

**Extenuating Circumstances
Policy and Procedure
(Applications for
Extensions of Deadlines or
Mitigation)**

Applicable to all students on
degrees validated by the University
of Kent

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1 Introduction

- 1.1 Sometimes, a student on a degree programme may experience illness or other problems which prevent them from submitting an assessment on time or attending an examination, or, if they do submit or attend, prevent them from demonstrating their true ability and attainment. This document applies to students who find themselves in this position. We use the expression “extenuating circumstances” for this type of situation and further definitions are given below in paragraphs 2.1 - 2.2 below.
- 1.2 This document outlines the principles which apply in these circumstances and the procedure which students need to follow. It also sets out some of the likely outcomes of an application based on extenuating circumstances. This document must be read in conjunction with the Regulations of the University of Kent, the validating body for Pearson College degree programmes; in particular, Annex 9 of the Credit Framework for Taught Programmes and its Appendices¹.
- 1.3 This policy is based on a number of key principles, including:
- **Fairness** both to the student with extenuating circumstances and the student body as a whole.
 - **Consistency:** while every extenuating circumstance is different, we strive to ensure, where possible, that there is consistency of outcomes.
 - **Proportionality:** we endeavour to ensure that the outcome is proportionate to the circumstances experienced by the student and does not go further and give them an unfair advantage.
 - **Maintenance of academic standards:** students should not be given academic credit if there is insufficient evidence that they have achieved the requisite learning outcomes.
 - **Confidentiality:** applications based on extenuating circumstances are heard by a small panel, so that confidentiality is maintained as far as possible.

¹ Annex 9 of the Credit Framework for Taught Programmes:

<https://www.kent.ac.uk/teaching/documents/quality-assurance/credit-framework/cfannex9.pdf>;

Appendix 1 to Annex 9: [https://www.kent.ac.uk/teaching/documents/quality-assurance/credit-framework/CF%20Annex%209%202019-20 Appendix%201 Conventions.pdf](https://www.kent.ac.uk/teaching/documents/quality-assurance/credit-framework/CF%20Annex%209%202019-20%20Appendix%201%20Conventions.pdf);

Appendix 2 to Annex 9: <https://www.kent.ac.uk/teaching/documents/quality-assurance/credit-framework/CF%20Annex%209%202019-20 Appendix%202 Extensions.pdf>

2 What are extenuating circumstances?

- 2.1 Extenuating circumstances are illnesses or other circumstances which have had a negative impact so as to:
- (a) cause a student to perform less well in their assessed work than they may otherwise have been expected to do; and/or
 - (b) impact their ability to attend examinations/practical assessments; and/or
 - (c) impact their ability to submit work to deadlines.
- 2.2 Extenuating circumstances are also, normally, outside the student's control. See the Appendix for some examples on what can, and cannot, be considered extenuating circumstances.
- 2.3 If a student is aware in advance that they will not be able to submit a piece of coursework by the given deadline because of extenuating circumstances, then they should apply for an **extension** (see paragraphs 3.3 - 3.19 below).
- 2.4 A student may apply for **mitigation** with respect to any of the following:
- (a) Late submission of coursework, where an extension was not obtained in advance;
 - (b) Non-submission of coursework;
 - (c) Absence from examinations or other timed assessments;
 - (d) Impaired performance in an assessment, where the assessment date has passed and the student attended or submitted the assessment but believes that their performance was impaired by their extenuating circumstances. Please note that students on the MLaw or LLB programmes cannot apply for mitigation relating to examinations which they attended (see Section 6 below).

3 Application process and deadlines

- 3.1 Before making an application based on extenuating circumstances, the student may wish to discuss the matter with their personal tutor or with a member of the Student Services team. However, the student should not delay making the application or obtaining the necessary evidence – the deadlines set out below will be strictly observed.

