



LONDON SOUTH BANK STUDENTS' UNION

ADVICE SERVICE

EXTENUATING CIRCUMSTANCES

Extenuating Circumstances

Many students will unfortunately find themselves with illness or some other unforeseen difficult personal circumstances to cope with during their course. The University recognises that there can be times when, due to circumstances beyond your control, your studies are negatively affected.

If you have an issue that is affecting your study or performance, no matter how big or small, please seek advice as early as possible. The Students' Union Advice Service is here to help!

What are Extenuating Circumstances?

'Extenuating Circumstances' relate to issues outside of your control that occur in your life and have a negative effect on your ability to study. A supported claim will help to ensure that you are not penalised for not attempting or failing an assessment.

For an extenuating circumstances claim to be successful it needs to be based on evidence of circumstances that are:

- non-academic;
- unexpected;
- significantly disruptive;
- arising from matters beyond your control;
- likely to have affected your academic (including clinical) performance (or ability to attend) to a significant extent.

Examples of circumstances that you may be experiencing include (but are not limited to):

- serious personal illness;
- a change in an existing health condition at the time of the assessment;
- death or serious illness of a family member or other person with whom you had a close relationship;
- missing part or all of an examination as a result of serious and unforeseeable disruption to public transport.

This list is not exhaustive. If you are in any doubt, please seek advice from the Students' Union about your situation.

The University states that you cannot claim extenuating circumstances if you:

- consider the marks you have been given to be too low;
- did not understand or were unaware of the course regulations;
- misread or missed the published examination timetable;
- have family, work, financial or other general problems;
- had problems with private transport, such as congestion or breakdown;
- lost work because of a technical or other failure (e.g. computer failure)
- failed to meet the requirements of the UK Visa and Immigration regulations;
- did not check your University email account regularly for new messages.

Important Note for Students with a Tier 4 General Visa

You need to be aware that Home Office regulations state that the University cannot allow a student holding a Tier 4 General visa to attempt a module more than 3 times

(this means a first attempt plus 2 re-sit attempts) even if you have had an extenuating circumstances claim supported.

If you have any questions about this, you should contact the Immigration and International Student Advice team by calling 020 7815 7036/6156 or by email to international.advice@lsbu.ac.uk.

How do you submit a claim for Extenuating Circumstances?

You need to complete the electronic form, which you can access online through your profile on myLSBU.

Your statement needs to explain how your circumstances have affected your studies, performance or ability to attend an assessment. You should be specific and detailed; you cannot assume that the University know how you feel or will know the symptoms or difficulties associated with your issue. Think about your health and well-being in terms of concentration, sleep, organisation and time-management may have been impaired by what you are experiencing.

Your evidence needs to be relevant and explanatory (for example, if your claim relates to ill health, you will need to attach a letter from your GP or other medical professional). As a general rule, evidence must be from an objective, professional, independent third-party and you should ensure that the document is clearly dated from the time your issues occurred. Self-certification, letters from friends and family and even statements from tutors or Course Directors are not generally accepted as suitable evidence.

When can you submit a claim for Extenuating Circumstances?

It is very important that you submit your claim by the deadline, as late claims will not be considered.

An extenuating circumstances claim should be submitted as soon as you are aware of or are affected by your issues. In any event, you must submit your claim within 5 working days of the assessment that has been affected. For example, if you have an exam on a Monday and your performance has been affected by your recent ill health, you can submit a claim form at any point from the previous Monday to the following Monday. If you submit a claim too far in advance of your assessment dates, your claim also may be rejected as it could be viewed as pre-emptive or being made in anticipation of future events.

If most or all of your assessments in a given semester have been affected by your circumstances, you will have to submit your extenuating circumstances claim by the deadline date for that Semester. This is the last point at which claims would be accepted unless you have good, clear and evidenced reasons for submitting a late claim.

If you want to make a claim but don't have the supporting evidence within the 5 day period, you should still submit your claim and explain why the evidence is unavailable. You may have to wait for your GP or other professional to write a letter, so you should include as much detail as you can about when you requested the evidence and when you expect it to be available for submission. The team will decide a deadline for you to submit your evidence, but this can be extended if you have compelling reasons to do so.

Please note, you can submit a claim for Extenuating Circumstances whether you have submitted coursework, attended an exam or not.

Extenuating Circumstances Decisions

The decision-making team is based in the Student Administration department. They will also liaise with appropriate School staff if there are additional awarding body requirements (for example, if you are studying a professional or vocational course). The team meets regularly and works towards ensuring all claims are treated consistently whilst remaining confidential.

The decision will be recorded under one of the following headings:

- **Claim supported:** the team has concluded that your claim meets the requirements and is supported by evidence;
- **Claim acknowledged and pending, evidence to follow:** the team has accepted the claim and your evidence is to be provided by a set deadline;
- **Claim rejected:** the team has concluded that your claim or the evidence provided does not meet the requirements. They must give reasons for rejecting your claim on this basis;
- **Claim rejected, reasons for non-submission of evidence not accepted:** the team should make clear why it is unwilling to provide you with an extended deadline for you to provide your supporting evidence;
- **Claim rejected, deadline for submission not met:** this applies where your claim was not submitted within time and you did not provide acceptable evidence to explain why you were unable to meet this deadline. It also applies if you were given an extended deadline to submit your supporting evidence, but you did not do so and you were not granted a further extension of time.

