

The Academic Regulations

Appendix 7:

Procedures for the Submission of Exceptional Mitigating Circumstances

2020 – 2021



Edge Hill
University

The Academic Regulations

Appendix 7: Procedures for the Submission of Exceptional Mitigating Circumstances

Contents

Summary	3
Glossary of Terms	3
Purpose	3
Regulations	4
1. Assessment.....	4
2. Failure to submit an assessment/attend an examination or presentation.....	4
3. The Exceptional Mitigating Circumstances Scheme	4
4. What is classed as Exceptional Mitigating Circumstances.....	5
5. When to submit an application	6
6. How EMCS applications are considered	6
7. Evidence	6
8. Confidentiality.....	7
9. Outcomes.....	7
10. Late submissions	8
11. Part-time and Postgraduate students.....	8
12. Appeals	8
13. Frequently Asked Questions	8
Key to Relevant Documents.....	10
Annexes	10
End matter.....	11

Summary

Appendix 7 details the process in place to consider claims from students who believe their performance has been adversely affected by exceptional mitigating circumstances (EMC).

Glossary of Terms

Term	Meaning
Assessment Board	The name given to the meeting which confirms student's results and progression.

Purpose

In determining assessment recommendations module, progression and award boards will consider properly submitted claims from students who believe their performance has been adversely affected by extended or exceptional mitigating circumstances which have not been (fully) addressed through the extension scheme.

Regulations

Principles underpinning the scheme

1. Assessment

Assessment is the key element of the learning process through which your performance and overall grades are determined. Assessment can take a variety of forms such as coursework, examinations, timed assessments, oral presentations or supervised practice placements. Whatever form your assessment takes you will be given full details of the requirements at the beginning of your programme or the individual modules you are undertaking. **It is your responsibility to ensure that you submit work or present yourself for assessment in line with published deadlines/examination timetables/presentation start times.** Planning and organising your work so that you can meet deadlines is one of the key skills we expect you to develop during your time as a student with us. This includes making allowances in your schedule for the unexpected and times when you might not feel at your best. Burning the midnight oil to meet a submission date is your choice, not a requirement.

2. Failure to submit an assessment/attend an examination or presentation

Because we expect you to plan and organise your work appropriately, failure to hand in work on time or present yourself for an examination or timed assessment can only be accommodated where there are **serious mitigating circumstances which you could not have been expected to know about or plan for in advance**¹. In general, this will relate to illness or sudden changes in your personal circumstances over which you have no control. In the first instance you must contact your Programme/Module tutors to discuss your situation. All Programmes operate local procedures for the consideration of justified mitigating circumstances and will accommodate you wherever possible either through extending submission deadlines or making alternative arrangements for local tests for example so that you are not disadvantaged. Details of these procedures are included in Programme/Module handbooks and it is your responsibility to make yourself familiar with them and to use them appropriately. **You should note that failure to submit for assessment without approval will mean your work is awarded a zero mark.**

3. The Exceptional Mitigating Circumstances Scheme

Formally, your performance in a module is determined by a Module Assessment Board which meets at the end of the session in which the module was delivered. It is essential that the Board has a clear understanding of your position in order to confirm your marks and determine the appropriate action if elements of your

¹ If you are experiencing difficulties in preparing for assessment or you have other study – related issues which might affect your ability to submit, you should discuss these with your tutors at the earliest opportunity so that appropriate study support can be provided.

assessment are incomplete. The Exceptional Mitigating Circumstances Scheme exists for those occasions where, even with the use of the local procedures described above, you have outstanding requirements at the time a module is due to finish. **You will need to have a strong justification for being in this position.**

In addition to outstanding assessment requirements, you may also use this scheme if you have been subject to serious and prolonged circumstances that you believe have **significantly** affected your overall performance during an academic session².

4. What is classed as Exceptional Mitigating Circumstances

It is not possible to draw up a definitive list of what may or may not be considered valid. As a general guide however, exceptional mitigating circumstances will usually relate to:

- circumstances which have arisen which are outside your control such as illness or the death of a close relative
- sudden events which could not be planned for such as accidents or emergencies, especially in relation to caring responsibilities
- significant changes in your circumstances since you began your course such as the diagnosis of a chronic medical condition

Circumstances which will not be accepted as valid will generally relate to things you could have planned for or situations which arise through your own carelessness or negligence.

