normally a student will be offered the opportunity to sit the examination at another time, or have an extension deadline for the submission of coursework.
- 3.15. If extenuating circumstances cause a student to fail more than one module, the student may be offered the option to re-take the entire year, re-attending classes and submitting the required assignments (assignments submitted will be on different questions from those submitted in the previous year). The option of re-taking a year will be at the discretion of the Board of Examiners, and fees may be incurred for the extra year of studies. A student may re-take a year only once.
- 3.16. Work that has been granted extenuating circumstances permission for late submission will not incur any penalty.
- 3.17. If the extenuating circumstance persists, and a student is unable to continue with their coursework, they should defer their studies to the following year.
- 3.18. It is UST's responsibility to ensure that all students are aware of this policy. The information should be included in the induction programme and students should be reminded each year of its existence, as well as being included in the Handbook for their programme.

## 4. ADMISSIBLE GROUNDS

4.1. In order to be considered extenuating circumstances such difficulties must meet all of the following criteria:

- they must be out of a student's control – they could not have been prevented;
- they must have had an impact, i.e. a demonstrably negative impact, on a student's ability to study or to undertake an assessment;
- the timing of the circumstances must be relevant to the impact the student claims it had on them.

4.2. The type of circumstance must also be covered by one of the following categories:

- ill-health or accident;
- compassionate grounds, e.g. bereavement or serious family issues including those which necessitate unexpected travel;
- Jury service or requirement to appear as a witness in a court case
- visa renewal or expiry issues affecting overseas students.

## 5. INADMISSIBLE GROUNDS

Extenuating circumstances will not be considered:

- if a student fails to plan;
- if a student fails to organise work;
- for poor time management;
- financial circumstances
- for requesting an extension after the published deadline has elapsed. N.B. A student should not presume that they will be granted a last-minute extension beyond the due submission time.

## 6. APPLICATION PROCEDURE: ASSIGNMENTS

6.1. The Programme Leader may consider late submission of assignments due to extenuating circumstances, only if they meet the type of criteria set out in 4.2.

6.2. If a student fails to attend an examination or to submit an assignment on time due to extenuating circumstances, they should:

- inform the Programme Leader at the earliest opportunity, i.e. as soon as the situation is foreseen, or as soon as possible, and no later than 7 calendar days after the circumstances apply. Only in very exceptional circumstances will an application be considered after the published deadline has elapsed.
- complete an Extenuating Circumstances form, obtainable on the Union Cloud or from the Programmes office.
- return the completed form to the Programmes office with the appropriate supporting evidence.

6.2.1. The Programme Leader (or nominee) will discuss the options with the student and a decision will be given as soon as approval has been granted by the Academic Dean.

6.2.2. If an Extenuating Circumstance is granted, the Programme Leader will issue a copy of the Extenuating Circumstances Authorisation to the student; the original of which will be retained by the Programmes office.

6.3. The student must submit the assignment by the revised date given. If they do not do so, they will be subject to late penalties.

6.4. A further extension will only be granted under unquestionable extenuating circumstances and supported by evidence.

## 7. EXTENUATING CIRCUMSTANCES AND THE BOARD OF EXAMINERS

7.1 UST's Extenuating Circumstances Committee normally meets twice a year, one of which meetings is usually between two and four weeks before each Board of Examiners. The Programme Leader reports to the committee the cases of Extenuating Circumstances and actions taken. The Committee provides an annual report to the Board of Examiners. Where necessary it makes recommendations to the board in cases where Extenuating Circumstances may have affected a student's performance. The committee comprises the Academic Dean, the Programme Leaders, and the Assistant Academic Administrator. The work of the committee ensures that potentially confidential information (such as medical reports) is not shared more widely than it needs to be.

7.2 If the timing of the extenuating circumstance is so late in the final semester of an academic year that it prevents a student from submitting any outstanding work in time for the Examination Board to progress them on to the next year of study, the Extenuating Circumstances Committee will submit the case to the Board of Examiners, together with their supporting evidence, e.g. doctor's certificate.

