



HE Extenuating Circumstances Policy [for Pearson HND Courses]

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1. Introduction

USP College is committed to supporting its students fairly and consistently where unforeseen and serious circumstances affect their ability to undertake assessment.

This policy sets out how students studying Higher Education programmes, including Pearson BTEC Higher National (HND) courses, where USP College is the registering body, may apply for consideration of Extenuating Circumstances.

Extenuating Circumstances are exceptional circumstances which are beyond the student's control, unavoidable and supported by appropriate independent evidence. The circumstances must be shown to have had a significant adverse impact on the student's ability to undertake an assessment, resulting in impaired performance, non-attendance or non-submission.

The core principle underpinning this policy is the 'fit to sit' rule. By submitting an assessment or attending an examination, a student is declaring themselves fit to undertake that assessment. Claims relating to assessments that have already been taken or submitted will not normally be considered, except where there is clear independent evidence that the student could not reasonably have made an informed judgement at the time.

The policy is not intended to address normal pressures associated with higher education study, such as examination anxiety, workload pressure or general stress normally experienced during assessment periods.

Claims for Extenuating Circumstances are considered independently and impartially by the Extenuating Circumstances and Late Work Board, which makes recommendations to the relevant Assessment Board.

2. Legal Background or Relevant Legislation and Guidance

- a. Equality Act 2010
- b. UK General Data Protection Regulation (UK GDPR) and Data Protection Act 2018
- c. Education Act 1996
- d. Children and Families Act 2014
- e. Human Rights Act 1998

3. Linked/Related Policies

- a. Internal Quality Assurance Policy
- b. Assessment Regulations
- c. Academic Appeals Policy
- d. Safeguarding Policy
- e. EDI Policy
- f. Student Confidentiality Policy
- g. Additional Learning Support (ALS) Policy
- h. Data Protection Policy
- i. HE Student Suspension of Studies Policy
- j. Freedom of Speech and Academic Freedom Statement
- k. Pearson BTEC Higher Nationals Centre Guide to Quality Assurance and Assessment (25-26).

4. Definition of Extenuating Circumstances

4.1 Extenuating circumstances are formally defined as 'circumstances beyond the student's control of a medical, practical or personal nature which cause the student to perform less well in their coursework or examinations than they might otherwise have been expected to do (on the basis of other work).'

4.2 In general, extenuating circumstances will be genuine emergencies of a medical, personal or

practical nature affecting the student for any significant period and/or during the assessment and examination period.

- 4.3** It is important to realise that only the most serious extenuating circumstances will have any significant impact on student's overall performance, particularly when qualification classifications are being considered, as these are normally based on 1 to 2 years' work. Therefore, the Assessment Board is unlikely to take any action unless it believes that the extenuating circumstances have had a material effect.
- 4.4** An Assessment Board (Boards) can only make judgements about the impact of extenuating circumstances in light of evidence provided by the student in relation to academic ability demonstrated in non-affected work.
- 4.5** Assessment Boards cannot make judgements about student's potential to have gained a higher mark if there is no evidence in the rest of the student's performance to support this. Furthermore, unless it appears that the extenuating circumstances have had a material effect on academic results, the Assessment Board is unlikely to take any action. Students are advised to consider this carefully before submitting a form.
- 4.6** *Note:* Students with disabilities or learning difficulties may be entitled to an additional allocation of time in a written examination or equivalent alternative methods of assessment. Extenuating Circumstances forms should not be used as an alternative to these arrangements.

