

Extenuating Circumstances Policy

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1. Introduction

- 1.1 The Extenuating Circumstances Policy is in place to address and support students who may experience a sudden illness, or other serious and unforeseen event or set of circumstances, which adversely affects their ability to complete an assessment, or the results they obtain for an assessment.
- 1.2 This policy has been mapped to the Good Practice Framework: Requests for Additional Consideration published by the Office of the Independent Adjudicator (OIA) for Higher Education. At NMITE the term 'Extenuating Circumstances' is used to describe how you can request that NMITE takes specific factor(s) into consideration in relation to your academic studies.
- 1.3 All extenuating circumstances claims will be treated with the utmost confidentiality, processed formally, and judged impartially.
- 1.4 As a student, you should use the process in the Extenuating Circumstances Policy to address the following types of circumstances:
 - i. absence from an assessment and/or non-submission of work.
 - ii. requests for extensions to deadlines for submission of written assignments.



- iii. claims of adversely impacted performance during an assessment.
 - iv. cases where you have not had appropriate adjustment in the current academic session due to a late diagnosis of a disability or long-term medical condition.
- 1.5 You are responsible for ensuring that you inform NMITE of any circumstances that you consider are affecting your ability to study and/or undertake assessments as early as possible. With early warning of a problem, NMITE can provide appropriate support. You should be aware that NMITE will be unable to respond to your circumstances without awareness of relevant information.
- 1.6 You are responsible to ensuring that you are registered with a medical practice during the course of your studies at NMITE.
- 1.7 In general terms, this procedure is intended to support you with exceptional, unforeseeable (in that you could not reasonably have been expected to avoid them), short-term circumstances affecting your ability to study or take assessments, or if you have had a late diagnosis of a disability or long-term medical condition.

2. Eligibility

- 2.1 For you to claim Extenuating Circumstances, all of the following criteria must apply:
- i. the circumstances must be unforeseeable and unavoidable - out of your control where you could not have prevented them; and
 - ii. the circumstances must have had an impact – they must have had a demonstrably negative impact on your ability to study or to undertake an assessment; and
 - iii. the timing of the circumstances must be relevant to the claimed impact.
 - iv. meet the requirements relating to documentary evidence set out in section 7 of this policy.
- 2.2 Please refer to Appendix 1 for guidance on the types of circumstances which will normally be considered. The examples under different categories should help you understand whether you may want to make a claim. The guidance does not provide an exhaustive list and, in all circumstances, the impact on the students will be considered, acknowledging that the same circumstance may affect and impact students differently.

3. Ongoing circumstances

- 3.1 Where you have had same extenuating circumstances accepted for one module assessment(s) but continue to be affected by, or have a recurrence of the same circumstances, you should seek medical/other advice so that appropriate



support for study or individual arrangements for assessments can be put in place and/or other options discussed (for example, a voluntary interruption of studies).

- 3.2 You may not normally re-submit the same extenuating circumstances covering a different period of time except where you have accessed appropriate support to manage the circumstances but there is an unexpected acute episode at a particularly significant time.
- 3.3 Where the circumstances are external to you and extend over more than 2 consecutive modules (for example, chronic illness of a relative), it may be appropriate to accept the same circumstances for a longer period if it is not appropriate for you to voluntarily interrupt your studies. In such circumstances you should contact your Personal Tutor or the Student Lifecycle Manager in the first instance for advice and support.

4. Disruption to assessment

- 4.6 In cases where the assessment process has in some way been disrupted (e.g., a problem with a piece of equipment or building issues) appropriate adjustments may be made to the outcomes for the affected cohort, including potentially to marks, via the Moderation process. In such circumstances you will not be required to submit a claim for Extenuating Circumstances.

