

EXTENUATING CIRCUMSTANCES POLICY

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Summary/Description:	
<p>This document defines the procedures for students to inform the University whenever they are experiencing difficulties and, where appropriate, to request and receive a concession to mitigate any impact on their academic studies. This document replaces the Concessions Procedures, which will become defunct with effect from the end of semester 1 on 10 January 2014. All concessions approved up to that date will continue to be honoured to ensure no students are adversely affected by the change.</p>	

EXTENUATING CIRCUMSTANCES POLICY

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EXTENUATING CIRCUMSTANCES POLICY

1. Introduction

- 1.1 All undergraduate, postgraduate and postgraduate research students have a responsibility to manage their learning during their registration at the University and may be required to complete and submit, or sit, a wide range of assessments. This requires students to balance their workload and use time management skills to ensure that assessments are submitted, or sat, to stated deadlines. It is therefore essential that students manage their workload efficiently, so as not to struggle to meet deadlines or miss them. Difficulties and pressures are a part of everyday life and it is expected that students shall manage their work accordingly.
- 1.2 However, the University recognises that there may be times when serious adverse circumstances, beyond their direct control, prevent students from completing work to a deadline, or to their customary standard of achievement.
- 1.3 For this reason, the University encourages students to inform the University whenever they are experiencing difficulties and, where appropriate, to request an extension to the deadline for submission of a piece of work, to defer a formal exam, practical assessment or viva and/or to request a temporary leave of absence. Procedures for this are detailed in this Policy.
- 1.4 In cases of long-term extenuating circumstances, students also have the option to apply to interrupt their studies, details of which are outlined in the *Academic Regulations for Taught Programmes* and the *Academic Regulations for Postgraduate Research Programmes*.
- 1.5 Students, who are studying programmes with additional attendance regulations, may also use self-certification to account for absence due to illness, for which procedures are detailed in this Policy.
- 1.6 The *Student Academic Appeals Policy* also allows students to advise an Examination Board that they were not in a position to perform at their customary standard of achievement when completing one or more assessments, although the student must then submit reasons why they did not follow the *Extenuating Circumstances Policy* at the time of the assessment(s).
- 1.7 This Policy applies to all undergraduate, taught postgraduate and postgraduate research students. This Policy is also supported by a 'Guidance Leaflet for Extenuating Circumstances' for students.

2. Aims

This Policy is designed to support students whose learning has been adversely affected by extenuating circumstances and its aims are to:

- a) make clear the types of serious adverse factors that the University shall consider as extenuating circumstances;
- b) detail the procedures for submitting an Extenuating Circumstances Form and, where appropriate, requesting an extension/deferral for coursework/exams/practical assessments/vivas or other assessment;
- c) detail the procedures for submitting self-certification for absence with or without confirmation from a GP surgery ;
- d) detail the procedures for submitting self-certification for one missed assessment;
- e) ensure fair and equal treatment of all students when considering their extenuating circumstances and determining how best to support them.

3. Definition of Extenuating Circumstances, Valid and Invalid Evidence and Self-Certification

Definition of Extenuating Circumstances

- 3.1 'Circumstances, normally exceptional and outside the control of the student, which prevent him/her from performing an assessment at the expected or required level.'
- 3.2 These are normally circumstances relating to the health and/or personal life of a student which are of a sufficiently serious and significant nature to result in them being unable to attend, complete or submit an assessment on time. They are also expected to be either:
- a) unforeseeable, in that the student could have no prior knowledge of the event concerned; and/or
 - b) unavoidable, in that the student could have done nothing reasonably in their power to prevent or avoid such an event