The process for applying for an extension or extenuating circumstances can be found by logging into MyPCL. The correct process to use will depend on whether an

extension or **mitigation** is being requested; Student Services can provide advice about this if necessary. Relevant evidence should be uploaded during the process in MyPCL. Please see section 4 below, on supporting evidence and self-certification. To contact Student Services, please email studentservices@pearsoncollege.com. Paper applications may not be considered, all applications must be done online

Extensions

Procedure for Applying for an Extension

3.2 An application for an extension must set out:

- (a) The extenuating circumstances justifying an extension
- (b) A description of the impact which the extenuating circumstances have had (or will have) on the student and their academic performance
- (c) The new deadline requested
- (d) The modules and assessments which are affected
- (e) A self-certification statement with an explanation of the circumstances or, if the provision for self-certification does not apply, a list of the evidence attached (see section 4 below)
- (f) The student's agreement that the information can be shared with the appropriate Pearson College staff, so that the application can be properly considered.

3.3 All extension requests must be:

- (a) Made **24 hours** in advance of the deadline for submission of the assessment in question;
- (b) Submitted via myPCL; and
- (c) supported by appropriate evidence or self-certification statements, as appropriate (See section 4 below).

3.4 Where supporting evidence is not supplied with the application, and the provision for self-certification does not apply, then the application for an extension will be rejected. A student may still be able to apply for mitigation if, for example, it is not possible to get evidence in time (see paragraph 3.24 onwards below). Advice on mitigation and permissible evidence is available from Student Services.

Procedure for consideration of Extension applications

- 3.5 The application for an extension will be considered in the first instance by Student Services. If the request falls within the clear criteria for allowing an extension and there is appropriate evidence to support the application, then Student Services may approve the application.
- 3.6 If Student Services are minded to refuse the application, they will refer it to the Deputy Dean of the student's School, who will make the decision as to whether the application is accepted or rejected.
- 3.7 Students will receive a decision within one working day.
- 3.8 If a student's application for an extension is rejected, then the original deadline will still apply. As far as possible, a student awaiting a decision on an extension application should continue to work towards the original deadline.

Length of Extensions

- 3.9 Where an application for an extension is supported by independent evidence, the maximum length of extension would, normally, be up to seven days in term, or to the last Friday of the end-of-term assessment period.
- 3.10 Where an application for an extension is supported by self-certification in the absence of independent supporting evidence, the appropriate outcome would, normally, be an extension of equal duration to the period self-certified by the student as being affected by extenuating circumstances. As provided at paragraph 4.3 below, students may self-certify periods of up to seven consecutive calendar days.
- 3.11 Where the application is made as a result of illness from Covid-19, evidence is not required.
- 3.12 Where the application for mitigation takes the form of a request for an extension to a coursework submission deadline, self-certification on medical grounds will be permissible for up to twenty-eight days even where the student has remained in attendance.
- 3.13 Where a self-certified extension would cause the extended deadline to fall on a non-working day, an extension to the next working day may be granted.
- 3.15 Under self-certification, for an assessment to be marked in the current assessment period, students may be advised of a shorter extension deadline in order to allow for appropriate marking and moderation processes ahead of a scheduled Board of Examiners. The maximum extension deadline for students who are self-certifying would, normally, be midday on the Monday (or Tuesday, if the Monday falls on a bank holiday) of the second week of the end-of-term assessment period.

- 3.16. If a self-certified absence extends beyond the maximum extension deadline of a given assessment period, a student's self-certified absence will still be honoured but their work may be marked, without a penalty, in the subsequent assessment period. Students will not need to make additional mitigation applications, but they must note that there may be a significant delay in their receipt of assessment results for the assignments covered by their self-certification application. Students should seek advice from Student Services on the consequences of this, as this delay may have progression implications or delay graduation for final-year students. Students should, additionally, note that the University of Kent regulations on progression permit only 30 credits to be trailed into the next stage of a programme. (See Section 7 of the University of Kent Credit Framework for Taught Programmes²).

