

## EXCEPTIONAL CIRCUMSTANCES IMPACTING ON MODULE ASSESSMENT

Please note, as of October 2023, the information in this section of the regulations applies to EC claims from academic year 2022/23. Revised Exceptional Circumstances Regulations will be re-published ahead of the 2023/24 EC claim windows.

### Policy

1. **Individual exceptional circumstances** is the University's description of circumstances that are sudden, unforeseen which may temporarily affect a student's module assessments, resulting in non-submissions, absence from in-person assessment, incurring lateness penalties or significant adverse effects on work submitted on time. Absence from study does not come under the remit of the exceptional circumstances procedures nor do ongoing and longer term conditions or circumstances (see Principle 10).
2. The exceptional circumstances policy ensures all students are given a fair and equal chance to demonstrate academic achievement without gaining an unfair advantage as a result of an accepted exceptional circumstances claim. The circumstances themselves are not the focus of consideration in this process; instead the focus is on the impact on the module assessment to ensure that the student has been given a fair and equal chance. The policy is implemented across the University within the process outlined below, designed to ensure equitable treatment for all students (see Principle 11).
3. University Education Committee is responsible for overseeing the policy and procedures related to exceptional circumstances claims. The University Education Committee will receive an annual report on exceptional circumstances claims decisions.

### Procedures

#### Criteria for an exceptional circumstances claim

4. **An exceptional circumstances claim** is the record by which the student provides details of the sudden and unforeseen circumstances affecting specific module assessments.
5. Students must provide evidence that confirms sudden, unforeseen and temporary conditions/events which may have significantly impacted on performance in assessments. Minor illness and everyday problems, normally experienced in the course of daily life, will not be accepted nor will long term conditions or health issues for which anticipatory forms of support exist.
6. Students with pre-existing or recently declared disabilities may only submit a claim if they experience a sudden exacerbation, or issues that are unrelated to the disability, and meet the criteria for making a claim (see '**Students with a Declared Disability**' for further information). Students whose claim refers to incapacity of an ongoing nature (over 3 weeks duration) will be referred to, and expected to take up, appropriate support rather than make repeated claims, even if the initial claim is accepted (see **Appendix 1**).

**An exceptional circumstances claim may be submitted as a result of the following assessment situations:**

7. Missing an assessment deadline with subsequent late submission or non-submission.
8. Absence from in-person examination or practical assessment.
9. Work that has been submitted on time or an in-person assessment attended as scheduled, where performance is seriously and unexpectedly impaired. Impairment may not be claimed on a late submission.
10. Forthcoming in-person assessment where an absence is anticipated, and an anticipated non-submission or late submission, where the evidence covers this. Claims in advance may *not* be made for impaired performance.

### **Types of evidence**

11. The evidence to support a claim must be robust and dates must correspond to the assessment deadlines/scheduled examination.
12. Examples of acceptable written evidence include:
  - (i) A completed self-declaration form confirming the sudden, unforeseen and temporary circumstances experienced and the 7 day period impacted by the circumstances. (This can be used for the first 7 consecutive days, thereafter one of the forms of evidence set out below will be required.) A self-declaration form may be used on 2 separate occasions during each academic year, as evidence for the first 7 days in each instance. For any further claims during the academic year, one of the forms of evidence set out below will be required. Exceptionally, use of the self-declaration form is not limited for a student impacted by a recent bereavement of a family member or close friend or for a student known to the Disability Advice with a fluctuating condition/disability where they experience an exacerbation of that condition.
  - (ii) Medical certificate from a GP surgery or hospital with dates of recent consultation and diagnosis.
  - (iii) Medical certificate from a practitioner confirming consultation dates for ongoing impact of a bereavement that is not recent.
  - (iv) Letter from a Counsellor (employed by the local NHS or otherwise HCPC registered) confirming a treatment programme is in place (Note: the Counsellor has discretion to not provide a letter, for example, where a treatment programme has not been approved or has not started).
  - (v) Letter from the General Counsel, Governance and Compliance Office, a Student Centre Advisor or the Director for the Student Experience, confirming a case of sexual violence or harassment, domestic violence, hate crime or other similar circumstances where a letter from a GP or the police is not available. In addition, a letter from a parent or organisation such as Rape Crisis would be considered.
  - (vi) Hospital admissions report/appointment letter or crime statement verifying the circumstances and timing.
  - (vii) A letter from DA confirming that 'reasonable adjustments' were not yet in place or were in need of revision due to an acute flare up of a long term stable condition, such as asthma. For the latter, a GP certificate would constitute evidence if the condition was usually stable. A claim may be rejected if a student does not engage with DA regarding support, as multiple claims cannot be made for a period of instability of a long term condition that should be managed by a 'reasonable adjustment'.
  - (viii) A report from the Student Administration Office confirming the circumstances of an individual student during an invigilated examination, for example, illness.

