

Exceptional Circumstances Procedure

1 Introduction

- 1.1 We hope that all students will find their time at Oxford Brookes University happy and productive. However, we recognise that sometimes our students can experience serious personal difficulties that affect their ability to engage with their studies and perform to their best in their assessments. The Exceptional Circumstances procedure - described in this document - has been put in place to ensure that students are not unfairly disadvantaged in such circumstances, and to enable every student to be assessed on equal terms, in line with [section 6.15](#) of the University Regulations for Study.
- 1.2 The Exceptional Circumstances procedure applies to all students studying on taught programmes that lead to an Oxford Brookes award, at both undergraduate and postgraduate level. Detailed guidance for students wishing to make an application for exceptional circumstances can be found on the [Exceptional Circumstances webpages](#). Partner organisations delivering programmes of study leading to Oxford Brookes awards should have their own procedures in place to assess and make allowances for exceptional circumstances, which are sympathetic to the University's approach but are managed locally.
- 1.3 The Exceptional Circumstances Procedure is not intended to be the first port of call for a student with a disability. The University hopes that students with disabilities will engage with the Inclusive Support Service at the earliest opportunity and that this will normally relieve students with disabilities from having to engage with the Exceptional Circumstances Procedure.
- 1.4 The University will make reasonable adjustments to this procedure, (including making anticipatory proactive adjustments) when it is reasonable to do so to prevent any student from suffering a substantial disadvantage as a result of a disability in comparison with persons who are not disabled.
- 1.5 Students requiring reasonable adjustments to the paperwork or procedure will normally be expected to inform the Student Investigation and Resolution Team (via sirt@brookes.ac.uk).
- 1.6 In rare or the most complex cases, including where the Inclusive Support Service has not yet been engaged, the University may make reasonable adjustments for a student whose disability is a barrier to their engagement with the Student Investigation and Resolution Team or relevant process.

1.7 The University considers an exceptional circumstance:

- (a) to be personal circumstances that are out of the control of the student;
and
- (b) that the student could not reasonably have prevented or accommodated;
and
- (c) they must have had a significant, and demonstratively negative, effect on the student's ability to study or undertake an assessment.

Additionally, the timing of the circumstances must be relevant to the affected assessments and/or period of study.

1.8 All elements set out in 1.3 above must be met in order to substantiate an application for exceptional circumstances.

1.9 Students with on-going conditions and other disabilities should not need to use this procedure because there are alternative routes for arranging reasonable adjustments. Students with ongoing conditions or disabilities will benefit from registering with the [Inclusive Support Service](#) in order that their needs can be assessed.

Where appropriate, an Inclusive Support Plan (ISP) can be put in place - this is used to share information about the adjustments a student requires to teaching and assessment, with staff at Brookes who are directly involved in teaching or supporting the student concerned. An ISP provision can last for a student's entire period at the University, meaning the student does not need to resort to an exceptional circumstances application.

However, a student can apply for exceptional circumstances if they experience (and can provide relevant evidence to substantiate) a specific, temporary change in capability which is related to the ongoing condition, but not covered within the ISP.

A student with a disability who experiences exceptional circumstances which do not relate to their disability should use the Exceptional Circumstances Procedure and may seek appropriate support from the Inclusive Support Service with that process

Assessment types have been placed into 3 broad categories, as follows

1. **Deadline assessments** – assessments not taken under controlled and timed conditions, but which must be submitted by a specified date and time, such as essays, portfolios and other types of coursework assignments. Placements are also included in this category.
2. **Non-examined event assessments** - assessments taken at a specific time and place, including, for example, presentations and in-class tests. These are not formal University examinations.
3. **Examined event assessments** – assessments taken under controlled and timed conditions, such as examinations (on campus or online).

2 Types of allowances for exceptional circumstances

2.1 There are four types of allowances that a student can apply for under this procedure, as listed below (with further details about each in sections 3-6 below). Students must [submit an application](#) via 'My Requests' on their Student Information pages.

