

Exceptional circumstances regulations

13. Provisions for exceptional circumstances

13.1 Exceptional circumstances explanation

13.1.1 The University recognises that there are times when students will encounter difficulties during their course of study and provisions are made as outlined in this section. In all cases, students should seek academic advice as soon as possible. Penalties may be applied to students' marks where students fail to meet agreed submission deadlines (see section 6.3 – Penalties for Late Submission of Assessment) and they have not applied for an extension or mitigation as appropriate.

13.1.2 An extension allows a student to submit coursework up to 10 calendar days late without penalty. Calendar days include all weekends and bank holidays where the University is open.

13.1.3 Mitigation allows a student a mitigated attempt if they fail an assessment or do not submit.

13.1.4 Students who have their circumstances recognised via an Individual Support Plan may make use of the provisions detailed in this section if the ISP indicates that this is available.

13.1.5 Exceptional circumstances are circumstances that are outside a student's control which may negatively impact a student's ability to undertake or complete any assessment, such that the assessment submitted would not be a true reflection of the student's capabilities in normal circumstances.

13.1.6 Examples of circumstances likely to be accepted:

- Serious short-term illness or injury
- Worsening of an ongoing illness or disability, including mental health conditions
- Symptoms of an infectious disease that could be harmful if passed on to others
- Death or significant illness of a close family member or friend
- Unexpected caring responsibilities for a family member or dependant
- Significant personal or family crises leading to acute stress
- Witnessing or experiencing a traumatic incident
- A crime which has had a substantial impact on the student
- Accommodation crisis such as eviction or the home becoming uninhabitable
- An emergency or crisis that prevents the student from attending an exam or accessing an online assessment
- A technical problem that prevents the student from accessing online teaching or assessment
- Safeguarding concerns

13.1.7 Examples of circumstances likely to be excluded:

- Holidays, house moves or other events that were planned or could reasonably have been expected
- Minor illness such as common colds or hay fever, unless the symptoms are particularly severe
- Assessments that are scheduled close together
- Misreading the exam timetable
- Poor time management
- Minor transport disruption
- Computer or printer failure where the student should have backed-up their work
- Normal exam stress
- Minor life events, unless the circumstances have had a disproportionate impact

Note: The above examples are proposed by the Office of the Independent Adjudicator, for illustration only and not intended to be definitive or exhaustive.

13.1.8 Students are responsible for presenting themselves for assessment and examinations at the appropriate times and venues, and submitting relevant information on exceptional circumstances where required.

13.2 Self-certification

13.2.1 Students are able to apply for an extension or mitigation by self-certifying that they have exceptional circumstances which affect their ability to undertake the assessment. Self-certifying means that evidence does not have to be provided, although the University reserves the right to request evidence. All self-certified requests must detail the exceptional circumstances that have prevented the student from submitting by the original submission deadline.

13.2.2 All self-certification requests must be made **prior to the original submission deadline**.

13.2.3 A total of three assessments can be self-certified per Academic Year. Each self-certification request can be for either an extension or mitigation.

13.2.4 The three self-certifications are not cumulative across the course of study. This means if you use three self-certification requests in one Academic Year you are still able to submit further self-certification requests in future academic years.

13.2.5 A student may choose whether to apply for extension or mitigation on a self-certification basis or to submit a request and provide evidence, which would not then count as one of their three self-certifications.

13.2.6 Where a student has self-certified for an extension, there is no opportunity to apply for self-certified mitigation for the same attempt at the assessment. A request for mitigation may still be made, but evidence will need to be provided.

13.2.7 Evidence is not required to be submitted with a self-certified application for extension or mitigation, but it must be supplied if requested.

13.2.8 In addition to the examples of circumstances likely to be accepted in 13.1.6 and above, a student may self-certify on the basis of religious observation days identified in the Interfaith Awareness Calendar available on [the Faith page](#).

13.3. Evidence

13.3.1 Evidence is not required to be submitted at the same time as the extension or mitigation request, but it may need to be supplied before an extension or mitigation decision can be made, and must be supplied if requested. Evidence should normally be submitted within 10 calendar days of the request for extension or mitigation.

13.3.2 Evidence should be relevant to the period of assessment, and would normally include information from an independent professional involved in the students' circumstances.

13.4. Extension

13.4.1 An extension allows a student to submit coursework up to 10 calendar days late without penalty. Calendar days include all weekends and bank holidays where the University is open.