### *UNDERGRADUATE STUDENTS AND THE BOARD OF EXAMINERS*

7.3 Upon receipt of recommendations made to them about Extenuating Circumstances, the Board of Examiners will decide whether to:

- provide a student with the opportunity to take the affected assessment(s) as if for the first time, i.e. a 'sit' or 'submit', allowing them to be given the full marks achieved for the examination or assessment, rather than imposing a cap;
- waive late submission penalties;
- determine that there is sufficient evidence of the achievement of the intended learning outcomes from other pieces of assessment in the module(s) for an overall mark to be derived;
- note the accepted extenuation for the module(s) and recommend that it is taken into account at the point of award and classification.

7.4 If satisfied, the Board of Examiners will allow the work of continuing students to be submitted in time to allow students to progress to the following academic year.

7.5 The Board of Examiners makes the ultimate decision on whether or not a student has presented a valid case. The Examination Board must be satisfied that their absence, failure to submit work or poor performance was due to illness or another cause found valid on production of acceptable evidence. If a student fails to attend examinations or submit work for assessment without good cause, the examiners have authority to deem them to have failed the assessments concerned.

## 8. EXTENUATING CIRCUMSTANCES AND THE EXAMINATION BOARD: MASTERS STUDENTS

8.1 The maximum allowed period of study usually allows a student sufficient time to complete modules; and includes a period of several months to finish the dissertation.

8.2 The nature of the MTh degree means that there is an expectation that all elements will be properly completed. Where this has not been possible, there are options for a student to be awarded the PG Dip.

8.3 If a student has to return to work or to their home country before their dissertation is completed (sometimes due to extenuating circumstances), they may apply, or be required, to take a study break for a maximum period of twelve consecutive months under the agreed procedure for extenuating circumstances. This may be extended in exceptional circumstances as agreed between The Open University and the partner institution.

8.4 Students are responsible for ensuring that the partner institution is notified of any extenuating circumstances at the time they occur and for supplying supporting documentation by the published deadline.

8.5 If a student fails, without good cause, to provide the responsible body with information about extenuating circumstances within the timescales specified in the partner institution policy, the responsible body has authority to reject the request on those grounds.

8.6 The Board of Examiners will take into account any relevant extenuating circumstance reported to them by the Extenuating Circumstances Committee that relates to the final award. It will decide whether to

- a) provide a student with the opportunity to take the affected assessment(s) as if for the first time, allowing them to be given the full marks achieved for the examination or assessment, rather than imposing a cap;
- b) waive late submission penalties;
- c) determine that there is sufficient evidence of the achievement of the intended learning outcomes from other pieces of assessment in the module(s) for an overall mark to be derived;

- d) note the accepted extenuation for the module(s) and recommend that it is taken into account at the point of award and classification.

8.7 The Board of Examiners makes the ultimate decision on whether or not a student has presented a valid case. The Board of Examiners must be satisfied that a student's absence, failure to submit work or poor performance was due to illness or another cause found valid on production of acceptable evidence. If a student fails to submit work for assessment without good cause, the examiners have authority to deem them to have failed the assessments concerned.

## 9. AEGROTAT: UNDERGRADUATE STUDENTS

9.1 Should a student be prevented by illness, or other circumstances, from completing the final assessed component of the programme, the board of examiners, having considered the relevant evidence presented by the Extenuating Circumstances Committee (including medical certification) may recommend that an Aegrotat award be made.

9.2 Such exceptions are limited to students who are permanently unable to continue their studies and are registered for the final module that would complete a qualification, and have been assessed on at least part of the module. The board must be satisfied that the student's prior performance shows beyond reasonable doubt that they would have passed but for the illness, or other circumstances.

9.3 Posthumous awards are permitted for all programmes. The classification for such awards is based on past performance and is recommended to the Open University Ratification Panel for approval.

9.4 Before a recommendation of an Aegrotat is submitted to the Open University, a student must have signified willingness to accept the award and understand that this implies waiving the right to be reassessed.

## 10. APPEAL TO UST

If a student feels UST did not follow its own procedures when refusing a student permission for extenuating circumstances, they may appeal as follows.