- i. **Type A** - an extension of 24 hours. This applies to deadline (coursework) assessments only. No evidence is required: students must submit an application, which will be logged, but approval is automatic.
- ii. **Type B** - an extension of up to three calendar days for deadline assessments, and/or an opportunity to rearrange non-examined event assessments. Students are permitted to self-certify, therefore no evidence is required: applications are logged and subject to approval.
- iii. **Type C** - an extension beyond three calendar days, and/or an opportunity to take the assessment later, for both deadline assessments and non-examined event assessments. Applications must be supported by evidence: they are logged and subject to approval.
- iv. **Type D** – another opportunity to take an examined event assessment later, such as a formal written examination (or a retake of the module, if the affected event assessment was a resit). Students who become ill during an event assessment are required to notify a staff member immediately, and should apply within 48 hours of the assessment.

N.B. Extension allowances cannot go beyond the final hand-in date for a particular assessment, in line with examination committee deadlines. Please see the guidance on the [exceptional circumstances](#) webpages for further information.

- 2.2 All applications for consideration of exceptional circumstances should be submitted via the application portal as soon as the circumstances become apparent, and preferably ahead of the assessment deadline or the start of the event assessment. Any required supporting evidence must be supplied within ten working days of the initial application.
- 2.3 Students are responsible for submitting genuine information and evidence. Any student suspected of submitting dishonest applications or evidence may be subject to disciplinary action through the [Student conduct procedure](#).
- 2.4 Personal information submitted by students as part of an application will only be seen by staff who are directly involved in processing and making decisions on applications.

3 Type A application

- 3.1 Students are responsible for submitting all work for deadline assessments by the specified deadline. However, the University acknowledges that very occasionally things can go wrong at the last moment. Students who are unexpectedly unable to hand in a deadline assessment are permitted to register for a 24-hour extension through 'My Requests' on their Student Information page. If applied for within the correct time frame (24 hours either side of the assignment deadline), approval of such requests is automatic, and students using the 24-hour extension will have access to the full range of marks for the assessment.

- 3.2 Students must register that they are using a Type A extension using the relevant application, but are not required to provide any supporting evidence. This must be done within 24 hours before or after the assessment deadline.
- 3.3 It is hoped that most students will never need to use the Type A extension, as working to deadlines is a skill that most students will have developed in their previous studies. Repeated use may lead the University to question the student's fitness to study.

4 Type B application

- 3.1 Students who require a longer extension (up to a maximum of 3 days) for deadline assessments, or require a rearrangement of a non-examined event assessment should apply for a Type B extension through 'My Requests' on Student Information.
- 3.2 Students are permitted to self-certify for either allowance, and are therefore not required to provide any supporting evidence; however, applications are logged, and subject to approval. Students will have access to the full range of marks where an application is approved.
- 3.3 Students are not permitted to submit applications more than two weeks in advance of their assessment deadline. Type B requests must be made within 48 hours after the assessment deadline: if the deadline for making an application is missed, the student can consider submitting a type C application where a reason (supported by evidence) for lateness will be required.
- 3.4 An individual student is permitted to use a maximum of two Type B applications per academic year.

5 Type C application

- 5.1 Students who require an extension of more than 3 days, or where the other application types are not appropriate must submit a full Type C application, supported by evidence, which will be considered by a panel. The panel will consist of a Chair and one other member from the Academic and Student Administration Directorate. Where the panel decision is unable to reach a consensus the view of a third member will be sought. Academic staff are not involved in the decision making and will not be told about the student's circumstances. However, occasionally, the panel may liaise with programme teams in Faculties regarding appropriate deadlines and appropriate outcomes.
- 5.2 Students are expected to supply full information in their initial application and follow up with supporting evidence within 10 working days, (this is reduced to 5 working days when the final application date has passed.) All applications that meet the administrative requirements of the process will be considered in full and therefore subsequent applications for the same period are unlikely to be considered unless there is significant new information, which the student, for valid reasons, could not have provided previously.
- 5.3 The deadline for submitting an on-time application is 48 hours after the deadline for a

deadline assessment, or the start of a non-examined event assessment. Any application made later than these dates must state a reason (supported by evidence) why it is late. The reasons for lateness will be assessed prior to consideration of the exceptional circumstances.

- 5.4 Students will be notified of the outcome of their application as soon as possible, normally within five working days of submitting a completed application.
- 5.5 Some decisions about allowances will be made by the examination committee, rather than the exceptional circumstances panel. The examination committee will not change or estimate marks.
- 5.6 Exceptional circumstances are expected to be rare. When considering an application the panel may view it in the context of the student's previous applications for exceptional circumstances.