Examples of Valid Extenuating Circumstances

- 3.3 Listed below are examples that the University would normally regard as extenuating circumstances that could have seriously affected performance and/or attendance and could not have been remedied in the time available but this list is not exhaustive and where the University deems that a student's application falls within the above definition, it shall be treated under this policy:
- a) Bereavement – death of close relative/significant other (of a nature which, in an employment context, would have led to an absence in accordance with the compassionate leave regulations)
 - b) Serious short term illness or accident (of a nature which, in an employment context, would have led to an absence on sick leave)
 - c) Victim of Crime
 - d) Evidence of a long term health condition worsening or complication of existing condition *
 - e) Significant adverse personal/family/work circumstances
 - f) Other significant exceptional factors for which there is evidence of stress caused
 - g) Additional impact of a disability
 - h) Complications in pregnancy eg premature labour
 - i) Serious transport difficulties which could not have been avoided
 - j) University technical difficulties of an ephemeral nature eg such as an unscheduled disruption unusual to the University's intranet provision

* *Students with an underlying disability, condition or chronic illness shall normally have agreed a formal Learning Agreement with Student Services and academic staff to provide additional support for learning and assessment, as required. However, where such an underlying disability, condition or chronic illness suddenly flares up, or is exacerbated, this would fall within the above definition of extenuating circumstances.*

Invalid Extenuating Circumstances

- 3.4 The following is a non-exhaustive list of circumstances unlikely to be regarded as falling within the relevant definition and is unlikely to be accepted as extenuating circumstances:
- a) Statement of a medical condition without reasonable evidence (medical or otherwise) to support it
 - b) Medical circumstances outside the relevant assessment or learning period for which appropriate adjustments for extenuating circumstances have already been made

- c) Medical condition supported by 'retrospective' medical evidence – that is, evidence that is not in existence at the same time as the illness, eg a doctor's note which states that the student was seen (after the illness occurred) and declared they had been ill previously
- d) Foreseeable or preventable circumstances
- e) Long term health condition for which the student is already receiving reasonable or appropriate adjustments
- f) Minor illness or ailment, which in a work situation, would be unlikely to lead to absence from work
- g) Paid employment, although exceptions may be made where an employer makes additional and unforeseen demands on an employee eg sending an employee overseas at short notice
- h) Transport problems eg missed bus or train, lateness of lift
- i) Holidays
- j) Financial issues
- k) Personal computer/printer problems
- l) Poor practice, eg no back up of electronic documents
- m) Claims that students were unaware of the dates or times of submission of examination
- n) Late disclosure of circumstances on the basis that the students 'felt unable – did not feel comfortable' confiding in a staff member about their extenuating circumstances
- o) Poor time management
- p) Complaints against staff or in relation to delivery of the module/programme. These are managed through the University's Complaints Handling Procedures

Jury Service

- 3.5 Students who receive a summons to attend Jury Service during the academic year are strongly advised to seek a deferral. Courts understand the issues for students missing key teaching/assessment activities and deferrals are generally approved. Please contact Registry for a supporting letter.
- 3.6 While the University supports anyone undertaking civic duties, there is a particular problem for students who may miss critical teaching/assessment activities while undertaking jury service because they may need to complete additional work during the vacation periods or repeat a significant period of study. While the Courts may provide some remuneration for loss of earnings, childcare costs etc, this amount would not cover 'lost' tuition fees or loans for living costs that may be incurred if a student is required to repeat a period of study as a result of prolonged absence for lengthy court cases. There is also the potential for adverse impact on other students if a student attending Jury Service will miss group activities and assessments.
- 3.7 Students who do not wish to request a deferral from Jury Service or their request for a deferral is turned down, should apply for a temporary Authorised Leave of Absence and, if the case takes longer than 3 weeks, they must contact their Programme Leader(s)/Director of Studies to discuss whether it would be helpful to interrupt their studies for a semester or a year (see paragraph 7 below).

Definition of Self-Certification

- 3.8 'A signed declaration by a student accounting for missed attendance and/or an assessment deadline due to illness lasting between 1 – 5 consecutive days'.

4. Evidence Required for Extenuating Circumstances

- 4.1 Applications for extenuating circumstances to be taken in account must be accompanied by valid evidence of those circumstances. Such evidence should normally be independent third party evidence (a medical practitioner, for example, although in the past, evidence has been accepted from hospital staff,

counsellors, the police, lawyers and named Student Services staff) and the student should submit the original documentation.