13.4.2 Students are responsible for submitting their assessments on time.

13.4.3 An application for an extension to be considered by Academic Registry must be made prior to the original submission deadline and the work then submitted as soon as possible, up to 10 calendar days after the original deadline. Where this process is followed, and the extension is agreed, the work submitted late following an extension request to Academic Registry will not be penalised for late submission.

13.4.4 Where extenuating circumstances mean a student will need longer than 10 calendar days to complete their work, or where it is a real-time assessment (such as presentations, performances, practicals, in-class tests or viva voce; where students are being assessed at a specific, given time), students should instead apply for Mitigation, as detailed below.

13.4.5 Work submitted late without an extension will be penalised as follows:

- a. Up to a maximum of 10 calendar days from the original deadline: work will be marked and the assessment mark will be capped at the pass mark for the element of assessment.
- b. If the assessment is late by over 10 calendar days, the piece of work will be deemed a non-submission.

13.5. Mitigation

13.5.1 Mitigation allows a student a mitigated attempt without penalty if they fail an assessment or do not submit.

13.5.2 Where a mitigated attempt is granted on the first attempt of an assessment, the mark for the mitigated first attempt will be uncapped. Where a student fails or does not submit to the mitigated first attempt, and has not passed the module, they will be eligible for a resit attempt.

13.5.3 Where a mitigated attempt is granted on the resit of an assessment, the mark for the mitigated resit attempt will be capped at the pass mark (see 8.5 above).

13.5.4 Where mitigation is requested or self-certified, the student is responsible for seeking academic advice and for considering the impact of the mitigation on their overall assessment load and on their progression through the course of study.

13.5.5 Where a student has self-certified for an extension, there is no opportunity to apply for self-certified mitigation for the same attempt at the assessment. A request for mitigation may still be made, but evidence will need to be provided.

13.5.6 Mitigation cannot be requested for an assessment that has been passed.

13.5.7 For each module enrolment, students cannot request more than three Mitigations per assessment.

13.5.8 Where mitigation is self-certified or requested, but subsequently coursework is submitted or any other assessment completed, the mitigation will not stand where a pass mark is achieved in the submitted assessment.

13.5.9 The application of mitigation and self-certified mitigation may be restricted to meet Professional, Statutory or Regulatory Body requirements.

13.5.10 The Mitigation Process cannot consider applications for mitigation where an allegation of an Academic Offence is proven. Students may present any extenuating circumstances to the Academic Offence Panels, although students may do this once only.

13.6 How to submit extension and mitigation requests

13.6.1 Students should submit requests for extension and mitigation in accordance with the published procedures as approved by Academic Board. Where appropriate, extension and mitigation requests will be considered by an Exceptional Circumstances Panel which will operate as outlined in 13.7 below.

13.6.2 Extension requests or self-certified mitigation requests are to be submitted prior to the original submission deadline. Mitigation may be requested after the original submission deadline; any application beyond this date must be evidenced.

13.7 Consideration of extension and mitigation requests

13.7.1 All requests will be reviewed by Academic Registry to ensure that they meet the criteria at 13.1.6 above. Where they meet the criteria, and these have been self-certified or evidenced, the request will be granted. Further evidence or information may be required before a decision can be made.

13.7.2 Where a request is related to the circumstances as defined in 13.1.7 above, it will be reviewed by a senior member of Academic Registry and rejected.

13.7.3 Requests that when reviewed, do not clearly meet the criteria or are not clearly evidenced will be referred by Academic Registry to an Exceptional Circumstances Panel. The Panel membership is:

- a. a trained Chair, who should be a member of academic staff, appointed on the authority of the Vice-Chancellor and President, normally from a different School/College to that of the student being considered;

- b. a minimum of one trained staff member, either academic or a senior member of Academic Registry.

13.7.4 A Course or Module Leader or Personal Tutor for a student whose request is under consideration, shall not be a panel member for that consideration.

13.7.5 The Panel will review the application and the evidence and come to a decision on whether the request is to be accepted or rejected.

13.7.6 Where evidence is pending, the Exceptional Circumstances Panel may defer a decision, and authorise the Chair to act on their behalf without calling a further Panel.

13.8 Outcome of the review or exceptional circumstances panel consideration

13.8.1 The successful outcome from a Review or an Exceptional Circumstances Panel is a further attempt/retake/the penalty for late submission lifted.