Once you submit a claim, a decision will be made and directed to the next Exam Board for their consideration as well as your Course Administrator so it can be recorded on your profile. Only the decision is passed on; the basis and reasons for your extenuating circumstances claim remain confidential within the decision-making team. You can usually expect to be notified of the decision within 10 working days of making your claim.

If your claim is supported, the Exam Board will decide when they review your whole academic profile whether you are to be given a deferral (further attempt for an uncapped mark), condonement (your mark remains but you will pass the module) or your original marks for late coursework will stand (uncapped). If your claim is rejected, the Exam Board will decide your progression without considering your extenuating circumstances.

Review of an Extenuating Circumstances Decision

If you are unhappy with the decision that is made, you can request a review within 10 working days of the date of the decision. The review request should be submitted to the Head of Student Administration by email to jamie.jones@lsbu.ac.uk under the heading 'Extenuating Circumstances Review Request'. You should also include your full name and student number in the subject line of the email. Your request should be acknowledged within 5 working days.

The grounds to request a formal review are:

- There was a **procedural irregularity** at the formal stage (for example, the University failed to follow the procedure, clear reasons were not provided for the decision or there is evidence of bias);
- The outcome was **not reasonable** in all circumstances;
- There is **new material evidence** that you were unable, for good reasons, to provide earlier in the process.

These are quite restricted grounds, which mean you have to be very clear and provide evidence to show how your request falls within one or more of these grounds. The University consider a decision to be reasonable if all factors have been considered in a balanced way. You cannot simply say you disagree with it, you must explain why it is unreasonable.

The Head of Student Administration will write to you within 5 working days to tell you if your request for review is eligible to be considered. If it is not, you will receive a Completion of Procedures letter. If it is, it will be referred to the Pro Vice-Chancellor for Education and Student Experience. They will review all information collated for the original decision along with any new evidence presented, after which they will take one of the following decisions:

- Reject the review and uphold the outcome from the formal stage;
- Uphold the review and overturn the previous decision.

The decision made at review stage is final. You should receive the decision in writing and with reasons, usually within 28 days of your request for review being accepted. If the decision is in your favour, the University will not send you any further communication unless you specifically request a Completion of Procedures letter. If the decision is not favourable to you, you will receive a Completion of Procedures letter automatically within 28 days of the decision letter being issued.

If you remain unhappy with the outcome, you are entitled to take your matter to the Office of the Independent Adjudicator (OIA) for their consideration. You must do this within 12 months of the date of your Completion of Procedures letter.

FAQs

I have a problem but I don't feel comfortable talking to anyone at University about it. What happens if I don't disclose my issue?

If you do not ask for help, help cannot be given. If you do not disclose an issue that is affecting you and you fail your assessment, it is very difficult to be given a favourable outcome by the Exam Board. You have the right to appeal an Exam Board decision, but you would need to show that you had valid reasons (with evidence) for not disclosing your issues at the time through an extenuating circumstances claim.

I have a disability, can I make an extenuating circumstances claim based on this?

If you have a long-term medical condition or disability, the University offers you support through the Disability and Dyslexia Support team (DDS). This process isn't supposed to replace or be used instead of any assessed reasonable adjustments you should receive to assist with your condition. The University will not normally consider a claim based on a long-term condition or disability, unless you are demonstrating that there have been changes and there is good reason that you did not or could not seek additional support from the DDS team.

I think my issue is going to affect me for longer than a few weeks, should I still make an extenuating circumstances claim?

If you are due to submit work or attend assessments whilst you are affected by your issues, then yes you should make a claim for extenuating circumstances. You will need to provide evidence alongside your claim to demonstrate how and when you have been impacted by your difficulties.

However, if you feel the issues are going to make it difficult for you to study for a longer period, you may want to think about taking a formal break from your studies so you can recover and come back when you are able to manage the situation better. This is called 'interruption'. The Students' Union Advice Service can give you more information about this, or you can make an appointment with a Senior Advisor in the Student Life Centre to discuss your options.

My issue is continuing to affect me and I'm now due to submit more assessments, what should I do?

If your difficulties continue, you are expected to make a new claim for each assessment attempt. You will need to be clear about the time period covered and the modules that have been affected. You should make sure that your evidence also clearly shows how and when you were affected by your issues (this may mean you have to go back to your GP or other professional for another supporting letter). If this has become a long-term condition or disability, you are encouraged to seek support from the DDS team.

What happens to the information I submit with my claim?

The details you include in your claim and your supporting evidence are only seen by the decision-making team. A copy of the claim and supporting documents are retained by the team until you have completed your studies, but they are not shared with the Exam Board.