Mitigation

Procedure for Applying for Mitigation

- 3.17. Mitigation applications must set out:

- a) The extenuating circumstances justifying mitigation
- b) A description of the impact which the extenuating circumstances have had on the student and their academic performance
- c) The modules and assessments which are affected
- d) Whether or not the student attended or submitted the assessment in question
- e) A self-certification statement with an explanation of the circumstances or, if the provision for self-certification does not apply, a list of the evidence attached (see section 4 below)
- f) The student's agreement that the information can be shared with the appropriate Pearson College staff, so that the application can be considered properly.

- 3.18. The deadline for submitting an application for mitigation is 5 working days after the assessment date. The assessment date is the submission deadline for coursework or the examination date for a timed examination. Please note that this deadline

² <https://www.kent.ac.uk/teaching/qa/credit-framework/cf2020-credit-framework-sept2020.pdf>

relates to the assessment date: students cannot wait to receive their results before applying for mitigation.

- 3.19. If it is not possible to obtain suitable evidence within 5 working days after the assessment date and the provision for self-certification does not apply, the application for mitigation should be submitted without the evidence by this deadline; in such cases, the application should include an explanation for why the student has not yet obtained the evidence, together with an indication of when the student expects to be able to forward the evidence to Student Services. Provided there is a good reason, this will be acceptable. Student Services will acknowledge the application and inform the student of the date when the Mitigation Committee will meet. Evidence must be received by Student Services at least 48 hours before the Mitigation Committee meeting, otherwise the application will be rejected.
- 3.20. It is recognised that, occasionally, it is not possible for an application for mitigation to be made within the 5 day deadline: for example, if the student has been ill in hospital and unable to complete the form. If this applies, then the student should complete the application when they are able to do so, and should include in the form their reasons for missing the deadline. Please note that this provision is intended to apply only to students who *cannot* apply before the deadline. If the application is received after the meeting of the Mitigation Committee, then the student will be advised to submit an appeal (see Section 7 below).

Mitigation Committee

- 3.21. Applications for mitigation are considered by a Mitigation Committee, which is a small sub-committee of the Board of Examiners. The details of each application will only be discussed by this small group, rather than the whole Board of Examiners. The applications are normally discussed by student number, so that they are anonymous, to further promote confidentiality. Occasionally it may be necessary for student names to be revealed at a Mitigation Committee meeting, in order for an application to be considered properly, but this is kept to a minimum. All personal data relating to extenuating circumstances will be stored securely and in line with Data Protection regulations.
- 3.22. The Mitigation Committee considers:
- a) whether the circumstances outlined in an application amount to “extenuating circumstances” and therefore warrant mitigation, in line with the definition set out at paragraphs 2.1 - 2.2 above
 - b) the severity of the impact of the extenuating circumstances on the student’s academic performance
 - c) the documentary evidence (where applicable)

d) the time period affected.

3.23. There is a range of potential outcomes for any mitigation application which will depend upon a complex interplay of different factors including:

- the severity of the impact;
- the student's marks on the assessment in question;
- the student's marks on the module in question;
- the student's marks on other assessments and modules;
- the weighting of the assessment in question;
- whether the outcome would compromise the achievement of learning outcomes for the module and the maintenance of academic standards;
- specific rules relating to particular modules.

3.24. The most common outcomes are:

- **Re-attempt the assessment without penalty (sometimes known as "deferral"):** This allows the student to re-sit an examination or re-submit coursework as if it were a first sitting, i.e. without having their marks capped at the pass mark. If an application relates to a second sitting which would have been capped in any event, the re-sit mark will still be capped, but the student will be allowed an additional attempt.
- **Lift any late penalties:** This may apply where a student submitted some coursework late without having applied successfully for an extension.
- **Disregard:** In certain circumstances, the Mitigation Committee can recommend that the result for a module should be calculated without reference to a unit of assessment that the student was unable to complete. For example, a student may have completed the coursework, but not the presentation, in which case the student's mark for the module might be based purely on the coursework. Disregard will only be used where the affected assessment accounts for up to a maximum of 20% of the module marks and only where there is sufficient evidence that the student has met the learning outcomes for the module in the remaining unit/s of assessment.
- **Condonement:** If a student fails a module owing to extenuating circumstances, the Board can agree to award them the credit for that module, provided it is clear that the student has met the Programme Learning Outcomes. Condonement is not available for all modules and cannot be awarded for more than 25% of a Stage (or Level). Condonement is only available where the impact of extenuating circumstances is high.