- 4.2 In cases where the extenuating circumstances relate to sensitive personal issues, a student is advised to contact Student Services for evaluation of their application. Such evaluation shall only be carried out by suitably qualified staff members within the Student Services team, as indicated on the Extenuating Circumstances Form, and remains confidential to the student and the staff in Student Services.
- 4.3 Supporting evidence from relatives or other students shall not be deemed as valid. A statement from a personal tutor shall be helpful, but it shall not be considered as sole evidence in itself.
- 4.4 A summary of valid circumstances and evidence is listed in 'Appendix A: Processes for Submitting Extenuating Circumstances and Self-Certification Forms'.

5. Process for Self-Certification

5.1 The Self-Certification Form shall be used in the following circumstances:

a) **Absence from learning and teaching activities**

To inform the University of absence from lectures, tutorials and other similar learning and teaching activities during the academic year **for programmes, which have their own Programme Attendance Rules** that apply penalties if learning and teaching activities are missed. These Rules can be found in the Programme Specification and Programme/Module Handbooks;

b) **Failure to meet an assessment deadline**

In exceptional circumstances only, as valid evidence to support an application for Extenuating Circumstances for absence from an exam, practical assessment or viva and/or failure to submit coursework by the due deadline and a request for a deferral/extension, as appropriate.

NB Postgraduate Research students: *this only applies to missed attendance and assessment deadlines relating to taught modules and not the Thesis or viva voces.*

Honours and taught Masters students: *this does not apply to the Extended Independent Study module or the Independent Study module.*

5.2 This Self-Certification Form shall be completed in two ways:

a) **Independently Self-Certified**

In these cases, the student confirms that they were ill for a period lasting 1 – 5 consecutive working days but did not seek medical advice.

b) **Confirmed by a GP or other medical professional**

In these cases, the student confirms that they were ill and sought medical advice and this is confirmed by their GP Surgery.

5.3 Limits of Use

- a) A maximum of **two** Independently Self-Certified forms may be submitted during each year of study (eg normally between 1 September and 31 August) for absence from teaching (Refer 2a) above); and
- b) A maximum of **one** Independently Self-Certified forms may be submitted during each year of study (eg normally between 1 September and 31 August) for missed assessment deadlines (Refer 2b) and NB above).

- c) If a student will be absent on a third or subsequent occasion within this period or miss an assessment deadline on a second or subsequent occasion within this period, they should complete a Self-Certification Form Confirmed by GP (see below) or an Extenuating Circumstances Form with valid evidence, in accordance with the Extenuating Circumstances Policy.
- 5.4 The Self-Certification Form is available from the University website and shall be submitted within five working days of the end of the period of illness to the Home Faculty Office.

6. Process for Reporting Extenuating Circumstances and Submitting Extension/Deferral Requests

- 6.1 It is a student's responsibility to inform their programme/subject, at the earliest opportunity, of any circumstance which may affect their ability to meet their programme commitments by completing an Extenuating Circumstances Form (available from the University website) together with valid evidence and submitting this to their Home Faculty Office or the RKE Centre (for Postgraduate Research students only).
- 6.2 Students should note that they must specifically request an extension (for coursework) and/or deferral (for an exam/practical assessment): simply submitting the Extenuating Circumstances Form stating their problems shall not automatically result a rearrangement of their assessment deadlines.