5. Timescales for submitting a claim for Extenuating Circumstances

- 5.1 If you wish to make a claim for Extenuating Circumstances you must do so before the published deadline(s) for the affected piece(s) of assessment or within seven calendar days. If you cannot submit evidence by the published deadlines, you must submit details of the Extenuating Circumstances with an indication that evidence will be submitted within seven calendar days.
- 5.2 If you have not submitted an acceptable Extenuating Circumstances claim for a piece of written assessment that you do not submit by the given deadline date, you will receive a mark of zero.
- 5.3 If you have not submitted an acceptable Extenuating Circumstances claim for a scheduled assessment that you do not attend you will receive a mark of zero.
- 5.4 The only exception to these timescales is where you provide compelling evidence that circumstances or illness prevented them from submitting the form on time. Where such an exception is made, your claim will be considered under this policy without prejudice.



6. Submission of claims for Extenuating Circumstances

- 6.1 If you wish your circumstances to be considered under this procedure you should submit a fully completed Extenuating Circumstances Claim form accompanied by appropriate evidence of impact, within the timescales provided. Third party submissions will not normally be accepted.
- 6.2 Claim forms can be accessed on MyNMITE and should be submitted within the timescales given in 5.1 above.
- 6.3 All claims must be supported by evidence as detailed in section 7 below.
- 6.4 You are encouraged to discuss your claim with your Personal Tutor, or other appropriate staff member, to get help and support prior to submission.
- 6.5 Claims submitted without evidence and without notification of intention to submit evidence at a specified later date will not be processed.
- 6.6 Where the circumstances arise extremely close to the deadline/assessment (e.g., on the same or previous day), it may not be possible for NMITE to consider the claim before the relevant deadline or assessment, nor for the student to acquire the necessary evidence.
- 6.7 In the case of an assessment you must make your own decision as to whether to miss the assessment and/or submit any work that you have done by the time of the deadline. If the claim is approved, you will be provided with the opportunity to retake the assessment/resubmit the work and be marked without penalty. If the claim is not subsequently approved, you will receive a mark of zero for the relevant scheduled assessment(s)/submitted work.
- 6.8 Any claims for Extenuating Circumstances must normally be submitted before the relevant Assessment Board meets. It is not normally possible for you to claim Extenuating Circumstances after an assessment decision has been made.
- 6.9 If you feel that valid grounds did exist, but it is after the relevant Assessment Board, you should follow the Student Academic Appeals Procedure. In such cases, the Academic Appeal submitted by you will need to demonstrate that new evidence was not, and could not have been, made available to the Assessment Board at the time of its original decision. Any matters which could have been raised before the meeting of the Board, but, without good reason, were not raised, will not be considered in the event of an Appeal.
- 6.10 Although a key principle of Extenuating Circumstances is that they are unexpected and unforeseen, and longer-term conditions should be addressed via the making of reasonable adjustments, NMITE recognises that there may be situations where a student has not had appropriate adjustment at the beginning



of their studies – for example, due to late diagnosis. In these circumstances you should submit a claim under the Extenuating Circumstances procedure as soon as the diagnosis is confirmed.

7. Supporting Evidence

- 7.1 All evidence must be independent, reliable, and verifiable documentary evidence – for example, a medical note from a qualified and practising professional.
- 7.2 In limited circumstances, such as an illness of short duration where medical certificate could not be obtained (e.g., Influenza, or for an acute flare up of a chronic condition (e.g., migraine, epileptic seizure, panic attack) you may self-certificate yourself. You must clearly describe the nature of the circumstances, the impact that they have had on your ability to complete the assessment, as well as the reason for being unable to provide independent evidence. You should only choose the self-certification option as a last resort if no other independent evidence to support impact of the circumstances on your studies can be obtained.
- 7.3 You can seek a supporting statement from your Personal Tutor or other suitably qualified NMITE staff in order to help you articulate your claim if that person is aware of the circumstances and the impact on you.
- 7.4 It is your responsibility to provide appropriate evidence in support of your claim for Extenuating Circumstances.
- 7.5 All evidence uploaded by you must meet the following standards and must be:
 - i. Written and signed by appropriately qualified professionals who are independent of the student.
 - ii. On headed paper and signed and dated by the author. Evidence presented separate to your on-line application by email may be acceptable if the email has been sent by the author from the official domain name of the author's organisation.
 - iii. Confirming specifically that the circumstances were witnessed on the relevant date as opposed to being reported retrospectively.
 - iv. In English. It is your responsibility to provide supporting documentation, and any translation should be undertaken by an accredited translator, with any associated costs to be met by you.
 - v. Documentation that has been amended for any reason will be deemed inadmissible by NMITE.
- 7.6 All evidence which you wish to use to support the claim should be submitted at the time of completing the on-line extenuating circumstances form. In



circumstances where this will not be possible, you may request an extension of time in which to submit evidence. Any extension of the deadline will be confirmed to you in writing by the Director of Registry and Student Life