3.25. After the Mitigation Committee meeting, the student will be told by email whether or not their extenuating circumstances were accepted. However, this email will not include the full details of the outcome of the application, i.e., which of the outcomes listed in paragraph 3.19 above was recommended. The Mitigation Committee recommends an outcome which then goes to the Board of Examiners for final decision. Therefore, the student will receive the full outcome on receipt of their results after the meeting of the Board of Examiners.

Comparison between Extensions and Mitigation

Extensions	Mitigation
Apply before the assessment date	Applies either before or after the assessment date
Deadline: 24 hours before the assessment date	Deadline: 5 days after the assessment date
Decision: within one working day	Decision: in principle decision (accept/reject) after Mitigation Committee. Full outcome decision with results after Board of Examiners meeting.
Most appropriate to coursework or video presentations , when the student knows in advance that, owing to extenuating circumstances, they will be unable to submit on time	Appropriate for all assessments .
Not permitted for assessments other than coursework/ video presentations, including timed, written examinations	Appropriate for assessments other than coursework/ video presentations, including timed, written examinations
One potential outcome: extension of time of up to the maximum extension deadline, normally the Monday of the second week of the end-of-term assessment period (occasionally longer if required and if supporting evidence is provided with the application).	Several potential outcomes , depending on exact circumstances.

4. Supporting evidence and self-certification

4.1. All applications for extensions or mitigation must be accompanied by a self-certification statement or appropriate supporting evidence. The purpose of supporting evidence or self-certification is to authenticate a student's extenuating circumstances and to explain their impact on the student.

Self-certification

4.2. Where a student has been affected for a short period of time by relevant extenuating circumstances (e.g. accident, bereavement), they may be permitted

to 'self-certify', instead of providing independent evidence. A student may self-certify for a period of up to seven consecutive calendar days at a time as being affected by extenuating circumstances.

- 4.3. Where the application is made as a result of illness other than from Covid-19, the length of time for which self-certification can be used as evidence in support of the application is up to twenty-eight days.
- 4.4. Self-certification may be used to authenticate an application based on extenuating circumstances with respect to any of the following:
 - a) To obtain an extension in advance of any coursework deadlines which fall within the self-certified period
 - b) For any coursework deadlines, examinations or other assessments which fall within the self-certified period, to apply for mitigation with respect to:
 - i. Late submission of coursework, where an extension was not obtained in advance
 - ii. Non-submission of coursework
 - iii. Absence from presentations or other assessments which are not timed, written examinations
 - iv. Absence from timed, written examinations.
- 4.5. Self-certification may not be used to authenticate applications for mitigation where the student attended or submitted the assessment, but believes their performance was impaired by extenuating circumstances. Such applications must be accompanied by independent supporting evidence, as per paragraphs 4.10 - 4.14 below.
- 4.6. Student Services will maintain records of self-certified absences and extensions. Students should note that frequent absences and self-certification may prompt intervention, as per the Attendance and Engagement Policy. Students making repeated self-certification applications may be invited for a discussion with Student Services or the Deputy Dean of their School to ensure that any exceptional circumstances and/ or additional learning needs are identified and that students are appropriately supported academically and pastorally. If there are serious concerns about the academic engagement of students, the Fitness to Study Procedure may be invoked.
- 4.7. To maintain the integrity of assessments and to ensure fairness to the student body as a whole, dishonest or fraudulent self-certification may lead to disciplinary action under the Student Disciplinary Code.