Submitting an Extension/Deferral Request

- 6.3 Students must complete Section B and/or C of the Extenuating Circumstances Form if they wish to apply:
- a) for an extension of the submission deadline for coursework; and/or
 - b) to defer an exam, practical assessment or viva.
- 6.4 An extension/deferral request must be submitted as early as possible in advance of the submission deadline of the assessment or date of the exam, practical assessment or viva.
- 6.5 If a student is unable to gather the evidence to support their claim, they should still submit the Extenuating Circumstances Form, stating the basis for the claim and stating clearly on the form why they could not provide the evidence at that time and provide an indication of when the evidence is likely to become available. The Faculty/ RKE Centre shall defer making a decision until the evidence is received but shall normally only extend the deadline to submit supporting evidence within ten working days of the submission deadline for the assessment or date of the exam, practical assessment or viva.
- 6.6 If work is submitted late or a student fails to sit/attend an exam, practical assessment or viva and an extension/deferral request is either not applied for by the above deadline or is rejected by the Faculty, then the Late Submission Rule shall apply (see paragraph H1.5 of the *Academic Regulations for Taught Programmes* or paragraph F4.4 of the *Academic Regulations for Postgraduate Research Programmes*).

One Week Late Submission of Extenuating Circumstances Form

- 6.7 In exceptional cases only, where the extenuating circumstances occur unexpectedly at the point of submission/attendance, the Extenuating Circumstances Form requesting an extension/deferral may be submitted up to five working days after the submission deadline of the assessment or date of the exam, practical assessment or viva.
- 6.8 In these circumstances, a Faculty/Research Degree Quality Committee may request students to submit a draft of the work they have managed to complete to date before they will approve a concession.

Late claims for extenuating circumstances

- 6.9 The University recognises that there may be certain exceptional circumstances, when a student may not be able to submit a claim within five working days of the published deadline/date. Examples of such exceptional circumstances might include:
- a) Following a serious physical assault (physical or emotional incapacitation without recourse to intermediaries)
 - b) Clinically diagnosed, sudden onset of short term mental or physical illness
- 6.10 In such cases, if the deadline for submitting an Extenuating Circumstances Form has been missed, a student is advised to submit an Extenuating Circumstances Form at the earliest opportunity, stating the reasons for the late submission of their claim rather than waiting until the end of the academic year and submitting an Academic Appeal.
- 6.11 When submitting a late claim, students must provide evidence as to why they did not submit at the appropriate time, ie when their studies were affected.

7. Process for Requesting Authorised Leave of Absence

- 7.1 Students with long-term problems affecting their work should contact their Programme Leader(s)/Director of Studies to discuss whether it would be helpful to interrupt their studies for a semester or a year (see *Section D1 of the Academic Regulations for Taught Programmes* or *Section C2 of the Academic Regulations for Postgraduate Research Programmes*).
- 7.2 For short-term problems, however, it may be possible to seek an authorised temporary leave of absence during scheduled teaching and assessment periods for up to three weeks. In these cases, students should submit an Extenuating Circumstances Form with supporting evidence as described in Section 6 above (with the exception of Tier 4 students and Postgraduate Research students – see below)
- 7.3 Where the absence will mean that one or more submission deadlines for coursework, exams, practical assessments or vivas will be missed, a formal Extension/Deferral Request must be included on the form.
- 7.4 An Extenuating Circumstances Form requesting leave of absence must be submitted as early as possible in advance of the date of departure and no later than five working days before that date.
- 7.5 Students who believe their Extenuating Circumstances requires a longer leave of absence (eg more than 15 working days) should discuss their circumstances with their Programme Leader and consider interrupting their studies (see Section D1 of the *Academic Regulations for Taught Programmes*).

NB Tier 4 students who wish to apply for leave of absence while continuing their teaching and learning should complete the *Authorised Absence Form* in accordance with the *UKBA Guidance* available from the *Registry Intranet page*.

NB Postgraduate Research students who wish to apply for leave of absence should contact the *RKE Co-ordinator*.

8. Consideration of Claims for Extenuating Circumstances, Self-Certification and Authorised Absence

- 8.1. Faculty Academic Development Committees and the Research Degrees Quality Committee are responsible for devising a procedure to manage applications for extenuating circumstances, self-certification and authorised absence submitted by their students. The procedures shall be approved by Academic Standards Committee.