- 7.7 Where evidence is not available at the time of submission of the form, you will be provided with an 'in principle' decision as if the application were complete. Assuming the necessary evidence is subsequently received the outcome decision will stand; however, if the evidence is not subsequently provided the claim for Extenuating Circumstances will be considered null and void and the relevant assessment mark(s) corrected to be zero.
- 7.8 NMITE reserves the right to check the authenticity of all documentation submitted as part of an extenuating circumstances claim. In the event that you are found to have submitted evidence, which is not authentic, this would normally be investigated in accordance with the Academic Misconduct Policy.
- 7.9 You should ensure that any evidence that refers to a third party, such as family member, is provided with their consent and in line with data protection principles.

8. Extenuating Circumstances Committee

- 8.1 The Extenuating Circumstances Committee is a sub-committee of NMITE' Academic Council.
- 8.2 Extenuating Circumstances claims are initially considered by an Extenuating Circumstances Committee, which makes specific recommendations to the relevant Assessment Board based on the evidence before them.
- 8.3 Each Extenuating Circumstances Committee shall comprise a minimum of 4 members of NMITE staff. The Committees will be Chaired by the Director of Registry and Student Life (or nominee) and will include the relevant Programme Leads and other co-opted members as deemed necessary by the Chair.
- 8.4 The Committee will be deemed to be quorate provided the Chair and at least 3 other members are present. The Committee will be supported by a note-taker who is not part of the Panel.
- 8.5 Decisions of each Extenuating Circumstances Committee shall be made in accordance with the Academic Regulations.
- 8.6 In addition to the terms of reference outlined here, Extenuating Circumstances Committees will take due account of any requirements from relevant professional or regulatory bodies (PSRBs).
- 8.7 Terms of Reference of Extenuating Circumstances Committee



- a) To ensure the timely processing of all applications for Extenuating Circumstances to support student wellbeing.
 - b) To ensure all applications for Extenuating Circumstances are considered in a fair and consistent manner and in accordance with the Academic regulations.
 - c) To ensure all applications for Extenuating Circumstances are accurately and securely recorded.
 - d) To communicate the high-level outcomes of Extenuating Circumstance applications to the Assessment Board to ensure the accuracy of the student record.
 - e) To make a recommendation to the Assessment Board where a student classification sits in a Borderline and extenuating circumstances have been approved. (Ref. Section 10.11 – General Regulations for First Degrees)
 - f) To provide regular reports to the Academic Council to show anonymised data/trends to inform action plans.
- 8.8 For the consideration of requests for an extension to a submission deadline(s) it is not necessary for a full Committee to be convened. The case will ordinarily be reviewed by the relevant Programme Lead or another committee member or members in order that the decision is made promptly. The recommendations made by Committee member(s) should be reported at the next meeting of the full Committee. Other time-critical decisions may be made by Chair's action and reported to the next meeting of the full Committee.
- 8.9 Members of Extenuating Circumstances Committees who are also the Personal Tutor of a student making a claim should normally not be involved in making a decision in connection with that request. They may, however, provide you with a supporting statement to be included as evidence, if appropriate. This excludes short extension requests which need timely approval and will be made by the relevant Programme Lead or other member(s) of the Extenuating Circumstances Committee.
- 8.10 All Extenuating Circumstances Committees are required to keep formal records of their proceedings. The purpose of the appropriately anonymised records is to document decisions, to summarise any discussion relevant to those decisions (where this is required to give a context or rationale for the decision, or to establish precedents), and to capture for further consideration any areas of discussion or requirements for future action.