5. How do Students inform the Assessment Board?

- 5.1** It is the *student's responsibility* to inform the Assessment Board about extenuating circumstances. Although students may have previously discussed their difficulties with staff in their course, this does not in itself constitute the submission of extenuating circumstances.
- 5.2** Students wishing to make a claim need to complete a USP Higher Education Extenuating Circumstances Form which can be found under Appendix 1 of the Extenuating Circumstances Policy for Pearson HND Courses, downloaded from the USP College website, or obtained from the HE & Adult Student Support & Safeguarding Advisor. This must be returned to the HE & Adult Student Support & Safeguarding Advisor by the published deadline. USP College is unable to guarantee that Extenuating Circumstances claim forms submitted after the published deadline will be referred to the Assessment Board.
- 5.3** Students are asked to note that it is essential to inform the Assessment Board of any extenuating circumstances *before* it meets. It is not possible to subsequently appeal against academic results on the grounds of extenuating circumstances if it could reasonably have been expected to inform the Assessment Board in advance.
- 5.4** Students are also responsible for explaining fully the impact of extenuating circumstances on their work. If this is not sufficiently explained, then it is not possible to subsequently appeal and ask the Assessment Board to consider additional information.
- 5.5** For a visual summary of the application process, please refer to Appendix 2 for the Extenuating Circumstances Application Process flowchart for HND Courses.

6. What is an Assessment Board?

- 6.1** The primary purpose of the Assessment Board is to check the accuracy of the recording of grades, and approve the results of assessments, and decide on matters of student progression and the recommendation of awards (i.e., diplomas, certificates), together with classification, at HND level. The Assessment Board has powers of discretion to determine, subject to limitations defined in the Assessment Regulations, repeat assessment requirements (where a student cannot progress or

is not eligible for an award) and exclusion on academic grounds.

- 6.2** The Assessment Board shall consider each student in turn and make decisions about progression and recommendations of awards. The Assessment Board will quality check the student's physical course work against the student's grade transcripts, to ensure that student work is an accurate reflection of the recommended award. The Assessment Board will determine requirements for retrieval of failure, confirm details of deferred assessment and the decisions possible following completion of that deferred assessment, or it will exclude students from a programme of study.
- 6.3** Copies of Extenuating Circumstances forms will not be circulated to all members of the Assessment Board but may be made available – unless specifically requested otherwise - to the Chair of the Assessment Board. The External Examiner may also have to be consulted.
- 6.4** Minutes of any Extenuating Circumstances Panels (i.e. Extenuating Circumstances and Late Work Board), if held, must be retained and made available to the Assessment Board and the External Examiner.
- 6.5** USP College recognises that information relating to extenuating circumstances may be sensitive and great care will be taken over the confidentiality of all information supplied.
- 6.6** How much information do I need to include?
 - 6.6.1** Information should be included on the form which details the specific coursework or exams affected by the extenuating circumstances.
 - 6.6.2** It is important that the student explains the impact these circumstances have had on academic performance. It is not the role of the Assessment Board to try to work this out or to seek further information. Submissions should be *clear* and *concise* so that Assessment Boards can determine whether the circumstances are likely to have *significantly* affected academic performance.

7.What documentary evidence do I need to provide?

- 7.1** The responsibility for providing evidence to support a claim for Extenuating Circumstances rests entirely with the student at all times. USP College reserves the right to verify the evidence submitted without the prior notification.
- 7.2** Evidence presented by the student for Extenuating Circumstances must meet the following standards:
 - a.** be written by appropriately qualified professionals who are independent to the student. Evidence supplied by Learning Support Services, College Counsellors, Course Managers and Programme Area staff may be acceptable providing it is not merely confirming student self- diagnosis.
 - b.** be on headed notepaper and signed and dated by the author. E-mail correspondence may be acceptable providing it has been sent from a verifiable source such as the author's organisation.
 - c.** be dated at the times the reported Extenuating Circumstances took place and not gathered retrospectively.
 - d.** be the original work, written in English, not a photocopy and be unaltered by the student.

7.3 Acceptable circumstances

- 7.3.1** Appendix 3 provides typical but not definitive examples of the sorts of circumstances which may be considered Extenuating, providing they are supported by evidence as described above.
- 7.4** If you have a long-term illness which was diagnosed before you enrolled or if you are registered

disabled, you should receive appropriate support while on the course. These are not considered as extenuating circumstances. USP College supports students with long-term or chronic health conditions, including mental ill-health, if a student is deemed to be disabled as defined by the Equality Act 2010, by putting in place a 'Support Plan' to provide reasonable adjustments to study and assessment support arrangements. Students are responsible for contacting their programme leader to discuss the adjustments and support that they need.