- Appeals must be made to the Provost within 14 calendar days of receiving the refusal.
- We encourage the student to do this informally at first by discussing the situation with the Provost.
  - If the student still remains unsatisfied and has sufficient grounds, they may complain using the [Formal Complaints form](#) and follow the procedure laid down in the ['Grievances Policy and Procedure for Non-Academic Issues'](#).

## 11. APPEALS TO EXTERNAL BODIES

11.1 It will usually only be possible to appeal against the final decision of UST if it has either not followed its own procedures properly or it has not dealt with a complaint fairly.

11.2 The resolution of a complaint will include any options the student may have of appealing to another body either within UST or externally. External options include appealing to either the Open University or the Office of the Independent Adjudicator. However, none of these options are available to students until after they have first exhausted UST's own complaints or appeals procedures.

### *11.3 Appealing to the Open University*

11.3.1. UST is a partner of the Open University. As the body which validate our awards, the OU is interested in the concerns of all students undertaking those programmes. If, after going through our own internal procedures (which have been approved by the OU), a student still feels their concerns have not been properly addressed, they may approach the OU and make a formal appeal or complaint to them, if they have sufficient grounds according to the OU regulations. These can be found on the Union Cloud VLE and also on the UST website. Alternatively, the Open University can be contacted directly by email: [OUVP-Director@open.ac.uk](mailto:OUVP-Director@open.ac.uk), by phone: 01908 332840 or by post: The Director, Centre for Inclusion and Collaborative Partnerships, Walton Hall, Milton Keynes, MK7 6AA, UK.

11.3.2. In order to appeal to the Open University a student must:

- i. request a 'Completion of Procedures' letter from UST within one month of the conclusion of our internal processes if a student's complaint/appeal is upheld. If a student's complaint or appeal is not upheld the completion of procedures letter will be issued automatically within 28 days of the completion of the internal processes. This letter can be requested from the Programme Leader;
- ii. appeal within 3 months of the receipt of the 'Completion of Procedures' letter;
- iii. follow the Open University's own procedures (see previous paragraph).

### *11.4 Appealing to the Office of the Independent Adjudicator*

11.4.1 If a student remains dissatisfied with the way their complaint was handled, they may prefer to complain to the Office of the Independent Adjudicator for Higher Education (OIA) by contacting them at: [www.oiahe.org.uk](http://www.oiahe.org.uk). The OIA was set up under the Higher Education Act 2004 to provide 'an independent student complaints scheme'. All Higher Education Institutions in England and Wales are required to comply with the scheme, which is free to students. Complaints can be submitted to the OIA either before or after their appeal to the Open University if they are dissatisfied with the result of either the UST or the OU complaints or appeals processes. However, the OIA can only



consider unresolved complaints from students after UST's own complaints and appeals procedure has been concluded.

11.4.2. The complaints which the OIA will consider include, but are not limited to:

- Academic Appeals
- Extenuating Circumstances
- Teaching and Facilities
- Accommodation
- Research supervision
- Welfare
- Discrimination (but see \* below)
- Bullying and harassment
- Placements
- Procedural irregularities
- Unfair practices
- Disciplinary matters – including plagiarism.

\* In considering issues related to discrimination the OIA does not act as a court. It does not investigate or make legal findings in the same manner as a court. However, it is appropriate for the OIA to refer to the law and guidance on discrimination to form an opinion as to good practice and to decide whether the provider has acted fairly.

11.4.3. The OIA cannot consider complaints/appeals concerning:

- Admissions
- Academic judgement
- Matters which are already are or have been the subject of Court or Tribunal proceedings, unless the proceedings have been 'stayed' or adjourned.

11.4.4. In order to appeal to the OIA, the student will need to:

- i. request a 'Completion of Procedures' letter from UST to submit with the student's appeal to the OIA. This must be requested within one month of the student's complaint or appeal being upheld. If the complaint or appeal is not upheld the completion of procedures letter will be issued automatically within 28 days of the completion of the internal processes. This letter can be requested from the Academic Registrar after the complaints procedure has been completed.
- ii. complete the OIA's own complaint form, which is available from [www.oiahe.org.uk](http://www.oiahe.org.uk);
- iii. submit an appeal to the OIA within twelve months of the date of their 'Completion of Procedures' letter.