6 Type D application

- 6.1 A Type D application should be used to request another opportunity to sit an examined event assessment, if a student has exceptional circumstances which prevent(ed) them from sitting the examination. Students who become ill during an examined event assessment are required to notify a staff member immediately, and should apply via the online portal within 48 hours of the assessment. In such circumstances, any work undertaken prior to leaving the assessment will not be marked, as the student will be assumed to be declaring themselves not fit to sit the assessment.
- 6.2 Students must register that they are using Type D extension by submitting the relevant application, but are not required to provide any supporting evidence; however, applications are logged and are subject to approval. Students will have access to the full range of marks where an application is approved.
- 6.3 Students must make a Type D application within 48 hours of the affected examined event assessment. If the deadline for making an application is missed, the student can consider submitting a type C application where a reason (supported by evidence) for lateness will be required.
- 6.4 An individual student is permitted to use a maximum of two Type D applications per academic year

7 Possible outcomes

- 7.1 Occasionally, it might not be possible to implement exceptional circumstances outcomes. Some potential reasons include (this list is not exhaustive):
 - if the student has otherwise failed the course and potential resits would not alter this,
 - if other components within the module mean the outcome would not make a material difference
 - if there is an ongoing fitness to practice concern,
 - if there are University administrative deadlines that mean extensions are not

possible

- Penalties issued under the academic conduct procedures normally take precedence over any outcome of an exceptional circumstances outcome. Any exceptions to this rule need to be agreed by the Academic Registrar or nominee.

When it has not been possible to implement the outcome, the module leader, or examination committee will let the student know.

- 7.2 If applied for within the correct timescales, Type A applications are automatically approved, and the extra time allowed will be 24 hours.
- 7.3 Where a Type B application is approved, the student will normally be able to take the assessment later (up to three calendar days for deadline assessments) depending on the hand-in deadline for the module, or any other relevant course requirements.

Rearranging non-examined event assessments will need to be agreed with the module leader. The student will have access to the full range of marks.

- 7.4 A panel will assess type C applications. If they are approved, the following outcomes are possible:
- (a) Extra time to prepare for a deadline assessment or to carry out placement requirements - the amount of extra time will normally be determined by the amount of time a student has been affected by the exceptional circumstances. Extra time will be in addition to any automatic extension a student has via their inclusive support plan.
 - (b) An opportunity to take the assessment later, with access to the full range of marks. This might not be possible depending on the module and course requirements. The decision will take into account any achievement in other components.
 - (c) Disregard of a module, with the opportunity to take it again later. This would mean retaking the entire module, including all assessments. This might not be possible depending on the module and course requirements. The decision will take into account any achievement in other components.

- 7.5 For approved Type D applications, the possible outcomes are:

- (a) An opportunity to take the assessment later, with access to the full range of marks. This might not be possible depending on the module and course requirements. The decision will take into account any achievement in other components.
- (b) Disregard of a module, with the opportunity to take it again later. This would mean retaking the entire module, including all assessments. This might not be possible depending on the module and course requirements. The decision will take into account any achievement in other components.

- 7.6 Any extension will apply from the original assessment deadline or the ISP deadline (where applicable.) A panel might not be able to let a student know the deadline until

the deadline has passed, e.g. if the student applied for exceptional circumstances late. Therefore, students are encouraged to continue working on their assessment where possible and submit it as early as they can. Students should liaise with their module leader regarding resubmission.

- 7.7 When students make an application for exceptional circumstances for a group assessment, the module leader will determine whether an allowance can be made, and if so what the outcome is.
- 7.8 Most assessment submissions are completed online and computers are available at the University. Therefore if extra time is given, it is expected the student will submit their work on or before the revised submission date, even if it is not considered a 'working day' for the University. Only if there is a need for an assessment to be physically handed in should this date be amended; and this should be agreed with the module leader in advance.
- 7.9 If a student submits an exceptional circumstances application and is awarded another opportunity to take the assessment, any work already submitted will not receive credit. The student will need to complete the assessment again later. Therefore, no mark will be awarded to the previously taken assessment, even if the work has already been marked.

8 Late applications

- 8.1 If students miss the deadlines listed above, they may apply late via the Type C route, but students will need to give a valid reason why they could not have applied on time and will need to provide evidence where possible.
- 8.2 Students cannot submit applications for exceptional circumstances beyond a final deadline, this is typically the Monday one week before the week of the 'final mark upload deadline' for the subject examination committees, e.g. if a final mark upload deadline for an examination committee is on Friday 30th May, the final deadline for the Type C application would be Monday 19 May.