- 8.2. Each procedure shall specify who is responsible for managing and administering the process together with details of their specific role and responsibilities. Where only one person is normally responsible for managing the whole process, there shall be at least two other suitably qualified named members of staff available for consultation and to take over during any temporary absence.
- 8.3. Where there is more than one procedure operating within a Faculty, a list of the programmes managed by each procedure shall be included in the document submitted to Academic Standards Committee.
- 8.4. Staff delegated to manage the procedure for their students shall:
 - a) consider requests and confirm whether they meet the conditions of the Policy in terms of timeliness of submission, whether they meet the definition of 'Extenuating Circumstances' and whether the evidence is valid;
 - b) consult with the Programme Administrator in cases where requests for Extenuating Circumstances or a leave of absence also apply to failure to attend teaching sessions which are governed by programme-specific attendance regulations before making a decision;
 - c) consult with Programme Leader(s)/Director of Studies, Student Services or other colleagues, on any other issues or concerns, as appropriate;
 - d) ensure that applications, which are accompanied by supporting evidence, shall normally be resolved and the decision communicated to the student by University email address within three working days;
 - e) confirm the outcome of the decision to all relevant members of staff eg Personal Tutor, Module Tutor(s), Programme Leader(s), Programme Administrator(s), Director of Studies, as appropriate;
 - f) maintain accurate records on SITS and, if appropriate, on hard copy student files.

Outcomes

- 8.5. Staff responsible for considering applications shall come to one of the following decisions and inform the student accordingly:
 - a) **Extenuating circumstances confirmed:**
Where students have simply alerted the University to their problems, staff shall confirm that these have been recognised and advise whether further action should be taken. This might include suggesting that the student request extension(s)/deferrals(s), leave of absence, interrupt their studies and/or seek advice from Student Services about establishing a Learning Agreement or other support.
 - b) **Exemption from required attendance approved:**
The programme attendance regulations have not been breached and no penalty shall be imposed for missed attendance.
 - c) **Extension approved for coursework:**
The period of extension shall cover the period affected plus the time taken to confirm the decision and communicate it to the student, normally up to a maximum of 10 working days for short-term problems.
 - d) **Deferral approved for a formal exam:**
If a deferral is sought for the first sitting of a formal exam, the student shall normally be required to attend the scheduled resit as a first attempt. If deferral is sought for a resit exam, the Programme Leader shall normally confirm when the resit shall be rescheduled or whether an alternative assessment shall be set and the submission date.

- e) **Deferral approved for a practical assessment:**
In the case of a practical assessment, the Programme Leader shall normally confirm when it shall be rescheduled or whether an alternative assessment shall be set and the submission date.
- f) **Temporary leave of absence approved:**
Authorised absence approved for defined period, normally up to a maximum of 15 working days. Details of any extensions/deferrals shall also be confirmed at the same time.
- g) **Claim acknowledged (evidence to follow):**
The deadline, by which the supporting evidence is to be supplied and, where appropriate, the nature of the evidence required, shall be specified.
- h) **Claim rejected (non-submission of evidence):**
The grounds for rejection of non-submission of evidence submitted for an extension, deferral, temporary leave of absence and/or exemption from programme attendance regulations shall be specified.
- i) **Claim rejected (grounds not established or insufficient evidence):**
The grounds for rejection of an extension, deferral, temporary leave of absence and/or exemption from programme attendance regulations request shall be specified.
- j) **Claim rejected (deadline for submission of claim not met):**
The grounds for rejection of the late submission and/or evidence to support the late submission, (eg where claim form is not submitted by the date set in this Policy or where a student is given an extended deadline to submit supporting evidence, fails to do so and is not granted a further extension of time) shall be specified.

Notification to students

- 8.6. Following the decision, the student shall be informed whether their claim was accepted or rejected and details of new dates and arrangements for submission of coursework or attendance at exams/practical assessments, where appropriate. If rejected, the email shall also contain a brief statement confirming whether the rejection was due to non-submission of evidence, lack of sufficient evidence, grounds not established or failure to meet the deadline(s) set or the terms of the Policy. This shall be sent by email to the student's University email account normally within three working days of submission.