## 12. EQUAL OPPORTUNITIES

Extenuating Circumstances will be considered impartially. UST makes every effort, in accordance with its '[Equal Opportunities Policy](#)' to ensure that students are not unlawfully discriminated against because of the Equality Act 2010 'protected characteristics of age, disability, gender reassignment, pregnancy and maternity, marriage and civil partnership, race (including colour, ethnic/national origin or nationality), religion or belief, sex (gender) and sexual orientation'. We believe that diversity is a positive contribution to the learning experience at UST.

## 13. DATA PROTECTION

13.1. All student records, including applications for extenuating circumstances and any accompany evidence, e.g. medical, are kept in accordance with the General Data Protection Regulation.

13.2. In line with the terms of the General Data Protection Regulation, students are entitled to a copy of all their personal data held by us. All requests should be made to the Academic Registrar.

### *RESPONSIBILITIES, POLICY APPROVAL AND REVIEW*

13.3. This document, as well as all other policy, procedure and guidance documents relating to students studying at UST, will be available to all, monitored regularly and reviewed and evaluated periodically.

13.4. The Provost, Academic Dean and Programme Leaders have overall responsibility for the Extenuating Circumstances policy, including its approval and annual review.

13.5. The Programme Leaders ensure that decision-making complies with Open University regulations.

13.6. The Programme Leaders have responsibility for granting extenuating circumstances, and monitoring the student's compliance with the new deadline.

## 14. POLICY COMMUNICATION

14.1. This document can be found in the full UST 'Handbook of Policies and Procedures (Programmes) document which is located in Union Cloud VLE and on the website: [www.ust.ac.uk](http://www.ust.ac.uk).

14.2. Every effort will be made to respond to any request to provide this policy in a different format.

14.3. This policy will be included in staff and student induction.

## EXTENUATING CIRCUMSTANCES APPLICATION FORM

Please submit the completed form, with appropriate evidence, to the Programme Leader, who will inform you whether your request has been accepted or not.

Student Name \_\_\_\_\_

Programme of Study \_\_\_\_\_, Level \_\_\_\_\_

I formally request an extension to the submission date for the following piece(s) of assessed work:

Module Code	Module Title	Component for which an extension is sought, e.g. 50% coursework, 30% exam	<i>FOR OFFICIAL USE ONLY</i>  New agreed submission date

Reason for request

I confirm that I have read and understood the guidance notes and that I have attached independent documentary evidence to support my request. I understand that requests will not be considered until evidence has been provided.

Signed \_\_\_\_\_ date \_\_\_\_\_

*(Please ensure you take copies of this evidence before submitting)*

FOR OFFICIAL USE ONLY

Recommendation of Programme Leader

\_\_\_\_\_

Print name \_\_\_\_\_

Signature \_\_\_\_\_ date \_\_\_\_

Decision of Programme Leader

\_\_\_\_\_

Print name \_\_\_\_\_

Signature \_\_\_\_\_ date \_\_\_\_

Evidence attached  Medical  Other

## GUIDANCE NOTES FOR EXTENUATING CIRCUMSTANCES APPLICATION FORM

- You should apply for Extenuating Circumstances as soon as the situation is foreseen, or as soon as possible, and no later than 7 calendar days after the circumstances apply. Only in very exceptional circumstances will an application be considered after the published deadline has passed.
- You must provide the required evidence demonstrating your claimed extenuating circumstances.
- If a request for extenuating circumstances is granted, normally you will be offered the opportunity to sit the examination at another time, or have an extension deadline for the submission of coursework.
- Do not presume that you will be granted a last-minute extension beyond the due submission time. The Programme Leader will tell you when the outcome of your application can be known. This is usually within seven days.

### *Acceptable Extenuating Circumstances –*

See Sections 4 and 5 of Extenuating Circumstances Policy to see if you are eligible to Apply