- 4.8. Where, following the conclusion of a period of self-certified extenuating circumstances, a student returns to their studies on a date which falls just prior to one or more coursework assessment deadlines, the Deputy Dean of School, or their nominee, may exercise their discretion and permit extensions for these assessments where they accept that it is reasonable to assume that the period of extenuating circumstances has impacted negatively on the student's ability to prepare for and complete the assessments in question by the original deadline. In such cases, no further evidence will be required other than the self-certification statements already provided by the student. In exercising their discretion, the Deputy Dean of School, or nominee, will take into account the student's number of certified absences to date. Where an extension is granted under these circumstances, it will count towards the maximum number of two occasions in any academic year that a student might self-certify for periods of absence that coincide with coursework assessment deadlines.
- 4.9. Where in self-certification a student discloses a disability or ongoing personal/health circumstances, any application for extensions or mitigation should be considered and, in addition, the student will be signposted to Student Services to ensure appropriate ongoing support, including a Learning Support Agreement, if applicable.

Evidence

- 4.10. Applications which are unsupported by evidence (or, in certain circumstances described in paragraphs 4.1 – 4.9 above, a self-certification statement) will be rejected. Students will normally be expected to scan their evidence and email it with their application, but the College reserves the right to request hard copy, original evidence, so original evidence should be retained in case it is requested. It is the responsibility of the student to provide evidence. The College will not apply for evidence to third parties on the student's behalf.
- 4.11. The supporting evidence must corroborate the extenuating circumstances claim. Evidence must be from an independent source, must cover the time period in question and must be valid and reliable. It must be in English or, if not in English, must be supported by an official translation.
- 4.12. Where the application is made as a result of illness from Covid-19, evidence is not required.
- 4.13. Falsifying evidence or knowingly including false information in an application based on extenuating circumstances is a disciplinary matter and will be dealt with accordingly under the Student Disciplinary Code. All College staff and students have a duty to uphold the integrity of academic standards and must report to the Deputy

Vice-Principal (Academic Affairs) any intelligence relating to a student falsely declaring extenuating circumstances.

- 4.14. Extenuating circumstances are, inherently, exceptional. We cannot list every possible circumstance that might arise, or provide a comprehensive list of every type of acceptable evidence. However, the table below gives examples of the types of evidence that would be acceptable for certain commonly-occurring types of extenuating circumstances. Students are encouraged to consult Student Services if unsure about the type of evidence that they should provide.

Type of Extenuating Circumstance	Evidence in Support
Medical conditions (the student's own)	A note from a suitably qualified medical practitioner (normally a GP or hospital specialist, who is registered with the General Medical Council in the UK or the equivalent in the student's home country), who has seen the student during the relevant period and can therefore attest to the student's condition at that time and its impact on the student's studies/assessments. This person should not be a close friend or relative.
For medical conditions affecting a dependant or close relative	Medical certification from a relevant professional. If it is unclear whether the family member's relationship to the student is close (for example, if they are not a parent, sibling or spouse), medical evidence should normally be accompanied by evidence of the impact on the student, e.g. a statement from a family member.
Divorce or breakdown of a long-term relationship	Evidence of divorce proceedings or a lawyer's letter.
Bereavement	Normally, a death certificate, an order of service for a funeral or similar proof. Unless the deceased is a close relative (e.g. parent, partner or sibling), the application should also explain why the

	bereavement has had a significant impact on the student. The College may request additional evidence, such as a written statement from a family, friend or personal tutor, explaining the impact of the bereavement.
Severe personal problems	Letter from a relevant professional e.g. solicitor, counsellor, religious leader.
Accident	Medical certificate (as for a serious illness) or police report.