9. Appeal Against the Outcome

- 9.1. Students have the right to appeal a rejected claim for an extension, deferral, self-certification or leave of absence request on the following grounds:
- a) procedural irregularity: the Faculty/Research Degree Quality Committee failed to follow the requirements of this Policy and their own procedures in such a way that the legitimacy of the decision reached is called into question;
 - b) perversity of judgement: the Faculty/Research Degree Quality Committee decision does not, in the student's opinion, appropriately reflect the weight of evidence presented.
- 9.2. Students may not appeal:
- a) on the grounds that they did not understand, or were not aware of, the Extenuating Circumstances Policy or related Faculty/RDQC Procedures.
 - b) in relation to the same submission of an assessment more than once by means of this process.
- 9.3. The appeal must be submitted, in writing, to the Director of Registry & Marketing within ten working days of the date of the email notifying the student of the outcome of their original application.

- 9.4. The format of the Appeal is a letter or email, fully detailing the grounds for appeal, a copy of the application and outcome correspondence. Where the grounds of the appeal relate to a) above, the appellant must specify precisely what aspect of the procedure was not followed and how this affected the outcome. Where the grounds for the appeal relate to b) above, the appellant must specify how and why the decision was unreasonable or disproportionate in the light of the available evidence.
- 9.5. Appeals shall be considered in the first instance by the Director of Registry & Marketing (or nominee) and a Chair of a Faculty Academic Development Committee from a Faculty not associated with the appellant's programme. They shall decide whether there is a prima facie case for consideration. Where there is a prima facie case, the Director of Registry & Marketing (or nominee) shall convene an Appeal Review Panel. If there is no prima facie case for consideration, the Director of Registry & Marketing (or nominee) will issue a Completion of Procedures letter.
- 9.6. The Appeal Review Panel shall be composed of the Deputy Vice-Chancellor, the Dean of a Faculty (not associated with the appellant's programme) and the Chair of Academic Standards Committee.
- 9.7. The Appeal Review Panel will review the statement and any supporting evidence supplied by the appellant and may request further evidence or information from those involved in the process before reaching a decision. Those from whom responses are sought will be provided with the letter of appeal and accompanying documents where appropriate. In accordance with the principles of openness and best practice the University will disclose to appellants any relevant case documentation at an early and appropriate stage and, in particular, in advance of any determination of the outcome.
- 9.8. If the Appeals Review Panel does not uphold the appeal, the student will be informed in writing and a Completion of Procedures Letter will be issued.
- 9.9. If the appeal is upheld, then the Panel will confirm what action will be taken to rectify the matter.
- 9.10. There is no further appeal within the University. Provision for independent external review is made through the existence of the Office of the Independent Adjudicator (OIA). The Independent Adjudicator's role is to review the application by the University of its own internal procedures. Further information about the OIA's role is available from <http://www.oiahe.org.uk>.