13. Examples of rejected claims and insufficient evidence (an opportunity to submit additional evidence will be given):
- (i) Dates on a self-declaration form which do not correspond to the dates of the assessment/s in the claim.
  - (ii) Student indicates an acute medical condition but no medical evidence is submitted or medical certificate lacks detail to support claim.
  - (iii) 'Retrospective' medical note – consultation dates do not confirm that a consultation took place at the time of the assessment and therefore do not support the claim.
  - (iv) Long term events and conditions which have already been claimed for and Disability Advice has offered to review and/or consider reasonable adjustments.
14. Examples of inadmissible cases and evidence (no further opportunity to submit evidence will be given):
- (i) Circumstances that could have reasonably been foreseen or prevented (such as suspension, intoxication or conviction for illegal activity).
  - (ii) Minor illness or ailment (cold, minor allergy)
  - (iii) Holiday arrangements.
  - (iv) Wedding arrangements.
  - (v) Financial issues (including employment or visa related issues).
  - (vi) Religious observance, competitive sporting event, work placement.
  - (vii) Personal computer problem, theft/loss, data loss and/or printer problems (students should ensure that work is backed up separately).
  - (viii) Jury service.
  - (ix) School administrative error (student to seek appropriate solution with the School or to refer to the appeals process).

### **Exceptional circumstances claim deadlines**

15. A claim may be opened online, prior to an assessment deadline, and submitted online as close as possible to the assessment deadline/s cited and no later than the published final claim deadline.
16. The evidence should be scanned and uploaded as close as possible to the first assessment deadline cited in the claim and no later than the published final claim deadline. Evidence that cannot be uploaded to the claim should be sent via email to [ec.chair@sussex.ac.uk](mailto:ec.chair@sussex.ac.uk) for consideration.
17. Final deadlines for claims and evidence to be submitted are published at: <https://student.sussex.ac.uk/assessment/exceptional-circumstances>
18. Due to the compressed scheduling of assessments during the Semester 2 and resit assessment period and the Progression and Award Board (PAB), the final deadline for the submission of a claim and the evidence may be on or before the last day of the assessment period.
19. Claims may only be made for the current academic year. A student wishing to submit a claim after the final deadline for claims and/or after the PAB has met, may do so via an Appeal following the decision of a PAB, where there is good reason for withholding the claim. The standard 21 day deadline against a decision by the Progression and Award Board and related grounds of appeal apply.

## Process for handling claims

20. Claims are considered by a designated member of staff with delegated authority to consider claims in relation to the evidence submitted. More complex claims, or those where the evidence is less clear, will be discussed with the Chair (or nominee) of the University Education Committee in confidence. The flowchart at **Appendix 1** illustrates how the principle of 'a fair and equal chance to demonstrate academic capability' is applied in practice for the following students:

- Students who have a known disability or SpLD and are known to DA, but may also make a claim.
- Students with no known disability making a claim.

## Notification of outcome of a claim

21. In most cases, the outcome of a claim will be visible on the student's Sussex Direct screens and an automatic email will be sent regarding the claim decision. In some cases, an email may be sent to request additional evidence, or to notify the student that the claim is inadmissible. Claims will be judged to be accepted, rejected or inadmissible. Where additional information is required, this must be uploaded by the final claim and evidence deadline. .

## Consideration of an accepted claim by the PAB

22. Where a claim is accepted, the PAB will be notified of the weighting of accepted exceptional circumstances on the module assessment. Only the PAB has the authority and the responsibility for all academic decisions relating to progression and award, including determining cases where a sit is offered as a result of accepted exceptional circumstances. See also '**Exceptional Circumstances**' in '**Progression and Award Regulations**'. In relation to a claim for a late submission penalty, the acceptance of the claim will result in the late penalty being waived. Where a claim is accepted in relation to an in-person assessment scheduled during the teaching term, for example a presentation or a laboratory, the School Director of Student Experience (DoSE) may ask the Module Convenor to reschedule the allocated date, provided this can be accommodated within the final assessment deadline for the cohort.