13.8.2 If the application is rejected, the original assessment mark shall stand.

13.8.3 If the application is accepted and the student granted a mitigated attempt, Assessment Boards are informed by the Academic Registry of the attempt(s) which will not count against the number of attempts at the assessment for that module enrolment. The Assessment Board will then award an uncapped mitigated first attempt in the affected assessment(s) or a capped mitigated resit attempt, which shall be taken at the earliest available opportunity

13.8.4 Where a student is unable to progress between Levels, or complete their award requirements, and there are accepted mitigating circumstances, the assessment(s), can be taken earlier than the next available attempt at the discretion of the Head/Dean of School/College. The mark obtained at this attempt is recorded as final.

13.8.5 Where a student cannot meet their award requirements due to non-completion of assessment and there are accepted mitigating circumstances, a recommendation can be made to the Assessment Board to award an uncapped resit of the assessment or retake in the affected module(s). The resit/retake shall be taken at the next available opportunity or earlier at the discretion of the Head/Dean of School/College. Any retakes as a result of mitigation will not be charged.

13.8.6 For non-UK students, where mitigation results in a mitigated attempt or retake this should normally take place within the student's visa period. Where this falls outside of the student's visa period, the mitigation outcome is subject to continued University sponsorship. Students should contact the [Student Money and Immigration Advice Team \(Student Services\)](#) for advice on how this may affect their visa status.

[Find out more about money advice.](#)

13.8.7 If a student chooses not to take the re-attempt, the original mark will stand.

13.8.8 If the student does not attempt the assessment, does not self-certify, and later submits late mitigation which is rejected, then the outcome is recorded as a Non Submission.

13.8.9 A student shall receive, in writing (via email to their student University account), the outcome of their request within 10 working days of the Review or Exceptional Circumstances Panel.

13.9 Appeal against the mitigation outcome decision

13.9.1 The student may appeal against the recommendation of the Exceptional Circumstances Panel under the Appeal Regulations – see Section 14 – Appeal Regulations.

13.10 Deferral of Studies

13.10.1 Deferral of studies is where a student is unable to undertake or complete their semester or year of study, due to circumstances that are outside a student's control. A period of deferral is an agreed temporary postponement of studies. For example, where a student is unable to attend their module or course and/or submit for assessment and will not be able to submit at the next assessment point, this will be considered as a potential course deferral. Module deferrals are not allowed.

13.10.2 Circumstances that could be grounds for deferral shall be the same as those for mitigation and shall include the following:

- a. physical or mental ill-health;
- b. severe financial hardship;
- c. emotional/personal difficulties, e.g. bereavement;
- d. disability i.e. where student's disability comes to light for the first time at the assessment;
- e. unavoidable absence from the University, e.g. requirements of employer;
- f. unavoidable absence from domicile, e.g. eviction;
- g. loss of immigration status;
- h. other serious circumstances which could not be foreseen by the student.

Note: The above examples are for illustration only and not intended to be definitive or exhaustive.

13.10.3 The circumstances causing the deferral request, are regarded as confidential.

13.10.4 The University may defer a student for the reasons listed in section 13.10.2 above.

13.10.5 Where a student is unable to attend their module and/or submit for assessment but will be able to submit at the next assessment point, these are covered by Mitigating Circumstances, see section 13.5 above.

13.11 How to request a deferral of studies

13.11.1 Where a student wishes to defer their course of study, the request must first be considered by their Personal Tutor or Course Leader, who will establish whether deferral is the most appropriate option.

13.11.2 A student may defer their course of study at any time, with the following consequences:

1. the result for any completed modules at the point of deferral – either pass or fail – will be retained;

2. the result for any incomplete modules at the point of deferral – where a first attempt at the final assessment in the module has not taken place – will not be retained, and will not count as an attempt at the module. On return the student will normally re-enrol, register, and attend classes, as well as complete all elements of assessment, regardless of any previous result. There will be no additional charge for this attempt;
3. the result for any incomplete modules at the point of deferral – where first attempts at all assessments have taken place, or where Mitigation has been granted on the first attempt at the final assessment in the module – will be retained. On return the student will be supported to submit to any resit or mitigated attempt at assessment but will normally not be expected to attend classes;
4. students must refer to the [Student Money and Immigration Advice Team \(Student Services\)](#) for advice on the implications of deferral of their studies on their student loan and their finances;
5. where applicable: the relevant funding body or professional, statutory, regulatory or governing body or other agencies (for example UKVI), will be notified.

13.11.3 A student holding a Student Visa sponsored under the new immigration route may defer their studies but in most cases their visa will be curtailed and the student will have to return to their home country. A new visa application must be obtained in order for the student to return to study in the UK.

13.11.4 A student may defer up to a maximum period totalling two calendar years, subject to the period of registration, immigration sponsorship and/or any Professional, Statutory and Regulatory Body requirements.