10. Submission of Fraudulent CLAIM FOR Extenuating Circumstances

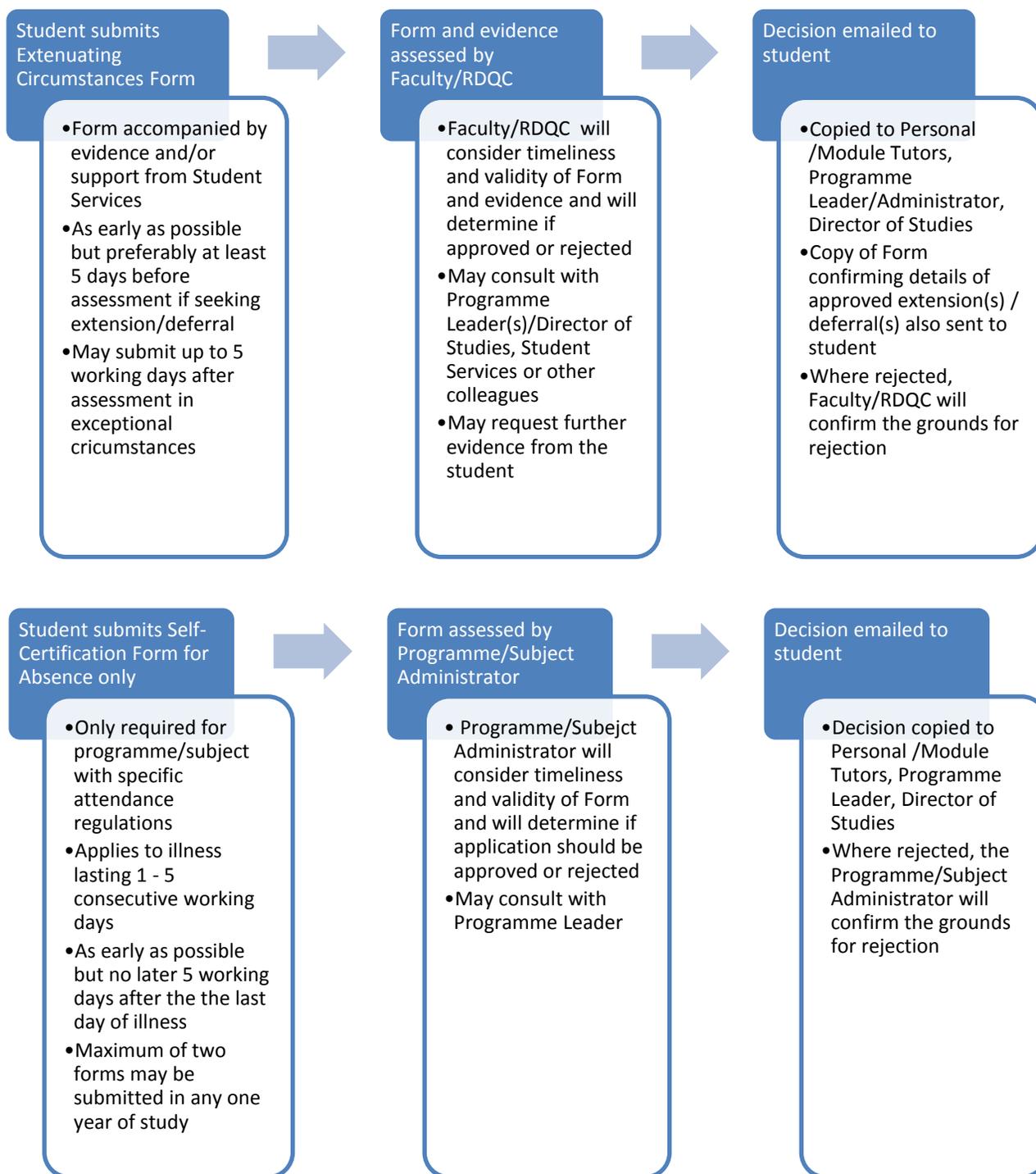
The University considers the submission of a fraudulent request for Extenuating Circumstances to be taken into account as an attempt to gain unfair advantage and, therefore, claims, which are deemed to be fraudulent, shall be referred to an Academic Conduct Officer for consideration and, where appropriate, investigation in accordance with the University's Academic Misconduct Policy.