9. The Assessment Board

- 9.1 The Assessment Board shall consider recommendations from Extenuating Circumstances Committees before making a final determination of your classification where classification is borderline, subject to the provisions of the Academic Regulations.
- 9.2 In all cases the Assessment Board must be assured that overall programme learning outcomes have been met before implementing a recommendation by the Extenuating Circumstances Committee.
- 9.3 Where a student is known to a member of staff other than in their professional capacity, or where there has been significant involvement in the case, that staff member must declare an interest to the chair of the Committee and must not participate in any discussion of that student's claim(s).
- 9.4 Upon receipt of recommendations from the Extenuating Circumstances Committee, the Assessment Board will decide whether to:
- i. provide you with the opportunity to take the affected assessment(s) as if for the first time, allowing you to be given the full marks achieved for the submitted work and/or assessment, rather than imposing a cap.
 - ii. waive late submission penalties.
 - iii. 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.
 - iv. note the accepted extenuating circumstances for the module(s) and recommend that it is taken into account at the point of award and classification.
- 9.5 The Assessment Board, depending on the circumstances, may exercise discretion in deciding on the particular form any reassessment should take. Options are a viva voce examination, additional assessment tasks designed to show whether you have satisfied the programme learning outcomes, review of previous work, or normal assessment at the next available opportunity. You will not be put in a position of unfair advantage or disadvantage: the aim will be to enable you to be assessed on equal terms with your cohort.

10. Notification of the Outcome of the Claim for Extenuating Circumstances

- 10.1 The Director of Registry and Student Life will inform you of the outcome of claims in writing and via mail to your NMITE student email address within 10 working days of the decision of the Committee.
- 10.2 The Extenuating Circumstances Committee can make the following decisions:



- i. Accept: the claim is accepted as affecting item(s) of assessment(s).
- ii. Reject: the claim is not accepted as affecting item(s) of assessment(s) as it does not meet the definition, and/or does not have appropriate supporting documentation, and/or is submitted late without a compelling reason.
- iii. No Further Action (NFA): this decision may be taken if a student has made a claim, but assessment results are a pass.

11. Appealing the Decision of the Extenuating Circumstances Committee

- 11.1 If you are dissatisfied with the outcome of an Extenuating Circumstances decision, you may appeal the decision via the Academic Appeals Procedures, so long as your appeal meets the relevant criteria – specifically that new evidence exists which it was not possible for you to submit at the time of submitting their claim for Extenuating Circumstances.



Appendix 1 - Grounds for Extenuating Circumstances

The following guidance sets out the types of circumstances which will normally be considered. The examples under different categories should help you understand whether you may want to make a claim. This is not an exhaustive list and, in all circumstances, the impact on the students will be considered, acknowledging that the same circumstance may affect and impact students differently.

	CATEGORY A:	CATEGORY B:	CATEGORY C:
	Circumstances which will normally be considered:	Circumstances that may be considered where there is a substantial impact on you:	Circumstances that will not normally be considered:
Bereavement	- Bereavement will be considered on a case-by-case basis and consideration will be given for the impact on the students' ability to engage with their programme and assessment deadlines		
Short-term medical conditions	- Serious personal injury, medical condition, or mental health condition	- Moderate personal injury, medical condition, or mental health condition (e.g., Influenza, or for an acute flare up of a chronic condition (e.g., migraine, epileptic seizure, panic attack)	- Minor illnesses or injuries (such as coughs, colds, headaches, hay fever) - Elective surgery
Long-term medical conditions	- Serious worsening or acute episode of an ongoing disability, medical condition, or mental health condition	- Circumstances where there is insufficient time to put Reasonable Adjustments in place - Newly diagnosed disabilities or long-term medical or mental health conditions	- An ongoing disability, medical condition, or mental health condition (you should apply for Reasonable Adjustments)