7.5 Where a student has received reasonable adjustments in recognition of a long-term or chronic health condition, the Assessment Board would not support a case for extenuating circumstances in relation to the condition, unless the condition has worsened significantly (whether temporarily or permanently) during the period relating to the extenuating circumstances case. Where a student submits an extenuating circumstance case on the basis that there has been a significant change in their circumstances, they must provide evidence regarding this change in their condition. Where a student has had reasonable opportunity to contact their programme leader to discuss the adjustments they need for a long-term or chronic health condition, but has not done so, the Assessment Board would not support a case for extenuating circumstances in relation to the condition.

7.6 Where students submit repeated requests for extenuating circumstances relating to the same health condition, the assessment board should advise them to discuss the adjustments and support that they need with their programme leader.

8. What circumstances are NOT taken into account?

8.1 It is not possible to list every circumstance that the Assessment Board would not accept or consider. However, some of the more obvious examples are listed in Appendix 4.

9. How are extenuating circumstances judged by an Assessment Board?

9.1 Assessment Boards try to determine whether, and to what extent, extenuating circumstances have affected the student's academic performance, and determine what action, if any, can be taken. In assessing the significance of extenuating circumstances, Assessment Boards will treat each case on its individual merits. The Assessment Board considers:

- a. the severity of the problem and the length of time involved;
- b. any supporting independent documentary evidence;
- c. whether all work in the same period appears to have been equally affected;
- d. whether it is possible to gauge the effect of the extenuating circumstances upon academic performance.
- e. the type of assessment affected, and how long the student had to complete the work (i.e., date when the work was set and the deadline for submission).
- f. Assessment Board cannot estimate potential.

10. What action can the Assessment Board take?

10.1 The Assessment Board will try to ensure a fair result based on the student's overall performance. Grades for individual modules are confirmed by the Modular Examinations Board (the Board) concerned. The Assessment Board may decide to allow refer examinations, or for assessments to be treated as a first sit with no penalty applied. All action will comply with the Pearson BTEC Higher Nationals Centre Guide to Quality Assurance and Assessment 2024/25.

11. What action will NOT be taken by Boards of Examiners?

11.1 Boards of Examiners will not:

- a. permit a student who presents extenuating circumstances to proceed to the next year of study if they have not met the necessary requirements, unless the Boards of Examiners are satisfied that it is appropriate to do so on academic grounds;
- b. award a higher grading if the Boards of Examiners is not satisfied that this is a fair result based on the student's demonstrated academic performance;
- c. annotate statement of results/transcripts with comments about the existence of extenuating circumstances.

12. False Claims

- 12.1** You should note that submitting a false claim could be regarded as an attempt to gain unfair advantage, which would be an academic offence and could be dealt with under the Student Disciplinary Policy.

13. UK General Data Protection Regulation and Data Protection Act 2018

- 13.1** By submitting an extenuating circumstance form you are agreeing to USP College holding this personal data for the purposes of processing your claim. The College will hold and process this data in accordance with its obligations under the UK General Data Protection Regulation and Data Protection Act 2018. The information will only be shared with staff and External Examiners who have a legitimate need to access the information to consider the student's case or to provide students with support.

14. Equality Act 2010

- 14.1** We strongly urge you to disclose any persistent medical condition, specific learning difficulty or disability to programme leader so that support can be provided as necessary.

15. General Practitioner Practices

- 15.1** In some cases, General Practitioner (GP) practices may ask students to obtain written confirmation from the College that it requires medical documentation to support requests for consideration of Extenuating Circumstances. In this case you should contact the HE & Adult Student Support & Safeguarding Advisor. Any fee charged by a GP practice for the provision of medical documentation needs to be paid by the student. If students are in financial hardship and are not able to pay any fees for these GP letters, they should be encouraged to contact the HE & Adult Student Support & Safeguarding Advisor.