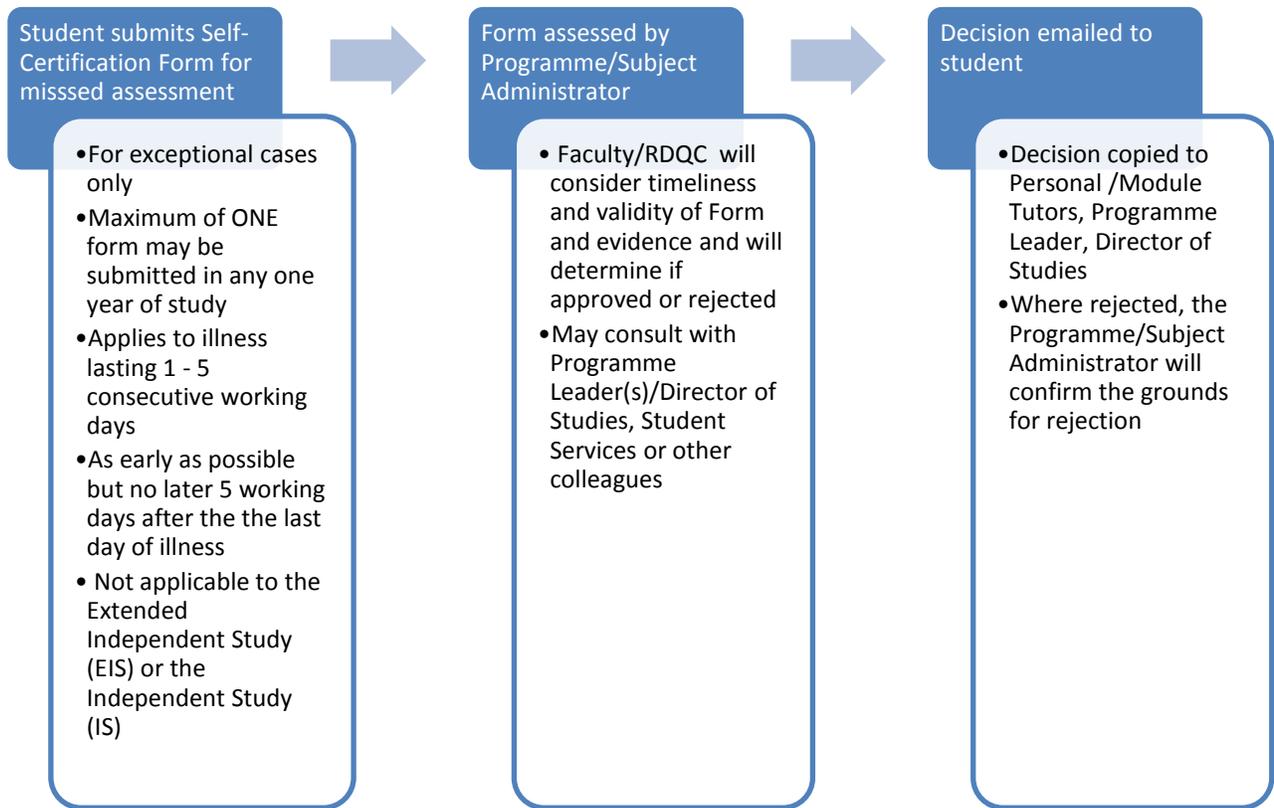
11. Quality Assurance and Monitoring of Extenuating Circumstances Procedures

- 11.1 Faculty Academic Development Committees and the Research Degree Quality Committee shall be responsible, on behalf of Academic Standards Committee, for the assurance of quality and standards in the management of applications for Extenuating Circumstances and Self-Certification.
- 11.2 In particular, Faculty Academic Development Committees and the Research Degree Quality Committee are responsible for:
 - a) devising, in consultation with their students, a procedure to manage applications for Extenuating Circumstances and Self-Certification submitted to be approved by Academic Standards Committee;
 - b) ensuring that all staff involved are suitably trained, supported and monitored so that consistency and fairness is maintained;

- c) ensuring that the procedure is published clearly to students and staff;
- d) ensuring that all applications are resolved promptly, consistently and effectively;
- e) ensuring that accurate records of all applications and the outcomes are maintained and all paperwork should be available for internal or external scrutiny, as required;
- f) reviewing the procedure annually to ensure that it is fit for purpose and, where necessary, recommending changes, as required, to be approved by Academic Standards Committee;
- g) monitoring the consistency of decisions and submitting an annual report to Academic Standards Committee detailing the number of Extenuating Circumstances and Self-Certification applications submitted and their outcomes, the number of appeals received and the outcomes and any other issues relating to the principles or procedures.

12. Processes for Submitting Extenuating Circumstances and Self-Certification Forms





Further diagrammatic summaries are contained in the *'Guidance Leaflet for Extenuating Circumstances'*.