13.11.5 Students who need to defer their course of study for a period of more than two calendar years shall be withdrawn and, where applicable, receive an exit award. These students may apply for RPEL/RPCL to re-join the course. Students enrolled on courses under Professional, Statutory and Regulatory Body regulations should refer to their specific course regulations.

13.11.6 Where the request is approved, the Course Leader must ensure that a return date is agreed and the Deferral Form is completed. The form is sent to the Course Administrator for processing and submission to the Student Record and Data Team. If the student is subsequently unable to return on the agreed date, the student must notify their Course Leader.

13.11.7 If a course undergoes significant change or closure while a student is on deferral, deferred students will be consulted and considered as part of the amendment or closure process. Where change or closure means that modules or courses would no longer be available on return from deferral, alternatives will be offered in accordance with the Student Protection Plan.

13.11.8 If an apprenticeship standard changes while an apprentice is on a Break in Learning (see 13.12.2 below), a discussion will take place between the apprentice, employer and University to agree the version of the apprenticeship standard that the apprentice would return to when re-joining their studies.

13.12 Explanation of deferral and withdrawal from studies

13.12.1 When a student defers from their studies, it means they are taking time out from their course of study with the intention of re-joining their studies at the next available opportunity.

While deferred, a student is still considered to be a student of the University for most purposes, including access to non-specialist resources and support from Student Services, but student loan funding is not usually available during periods of deferral.

13.12.2 For apprentices, a deferral from studies is known as a Break in Learning, and the regulations regarding deferral apply. While on a Break in Learning, the apprentice is still considered an apprentice studying at the University for most purposes but will not receive apprenticeship funding.

13.12.3 When a student withdraws from their studies, it means that they are leaving their course of study completely, with no intention of returning at a later date. When a student has withdrawn, they will no longer be considered a student of the University, and if they consider at a later date to reapply to study at the University, they must apply via the recognition of prior learning route.

13.13 Withdrawal

13.13.1 A student may be withdrawn from the course of study before completion under the following processes:

- a. Student-initiated withdrawal;
- b. University-initiated withdrawal.

13.14 Student-initiated withdrawal

13.14.1 A student wishing to withdraw must complete and sign the withdrawal form or otherwise clearly communicate in writing either by letter or by email, their intention to withdraw from their course of study.

13.15 University-initiated withdrawal

13.15.1 The University may withdraw a student for a range of reasons. These include (but are not limited to):

- a. failure to progress (withdrawal on academic grounds);
- b. non-attendance, where this is a course requirement;
- c. failure to return from a period of deferral;
- d. loss of employment, where this is a requirement for the course of study and in particular for those studying a Degree Apprenticeship as set out in the Terms and Conditions, or detailed in the Commitment Statement or in the enrolment form
- e. expiration of the maximum registration period;
- f. following the outcome of student disciplinary procedures;
- g. failure to (re-) enrol;
- h. non-payment of tuition fees;
- i. breaching the conditions of their Student Visa sponsorship under the new immigration route.

Note: The above examples are for illustration only and not intended to be definitive or exhaustive.

13.15.2 The decision to withdraw a student will be based on evidence in one or more of the above categories, and will be considered by the Head of School/College and will be notified to the Chair of the Assessment Board

13.15.3 Before a withdrawal is considered, the student concerned will be contacted and given advice by their Personal Tutor or Course Leader with a view to achieving the best possible outcome academically and personally for the student. The Chair of the Assessment Board (or their authorised nominee, normally the Course Leader) must, give the student a formal, written warning of withdrawal and a specified period in which to respond before terminating their registration on the course of study.

13.15.4 As an integral part of the process, the student must be referred to Student Services for advice on any financial implications of withdrawing from their course of study.

13.16 Consequences of withdrawal

13.16.1 A student is withdrawn from their course of study with the following consequences:

- a. termination of their registration and enrolment, and they shall no longer be a student of the University;
- b. the University will duly process records with external bodies, where applicable, the relevant funding body or professional, statutory, regulatory or governing body or other agencies (for example UKVI), will be notified. For the purpose of the student record, the date of withdrawal will be the same as the date the decision to withdraw is made, unless evidence is readily available to confirm an earlier date;
- c. students must then refer to the [Student Money and Immigration Advice Team \(Student Services\)](#) for advice on the implications of withdrawal from their studies on their student loan and their finances.

13.16.2 A student may appeal against the decision to withdraw them from a course of study, in accordance with the Appeal Regulations – see Section 14 – Appeal Regulations below.

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