16. Outcomes from Extenuating Circumstances Applications

- 16.1** Accepting Extenuating Circumstances/Mitigation:

A	Accepted – circumstances meet the grounds for EC and the Assessment Board is satisfied with the supporting evidence. A recommendation based on the severity of the impairment suffered by the student is indicated by the alpha-numeric codes described below.
PA	Provisionally accepted – student has referred to difficulties in obtaining evidence but based on the description of the circumstances the request is approved pending the evidence being provided (submission date must be before the Assessment Board in which the EC is considered). A recommendation based on the severity of the impairment suffered by the student is indicated by the alpha-numeric codes described below but it would not be applied if the requested evidence is not presented to support the claim.

N	Not accepted – circumstances provided by the student are not regarded as grounds for EC under the Policy on Extenuating Circumstances. The following codes may be helpful as part of the process of providing feedback to students.
N1	Not accepted - supporting evidence does not cover the relevant period.
N2	Not accepted - supporting evidence not supplied by an appropriate source
N3	Not accepted - evidence is deemed insufficient to support the student's claim of seriousness of impact on their assessment performance.
N4	Not accepted - wording of evidence supplied does not support the student's claim e.g., the material does not provide a medical diagnosis.
N5	Not accepted – no evidence is provided, and the student has not given any explanation as to the reasons why nor indicated when evidence could be available.
N6	Not accepted - the evidence relates to a chronic condition which the student is already in receipt of support from the USP College Wellbeing team. This does not include instances where the student has an acute flare up of a pre-existing condition which may be accepted if properly evidenced. This decision should always be confirmed by the USP College Wellbeing team. as there are occasions when the support available will not be able to fully mitigate the student's need.
N7	Not accepted - evidence relates to a condition or circumstance previously used to claim extenuating circumstances where the Panel, on the earlier occasion, instructed the student that this mitigation could not be used again and may have instructed the student to obtain support from the USP College Wellbeing team. This decision should always be confirmed by the USP College Wellbeing team as some conditions will inevitably recur, sometimes without warning and mitigation may still be relevant.

16.2 Applying Extenuating Circumstances/Mitigation - Coursework Code Recommendation

C1	Coursework to be submitted as a first attempt (deferral) in the next possible reassessment period appropriate to the course.
C2	Coursework to be submitted as a reassessment (referral) in the next possible reassessment period appropriate to the course.
C3	A reasonable extension to coursework to be granted within an assessment period (new deadline will need to be stated). This would include the removal of any late submission penalties imposed.

16.2.1 If feedback for coursework has been provided to a course cohort EC Panels may request that the course scheme manager sets a new coursework question.

16.3 Applying - Extenuating Circumstances/Mitigation - Examinations Code Recommendation

E1	Exam to be taken as a first attempt (deferral) in the next possible reassessment period appropriate to the course.
E2	Exam to be taken as a reassessment (referral) in the next possible reassessment period appropriate to the course.

17. Where can I get more guidance?

17.1 If after having read these notes you feel you need more help in putting forward your extenuating circumstances, you should contact the HE & Adult Student Support & Safeguarding Advisor or programme leader.

Appendix 1 EXTENUATING CIRCUMSTANCES FORM

Link: [HNC/HND Extenuating Circumstances Form - USP College](#)



College

EXTENUATING CIRCUMSTANCES FORM – CONFIDENTIAL

NAME:	
STUDENT ID NO:	
COURSE/AWARD TITLE:	

This form should be completed if you want to make the Assessment Board aware of any extenuating circumstances which you believe may have adversely affected your performance either in assessed work or in examinations. Further information and deadlines for submission are contained in your Course Handbook. Please read the notes for guidance before completing the sections which apply to you.

It is important to realise that only the most serious extenuating circumstances are likely to have a significant effect on your overall results. Please take time to assess your situation carefully and only submit details of extenuating circumstances if you are sure that they have *significantly* affected the quality of your work. Remember that the Assessment Board will be looking at the affected work in the context of the rest of your work throughout the year(s) and is unlikely to take extenuating circumstances into account unless it is apparent that the work in question is of a significantly lower standard. **If you believe your work is affected in more than one semester, a separate copy of this form must be submitted for each semester.**

Return this form as soon as possible to the relevant office. Forms must have been submitted with any accompanying documentation by the published deadlines. We cannot guarantee that forms handed in after the deadlines will be considered by an Assessment Board.

a) **DOCUMENTARY EVIDENCE:** List below the documentation which you have attached in support of your claim. Examples of evidence include: - A medical certificate; a letter from a medical practitioner; death certificate; birth certificate; a statement from a member of staff, e.g., Course Manager or Personal Tutor. ***Please note that USP College will not contact third parties on your behalf to obtain evidence.***

List the evidence:

- b) **Please give the Assessment Board an overall assessment of the impact of your extenuating circumstances.** What do you believe your results would have been like under normal circumstances? Please state if you believe the circumstances have had an impact on your award over and above the impact on individual modules.