However, there may be occasions this date needs to change, e.g. prior to periods of University closure over Christmas/New Year. Information about the application date will be available on the [Exceptional Circumstances webpage](#) or the [Examination Committee Schedule](#) webpage.

9 Academic appeals

- 9.1 Any student wishing to raise any exceptional circumstances that the University was not made aware of before the examination committee deadline noted in 8.1 above must do so using the [academic appeals](#) process. The academic appeals process is available from the date of the release of module marks, and appeals must be submitted within one month of this date.
- 9.2 Any academic appeal raised based on exceptional circumstances must contain a valid reason (supported by evidence) to explain why information could not have been submitted prior to the examination committee deadline.

10 Review

- 10.1 All requests for a review of a decision regarding an application for exceptional circumstances must be submitted within ten working days of the issue of the original decision. Requests for a review submitted more than ten working days after the original decision was issued are unlikely to be considered.
- 10.2 A student must demonstrate one or more of the following grounds for review:
- (a) There is evidence to suggest that the request was not considered in accordance with these procedures.
 - (b) There is evidence to suggest that there was an administrative error or some other irregularity in the consideration of the request.
 - (c) The outcome was one that no fair and reasonable person could have made on the basis of the evidence.
 - (d) The allowance given was not sufficient based on the circumstances and evidence provided.
- 10.3 A member of the Student Investigation and Resolution Team who was not a part of the panel that considered the original application will undertake a review. The outcome will normally be issued within 20 working days from the request.
- 10.4 If the reviewer determines there are no grounds or the review upholds the decision made by the original panel, the reviewer will issue a Completion of Procedures letter.

11 Office of the Independent Adjudicator for Higher Education (OIA)

- 11.1 The [OIA](#) is an independent review body set up to review student complaints about higher education providers in England and Wales when students are dissatisfied with the outcome of an internal investigation. If a student has completed the University's internal procedure for consideration of exceptional circumstances and they are still dissatisfied with the outcome, they may be able to refer their case to the OIA, providing that the complaint is eligible under the [OIA's rules](#).
- 11.2 When a case has completed the University's internal procedures, a Completion of Procedures (CoP) letter will be issued, along with the outcome letter. This is the letter that the University sends to a student, confirming that there is no further avenue for the case internally and providing information about how they can take their case to the OIA. Normally, a student will not be able to take their case to the OIA without a CoP letter; and the time limit for taking a case to the OIA is 12 months from the date the CoP letter was issued.

12 Evidence

- 12.1 Exceptional circumstances applications (other than Type A and Type B requests) should be supported by appropriate evidence. Evidence requirements will be proportionate to the seriousness of the student's situation, and will therefore vary depending on the circumstances. However, it must be:

- (a) Relevant - providing independent confirmation about the nature of the exceptional circumstances, and the timeframe over which the circumstances impacted on the student;
- (b) Specific about how the student concerned was affected by the exceptional circumstances;
- (c) Comprehensible - in a form that can be easily understood by the panel who will consider the application.

- 12.2 The panel reserves the right to request clarification regarding particular evidence, or ask for further evidence. Requests may include, but are not limited to:
- extra supporting documentation;
 - the evidence being sent directly from a third party;
 - the translation of documents into English, as required.

13 Repeated use of the Exceptional Circumstances Procedure and Sharing Information

- 13.1 The University has a responsibility to monitor the progress of students throughout their studies and intervene where progress is not being made at the expected rate. Where a student is not moving through the levels of their studies at the expected rate because their circumstances are causing them to make multiple applications for exceptional circumstances, the University may contact the student to identify any underlying issues or additional support needs. In certain circumstances, it may be appropriate for the University to commence the Fitness to Study policy or other welfare policies, which can be found on the [Student Welfare](#) webpages.
- 13.2 Normally the information shared via the exceptional circumstances process will only be viewed by the staff members reviewing the application. If they are sufficiently concerned about a student's welfare, it may be necessary to give limited information to a third party within the University, e.g. members of the Student Support Services, so extra support can be provided. The person sharing the information would aim to get the student's permission in advance, but this might not always be possible.

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