Examples are:

- oversleeping
- missing a bus/train
- computer/ equipment faults whilst preparing your assessment³
- holidays during published term and assessment dates
- planned house moves
- everyday occurrences such as headaches, colds or known conditions such as hayfever unless they are unusually severe and you have a medical certificate to indicate you were too unwell to attend.
- lack of command of the English language
- normal pregnancy
- childcare arrangements

If you are a full-time student, work commitments are not accepted as valid exceptional circumstances.

² Where lengthy periods of absence from your studies are unavoidable, you may wish to consider intercalating or suspending your studies for a period of time. Consult your Personal Tutor or staff from Academic Registry for advice.

³ Should you encounter any technical difficulties during the online submission process you should initially consult with your department or IT Services to ascertain if the matter can be resolved outside of the EMC scheme – where the matter cannot be resolved locally an EMC application may be made.

Students who require special arrangements in relation to assessment because of a disability or learning difficulty are not covered by these arrangements. A separate procedure is available to address your needs and you should seek advice from Student Services as soon as you register for your Programme.

5. When to submit an application

Applications should be submitted at the earliest opportunity and no later than the absolute deadlines set out by Academic Registry. As a rule of thumb, you should submit individual claims no later than 3 days after the submission/examination date for the piece(s) of work your claim relates to. You will need to get your Personal Tutor, or a Tutor within your department who is familiar with the programme, to sign the application form to indicate that you have discussed the matter with him/her and to confirm that the data presented in relation to coursework deadlines and examination dates is accurate. **Note that whilst your Personal Tutor may offer you advice, signing the form does not mean that your tutor agrees with or has approved your claim.** Once completed your form should be handed in to Academic Registry (Ormskirk site) or to the local administrative office if you are studying at a satellite centre. Further details are given on the application form.

Make sure you obtain a receipt. This is your proof that you have made a submission.

6. How EMCS applications are considered

All EMC applications are considered by Faculty Panels which operate as sub-committees of Assessment Boards. Panels determine whether applications are valid. On the basis of the evidence provided Panels will make recommendations to Assessment Boards on the appropriate action to take. You will be informed of the decision of the Panel. If your application is accepted as valid, you will not be penalised for the non-submission of work or absence from an examination/timed assessment but you may need to wait for a meeting of the appropriate Assessment Board to find out how to make up the outstanding requirement.

7. Evidence

It is extremely important that you submit evidence in relation to your claim **so that we can ensure that we treat all students fairly.** In relation to claims for illness you should provide a medical certificate from your Doctor. Medical certificates must confirm that you were seen by a Doctor at the time you were ill. Retrospective certification is not acceptable. For other claims, you will have to decide what is appropriate but you need to ensure that you have some written objective validation of the events that have affected you. Please note that in cases where an EMC is submitted in relation to the death or illness of a close relative, it is expected that evidence will be provided to support the application. It is essential that the evidence you provide clearly states the period that the circumstances relate to. Remember - it is your responsibility to provide all the necessary evidence. Please do not expect the

Panel to contact third parties on your behalf. **Applications submitted without all the appropriate evidence will not be considered if, in the opinion of the Panel, it could have been reasonably provided.**

8. Confidentiality

As previously described, your claim is considered by a small Panel of the Assessment Board. It is not discussed in detail by the Assessment Board itself. Members of the Panel are bound by the rules of confidentiality and you can be assured that your circumstances will not be discussed with others unless you agree. You are not required to provide lengthy details of your situation but you must provide enough information to allow the Panel to make a judgement of the impact on your studies. Even with these measures in place however, we are aware that circumstances can sometimes be of such a personal nature that you may wish to restrict access to the details to the Chair of the Panel/Assessment Board alone. If you wish to do this, you should mark your submission envelope appropriately.

9. Outcomes

Based on recommendations from the Panel, Assessment Boards will seek to provide the most appropriate way for you to recoup your position. Irrespective of your circumstances, you will be required to demonstrate that you have met the learning outcomes of the module(s) concerned and you should note that **Assessment Boards are not authorised to and will not change marks on the basis of Exceptional Mitigating Circumstances**. The possible outcomes of a successful claim are summarised below:

- Allowing an additional examination sitting without penalty
- Allowing a further extension for the submission/resubmission of coursework
- Proposing an alternative form of assessment
- Allowing a module to be repeated in full
- Condoning a failed module mark (where Professional/Academic regulations permit)⁴
- Recommend interruption of study (intercalation)

A successful EMC application will only cover the dates of submission/attempt indicated on the application form. All students who have an application accepted will be expected to complete the assessment/examination at the next scheduled point as detailed following the Assessment Board.