Describe the impact:

- c) **COURSEWORK/OTHER ASSESSED WORK:** If you believe your performance in any assessed work during the semester was significantly impaired, list the affected work and describe how it was affected. Include dates of the period covered and **when the work was due for submission**; also indicate if the work has **subsequently been submitted – and when**. Refer to any additional documentation which you are putting forward for the information of the Assessment Board.

Module(s) Affected (Title & Code)	Affected Dates (from - to)	Coursework Affected (Include date work due for submission)	Details of Extenuating Circumstances
			<i><u>Explain the circumstances:</u></i>

**Medical evidence must be provided in cases of absence due to illness*

Equality and Diversity Statement & Impact Assessment

USP College is committed to equality of opportunity. The aim is to create an environment in which people treat each other with mutual respect, regardless of age, disability, family responsibility, marital status, race, colour, ethnicity, nationality, religion or belief, gender, gender identity, transgender, sexual orientation, trade union activity or unrelated criminal convictions.

This form should be used by managers and policy owners within their area of responsibility to carry out Equality and Diversity Impact Assessments (EDIAs) in relation to protected characteristics including, but not limited to: Age, Disability, Gender reassignment, Marriage and civil partnership, Pregnancy and maternity, Race, Religion and belief, Sex, Sexual orientation. The word 'policy' is taken to include strategies, policies, procedures and guidance notes; both formal and informal, internal and external.

1. Name of Policy

USP Higher Education Extenuating Circumstances Policy for Pearson HND courses

2. Which of the following groups could be affected by this policy?

(Tick all that apply)

Students	☒
Staff	☐
Wider Community	☐

3. Complaints

Have complaints been received from anyone with one or more protected characteristic about the service provided? If yes, then please give details.

4. The Impact

Four possible impacts should be considered as part of the assessment:

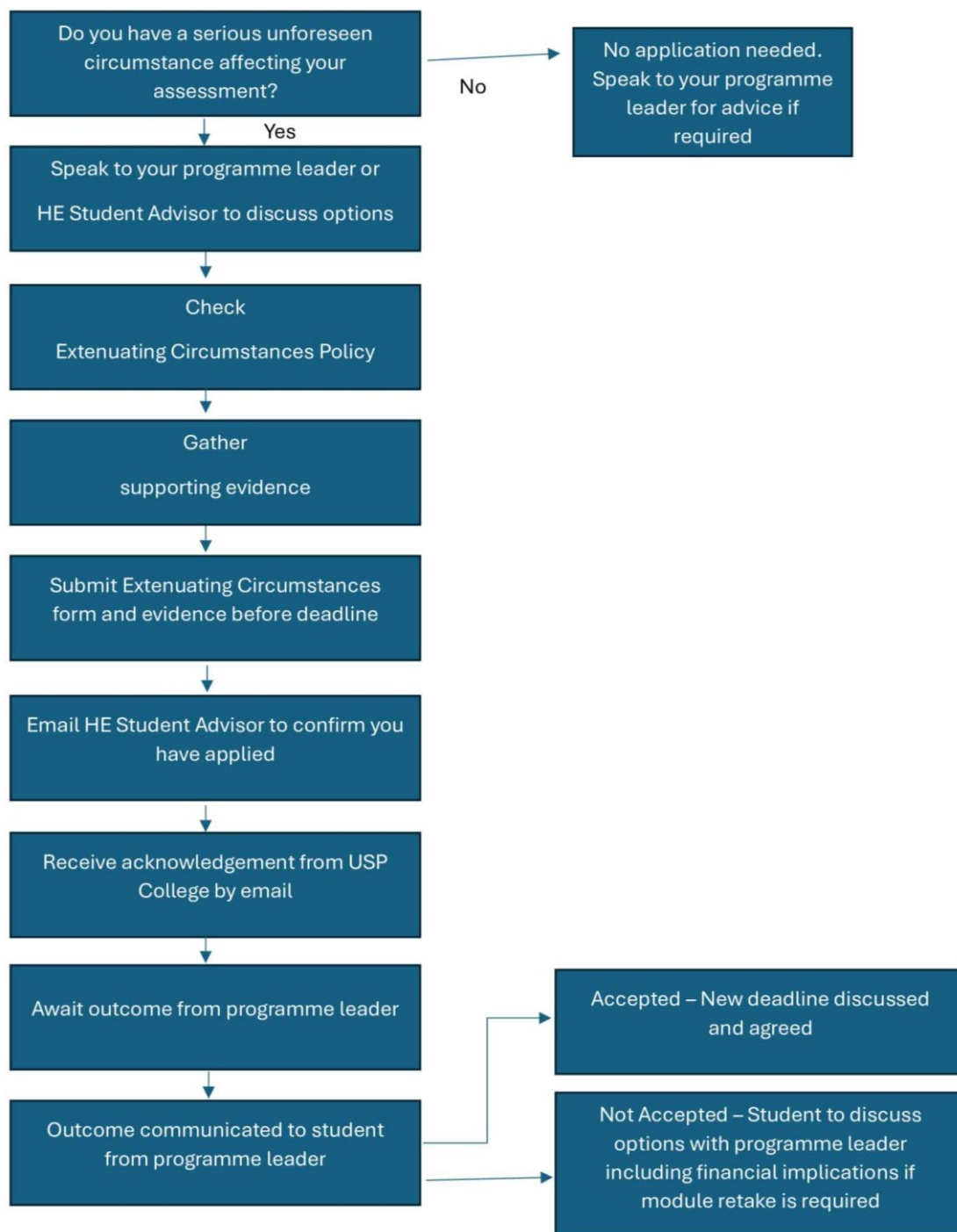
- a. **Positive Impact** - Where the policy might have a positive impact on a particular protected characteristic.
- b. **None or Little Impact** – Where you think a policy does not disadvantage any of the protected characteristics
- c. **Some Impact** – Where a policy might disadvantage any of the protected characteristics groups to some extent. This disadvantage may be also differential in the sense that where the negative impact on one particular group of individuals with protected characteristic is likely to be greater than on another.
- d. **Substantial Impact** – Where you think that the policy could have a negative impact on any or all the protected characteristics. This disadvantage may be also differential in the sense that the negative impact on one protected characteristic is likely to be greater than on another.

Thought-provoking questions, which might help come to a decision about the impact of a policy on individuals with protected characteristics:

- e. Does policy outcomes and service take up differ between people with different protected characteristics?
- f. What key information do we have? Does data or engagement with people with protected characteristics give insights into areas of disadvantage, which relate to the policy area?
- g. If the policy is likely to have a negative impact on individuals, sharing particular characteristics what steps can be taken to mitigate these effects?
- h. Will the policy deliver practical benefits for certain groups?
- i. Does the policy miss opportunities to advance equality of opportunity and foster good understanding/relationships between groups?
- j. Do other policies need to change to make this policy more effective?
- k. Are there any elements of the policy that could be unlawful under the Equality Act 2010?

Appendix 2: EXTENUATING CIRCUMSTANCES APPLICATION FLOWCHART

Flowchart 1: Flowchart explaining the process of applying for extenuating circumstances.