5. Disabilities and medical conditions: adjustments to assessments

- 5.1. The procedures relating to extenuating circumstances are not intended to cover disabilities or long-term medical conditions. A student who has a disability or long-term condition should apply for suitable learning support, which may include reasonable adjustments to assessments. This support will be set out in a Learning Support Agreement, and there should therefore be no requirement for additional extensions or mitigation based purely on requirements arising from the student's disability or long-term condition. However, this does not prevent such students from applying for extenuating circumstances which are not covered by their Learning Support Agreement. Furthermore, students with a disability or long-term condition may apply for extenuating circumstances for a sudden or acute exacerbation of their condition. If a student has a fluctuating condition, their Learning Support Agreement may include a provision to make such applications without needing to provide fresh medical evidence.
- 5.2. If a student has a short-term medical condition which makes it harder to complete an assessment, it may be possible for us make adjustments to the assessment. For example, a student with a broken arm may be unable to hand write an examination, but may be able to use a computer, especially if given extra time for rest breaks. This will usually be preferable to applying for mitigation, which could result in the examination being deferred to the next assessment period. Student Services can advise students on their options in such circumstances.

6. Fit to sit policy (law students)

- 6.1. The Solicitors Regulation Authority has a specific requirement relating to mitigation for modules which count towards the exemption for the Legal Practice Course ("LPC

modules"). Students on the MLaw or LLB programmes will be asked, prior to each examination for an LPC module, to sign a form confirming that they are "fit to sit" the examination and have no extenuating circumstances upon which they might later rely in an application for mitigation.

- 6.2. As a result of the SRA fit to sit rule, mitigation is not available for examinations for LPC modules, except in exceptional circumstances: for example, if a student becomes ill during the examination itself. In such cases, the student must give a full explanation in their application.

7. Appeals

- 7.1. If the College refuses an application for an extension or mitigation, the student can appeal to the Vice Principal (Academic Quality and Enhancement) or their nominee. The appeal must be submitted to Student Services on the appropriate form within 5 days of the refusal.
- 7.2. The rules and procedure for appealing decisions of the Board of Examiners can be found in the University of Kent Regulations³. The deadline for submission of an appeal is 21 days after release of the results. Students who wish to appeal should read the procedural guidance available on the Pearson College website⁴ alongside the University of Kent Regulations³, and are advised to contact Student Services for additional guidance at an early stage, well before expiry of the deadline.

8. Allied Policies

- 8.1. This Policy is aligned to the following Pearson College Policies:
 - a) Attendance and Engagement Policy
 - b) Assessment Procedure
 - c) Fitness to Study Policy
 - d) Student Disciplinary Code
 - e) Additional Learning Needs Policy.

³ Available at:

<https://www.kent.ac.uk/teaching/documents/quality-assurance/credit-framework/creditinfoannex13.pdf>

⁴ Available at: [https://www.pearsoncollegelondon.ac.uk/content/dam/region-core/uk/pearson-college/Documents%20and%20Forms/Policy%20Documents/Academic Appeals Procedure University of Kent.pdf](https://www.pearsoncollegelondon.ac.uk/content/dam/region-core/uk/pearson-college/Documents%20and%20Forms/Policy%20Documents/Academic%20Appeals%20Procedure%20University%20of%20Kent.pdf)

Appendix: Examples of extenuating circumstances

We cannot list all possible problems that students might encounter, but we have gathered below some examples of what might and might not be found to be extenuating circumstances.

It is accepted that, on occasion, it would be fair to take into account an unexpected crisis involving the examples listed below as non-acceptable circumstances. This might be appropriate, for example, if it was clear that the crisis had significantly impacted upon the student's performance or ability to submit coursework.

	Acceptable circumstances
✓	Significant illness or injury which impairs academic performance.
✓	Anxiety, depression or other diagnosed mental illness
✓	Recent breakdown of a long-term relationship
✓	Death of a partner or close relative
✓	Sudden, severe and disruptive financial problems, with evidence of impact on academic performance

	Non-acceptable circumstances
✗	Minor illness, such as coughs and colds.
✗	Typical examination nerves
✗	A row with a partner
✗	Death of a non-relative or distant relative, unless there is evidence of a close relationship or a significant impact on the student
✗	Financial problems, unless severe and sudden

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