23. The notification from a Progression and Award Board's decision about the offer of a 'sit' of the resit mode will be provided via Sussex Direct following the PAB meeting.

## One to One review meeting with the Director of Student Experience

24. The School Director of Student Experience (DoSE) will normally hold a one-to-one review meeting with any student who submits an exceptional circumstances claim for more than 4 assessments per year. The meeting will focus on attendance and engagement with assessment and is intended to support the student to continue with their studies and engage with the support services available at the University. In cases where a claim for more than four assessments has been made, normally no decision will be made beyond the fourth assessment until a one-to-one review meeting has been held. Following the meeting, a recommendation regarding the claim will be made to the designated officer in order that a claim decision is made in time for the Progression and Award Board. The DoSE will report to the School Student Progress Committee on one-to-one review meetings held.

## Students on study abroad or placement

25. Students on a period of study abroad must take any opportunity to retake an assessment during the period of study abroad, where they have failed an assessment, where this is possible. It is not possible for students studying abroad to submit an exceptional circumstances claim.
26. A student on a placement should use the sickness reporting system of the employer that they are working for and notify the School Office in the usual way if they are absent for 6 consecutive days or more. They do not need a claim to cover short periods of absence. The assessment will be by portfolio or project with a claim only appropriate if circumstances arise relating to non-submission or late submission of the assessment.
27. If a student finds that their difficulties are not resolving themselves and seem to be 'ongoing' they cannot use an exceptional circumstances claim to resolve matters but instead should contact the Sussex Abroad Office, as there may be other ways of supporting them to complete their studies/placement. If the issues relate to a 'complaint' about the administration or teaching of the course/placement, or to lack of provision of disability/learning support, this will not meet the criteria for a claim. These issues must be notified, *without delay*, to the relevant department representative and the Sussex Abroad Office as well as the Disability Advice (DA) (if the student receives support via the DA).
28. See also '**Variations of study to include study abroad/placement**' in '**Progression and Award Regulations**'. In all cases no setting aside of marks will be permitted.

### **Students not registered on an award at the University**

29. Students registered on modules at the University but not registered for an award are not considered by a Progression and Award Board (PAB). Such students may submit a claim for exceptional circumstances via email to [ec.chair@sussex.ac.uk](mailto:ec.chair@sussex.ac.uk). A resit opportunity will be offered in the resit assessment period for any modules that have been failed. The resit mark will be uncapped in proportion with the accepted exceptional circumstances. Students who are not considered for progression or award at the University will not be given a sit opportunity for modules that have been passed or for any resit/sit not passed in the resit assessment period. Students in such circumstances may pursue a sit opportunity with their host institution.

### **Confidentiality and handling of sensitive information**

30. The University recognises that students may be disclosing sensitive and personal details in an exceptional circumstances claim. All claims will be handled with due regard for confidentiality and where discussion is essential confidentiality is maintained. However, in order to offer support to students whose issues appear to be ongoing, claims may be referred to the Disability Advice who will offer advice and guidance.
31. Progression and Award Boards (PABs) do not see claim forms and do not have any information about the nature of the exceptional circumstances. PAB decisions are based on whether or not the claim has been accepted and the impact on the assessment at the level of the module, visible on a candidate's marks array.
32. Any requests from students (currently or previously registered) for information held regarding exceptional circumstances will need to be made in accordance with the Data Protection procedures. Information is provided via the following link:  
<http://www.sussex.ac.uk/oqs/policies/information/dpa>

33. Information for students is provided via the Exceptional Circumstances web pages on the Student Hub available at: <https://student.sussex.ac.uk/assessment/exceptional-circumstances>

### **Summary of exceptional circumstances claims process**

34. A claim may be made in accordance with the procedures and deadlines set out above. The University Education Committee has oversight of the exceptional circumstances procedures and delegates authority to a designated member of staff to decide on the admissibility of the evidence related to the timing of the assessment. Therefore, a claim may be rejected if the dates of the circumstances do not correspond to the assessment, even if the circumstances themselves are admissible. If a student wishes to challenge a rejected claim they may do so if they are able to submit additional evidence by the final deadline for claims and evidence (note inadmissible claims do not have any right to challenge and submit further evidence). After a decision has been made on the claim, the School Progression and Award Board (PAB) makes the academic decision for all matters relating to progression and award and will decide whether or not to offer a Sit.

## Appendix 1: Procedures for students with an Exceptional Circumstances claim and referral to DA