Appendix 3: ACCEPTABLE CIRCUMSTANCES TABLE

Table 1: Indicative examples of acceptable circumstances (if accompanied by appropriate supporting evidence)

Indicative Example	Typical Evidence
Significant short-term physical illness or injury;	Original medical certificate. Letter from appropriate medical Professional or Doctors letter confirming the nature of the illness and the likely impact on the student's ability to undertake assessment.
Significant short-term mental ill-health;	Original medical certificate. Letter from appropriate medical Professional or Doctors letter confirming the nature of the illness and the likely impact on the student's ability to undertake assessment.
A long-term or chronic physical health condition, which has recently worsened temporarily or permanently;	Original medical certificate. Letter from appropriate medical Professional or Doctors letter confirming the nature of the illness and the likely impact on the student's ability to undertake assessment.
A long-term or chronic mental health condition, which has recently worsened temporarily or permanently;	Original medical certificate. Letter from appropriate medical Professional or Doctors letter confirming the nature of the illness and the likely impact on the student's ability to undertake assessment.
Medical illness of long and short-term nature which has developed after enrolment and has a severe impact on work;	Original medical certificate. Letter from appropriate medical Professional or Doctors letter confirming the nature of the illness and the likely impact on the student's ability to undertake assessment.
Bereavement of close relative or demonstrably close relationship;	Death certificate or letter confirming details from an independent person. Evidence of the relationship to the student.
Acute personal emotional circumstances / A long-term relationship breakdown, such as a marriage;	Original medical certificate. Letter from appropriate medical Professional. Letter from College Counsellor providing independent diagnosis (rather than supporting self-diagnosis) and confirming the likely impact on the student's ability.

Hospitalisation;	A medical certificate or letter from the relevant hospital confirming the nature and severity of the student's circumstances and the student's ability to undertake formal assessment.
Family Illness;	A medical certificate or letter from an independent medical professional confirming the nature and severity of the family circumstances and the ability of the student to undertake formal assessment.
Victim of Crime;	A written statement of events which is supported by written evidence from the police including a crime reference number, medical certificate or letter from an appropriate medical professional or a letter from the College Counselling service and confirming what impact the crime has had on the student ability to undertake formal assessment.
Representing USP College at a National event or another National activity.	A letter from the organising body explaining the national importance of the event.

Appendix 4: UNACCEPTABLE CIRCUMSTANCES TABLE

Table 2: Unacceptable circumstances

Nature of Circumstance	Explanation
A long-term or chronic health condition (including mental ill-health) which has not worsened recently, or for which the College has already made a reasonable adjustment;	A long-term problem or illness which has not worsened during the year, and which is not deemed to have had an overall effect on your performance will not be considered as extenuating.
Transport issues;	Students are expected to organise their own transport requirements to ensure they arrive for assessment or to hand in assignments on time. On rare occasions breakdowns in public transport or severe delays on the road network which can be evidenced may be considered.
Pre-booked holidays;	Assessment dates and times are published in advance and students are expected to arrange their holidays around those times. This includes resit examinations and submissions.
Accommodation issues;	Students are responsible for providing their own accommodation, including in and around periods of examination and assessment.
Missing an examination because 'you' mis-read the exam timetable overslept or had personal transport difficulties close to the deadline for submission;	It is the student's responsibility to ensure that they know and remember when and where examinations are taking place and when and where work must be submitted.
Paid employment or voluntary work;	It is expected that students will arrange work so that it does not conflict with examination and assessments.
Examination stress and general pressure of work (unless this contributes to ill- health);	Feeling under the weather/below par prior to examinations is not an unusual experience. It is not an extenuating circumstance. General pressure of work is not taken to be circumstances beyond your control, as you are expected to plan your work schedule. Doing more than one examination in one day is regarded as normal in academia and must be managed by the student.
IT / computer failure;	Loss or corruption of files is not an acceptable reason. Students are responsible for providing their own back up and ensuring they leave enough time to print multiple copies of work prior to submission. Difficulties with information technology, e.g., computers, printers, memory sticks, disks, network access and the absence of backup copies. The Assessment Board will assume you will have planned your work to consider potential IT problems and printing time, building in time in your schedule planning to accommodate delay.

A minor short-term illness or injury (e.g., a common cold), which would not reasonably have had a significant adverse impact on assessment;	A short-term problem or illness which has occurred during the year, and which is not deemed to have had an overall effect on your performance will not be considered as extenuating. Short term illnesses, such as the common cold, while uncomfortable rarely contribute to significant impact on assessed work.
Death or injury to a pet.	Death or injury to a pet will not be seen as acceptable.