⁴ If you are offered a condonement in relation to a failed module mark, you have the choice to accept this or to redo the work/examination to improve your mark. If you choose to redo the work/examination and your mark is lower than the original mark achieved, the higher of the two marks will stand.

Where a claim relates to an element of work which has been referred by an earlier Assessment Board, any marks achieved will be capped at the appropriate pass mark irrespective of the outcome of the EMC. A successful EMC application will, however, ensure that students still receive the full number of assessment attempts as permitted within the Academic Regulations.

If you pass a module but have made a valid submission in relation to your overall performance, it is for you to determine whether to accept any offer of deferral in order to improve your mark(s). If you choose to redo the work/examination and your mark is lower than the original mark achieved, the higher of the two marks will stand.

10. Late submissions

The deadlines for submitting claims are clearly identified by Academic Registry and you should adhere to these. Deadlines are set so that claims can be considered before the meetings of the Assessment Boards which have responsibility for determining your final grade for a module or your progression/award status. Very occasionally, there may be good reason why you cannot meet these deadlines. In such cases you will need to submit your claim under the Appeals Process. You should complete your claim in exactly the same way but you will need to provide additional evidence to justify why you were unable to meet the standard deadline. **Claims which are submitted late without good reason will not be considered.**

11. Part-time and Postgraduate students

These procedures apply to all students. We do understand that part-time students may experience some conflicts in relation to work commitments and these will be considered sympathetically.

12. Appeals

Students cannot contest the outcome of an EMC Panel directly as the Panel is acting on behalf of an Assessment Board.

Students that are dissatisfied with the outcome of an EMC Panel may use the standard Appeals procedure following the publication of results where the grounds for appeal are met. All students will be made aware of the process for submitting an appeal when receiving their results.

13. Frequently Asked Questions

Can I apply to defer my assessment in advance?

Yes, in certain circumstances. In general, you are advised to submit your work/sit examinations in line with standard requirements if it is at all possible. Putting off a

piece of work until after a module has finished can create problems as you are less in touch with the learning process. Most students find that they are able to complete, using local procedures for extensions where necessary, even when they are facing difficult circumstances. If there is an event you know about in advance, you will generally be expected to plan for it. Occasionally however, you may be aware of something which cannot be moved, such as a specialist hospital appointment, and it is appropriate to make an application in advance. Your Faculty Panel will consider the application at the next scheduled meeting and inform you whether the claim has been accepted or not.

How can I decide whether my circumstances are sufficient to allow me to miss an examination/submission deadline?

If you choose not to submit for an assessment or sit an examination and make an application under this procedure, you take a risk that the Panel will not accept your application as valid. If you are thinking about it, that probably means you have a choice and you are strongly advised to submit if you possibly can. Panels will look at your case and make a judgement on the basis of what you could reasonably have been expected to do. Was there an alternative? Have you provided good evidence? Were the circumstances of your own making?

If you do not submit for assessment and your application for mitigation is turned down, you will be awarded a zero mark for the work affected. Your Assessment Board will consider what action is appropriate in these cases but it is likely that you will be referred which means that your final mark will be capped at the pass mark however well you do.

I have completed all the assessments but feel that I have not been able to perform at my best. Can I apply for consideration under this scheme?

Yes, but you need to remember that you are expected to cope with the majority of circumstances that arise. None of us feels at our best all the time. All of us have to learn to deal with the pressures of modern life. Exams are especially pressurised times but this is a standard part of student life which we expect you to be prepared for. You should only ask for consideration under this scheme where you feel that the circumstances that have affected you have been so severe that they have affected your performance to a significant extent.

Key to Relevant Documents

This policy does not refer to other documents.

Annexes

There are no annexes to this policy.

End matter

Title	Appendix 7: Procedures for the Submission of Exceptional Mitigating Circumstances
Policy Owner	Academic Registrar & Clerk to Governors
Lead for Updates	Senior Registrar: Assessments and Awards
Policy Contributor	Academic Registrar & Clerk to Governors
Approved by	Regulations Review Sub-Committee
Date of Approval	September 2011
Date for Review	July 2021 (last reviewed July 2019)