	CATEGORY A:	CATEGORY B:	CATEGORY C:
	Circumstances which will normally be considered:	Circumstances that may be considered where there is a substantial impact on you:	Circumstances that will not normally be considered:
		- Medical or mental health conditions which fluctuate unpredictably	
Pregnancy and maternity (Pregnancy refers to the condition of being pregnant or expecting a baby, and maternity refers to the period of 26 weeks after birth)	- Serious complications in pregnancy or maternity	- Moderate illness due to pregnancy or maternity e.g. morning sickness	- Pregnancy or maternity where there are no complications (you should apply for Reasonable Adjustment or Leave of Absence) - Paternity, parental or adoption leave (you should apply for Reasonable Adjustment or Leave of Absence)
Parenting and caring	- Serious injury or illness in a child, sibling, parent, spouse, or partner	- Serious illness of a grandparent, aunt, uncle or relative not identified in Category A - Serious illness of a friend	- Relatives with minor illnesses or injuries (such as coughs, colds, headaches, hayfever etc.)



	CATEGORY A:	CATEGORY B:	CATEGORY C:
	Circumstances which will normally be considered:	Circumstances that may be considered where there is a substantial impact on you:	Circumstances that will not normally be considered:
		- Unexpected caring responsibilities for a child, sibling, parent, spouse, partner, or other close relative - A breakdown of your normal childcare arrangements	- Day-to-day childcare - School holidays
Major incidents	- Direct experience of a terrorist incident, war, or natural disaster - Major fire in residence	- Direct experience of war, terrorist incident or natural disaster by a child, sibling, parent, spouse, partner, or other close friend or relative - Serious travel or other disruption caused by a terrorist incident, war, or natural cause (flood/heatwave)	- Booked travel arrangements - Minor private or public transport failure - Missed or delayed trains, tubes, or buses - Poor timekeeping
Crime	- Victim of violent crime (e.g. assault, mugging, sexual assault, rape)	- Victim of non-violent crime - Theft of work required for assessment	- Victim of petty theft e.g. mobile phone theft, bicycle theft or car break-in (unless

	CATEGORY A:	CATEGORY B:	CATEGORY C:
	Circumstances which will normally be considered:	Circumstances that may be considered where there is a substantial impact on you:	Circumstances that will not normally be considered:
			these involve mugging or assault)
Family and personal difficulties	- Domestic abuse	- Family breakdown (such as divorce) - See above for parenting and caring responsibilities	- Booked holidays - Trips to see family abroad - General domestic/ family problems
Financial difficulties	- Serious financial problems preventing you from studying		- General financial problems
Housing difficulties	- Serious housing problems such as the home becoming uninhabitable and therefore preventing you from studying	- housing problems such as eviction	- Moving home - General housing problems
Work and other commitments	- Professional emergencies e.g. medical, police, fire	- Major changes in professional commitments affecting your ability to study - Changes to work commitments for critical workers (e.g. NHS staff)	- Ongoing work commitments - Participation in extra-curricular activities (e.g. sport) - Time spent on job/internship applications/ interviews



	CATEGORY A:	CATEGORY B:	CATEGORY C:
	Circumstances which will normally be considered:	Circumstances that may be considered where there is a substantial impact on you:	Circumstances that will not normally be considered:
Academic work		- Serious problems with academic project work e.g. obtaining ethical approval, equipment failure - Fasting during an assessment period	- General exam or assessment worries - Misreading the timetable or misunderstanding the requirements of assessments. - Poor time management - Failure of IT equipment/ printers - Failure to back up documents
Court appearance	- Jury Service - Attendance at court or tribunal as a witness, defendant, or plaintiff		- Supporting a relative or friend at court
Other			- Circumstances which are foreseeable or preventable - Claims that you were unaware of the dates or



	CATEGORY A:	CATEGORY B:	CATEGORY C:
	Circumstances which will normally be considered:	Circumstances that may be considered where there is a substantial impact on you:	Circumstances that will not normally be considered:
			times of submission or examination - Circumstances which do not relate to the timing of the assessment - Circumstances without reasonable supporting evidence (medical or otherwise) unless you are eligible for self-certification - Circumstances supported by evidence from a relative or other person with a conflict of interest.

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