

PERSONAL EXTENUATING CIRCUMSTANCES (PEC) POLICY & PROCEDURE



This procedure applies to all Personal Extenuating Circumstances applications submitted during the 2018/19 academic year or later.

The principles of this procedure apply to all taught students regardless of the location of study and they should be read in accordance with relevant programme regulations. On a case by case basis some staff roles may vary from those detailed below.

Definitions

Academic Appeal: A written application to the University to review a formal academic decision made by the Board of Examiners or PEC Committee of a taught programme, a recommendation of the examiners of research degrees, or a Degree Programme Director for Unsatisfactory Progress cases.

Academic Unit: The unit that manages the student's programme. Normally this is a School, but occasionally a Faculty, Institute or other organisational unit applies.

Examiners: The Board of Examiners (or other authority within the Academic Unit) for an undergraduate or postgraduate taught programme, or appointed internal and external examiners for research degrees. Other authorised roles within the Academic Unit, against which appeals may be considered are Personal Extenuating Circumstances Committees and Degree Programme Directors for Unsatisfactory Progress cases.

PEC Application: A written application, generally completed by students, to the School to advise of personal extenuating circumstances that affect studies or assessment. The PEC Application is considered by the School and must be submitted by the published deadline in advance of the Board of Examiners in order to enable adjustments at the time that problems occur or to allow Board of Examiners discretion.

PEC Committee: A named group appointed by the Board of Studies. PEC Committees will meet to judge the impact in terms of severity and scope of PEC circumstances to report to the full Board of Examiners. Throughout the year nominated members of staff will review PEC Applications as they arrive and may agree appropriate immediate adjustments.

Policy & Scope of the Procedure

1. During their studies students may encounter significant personal difficulties that are outside of their control and impact on their ability to study and/or complete assessments. These difficulties may be experienced directly by the student themselves, or may be difficulties experienced by a dependent. A dependent is defined, in line with the University Special Leave Policy, as a spouse; child; parent; or person who lives in the same household (but not a tenant, lodger or boarder),
2. In order to be considered as a Personal Extenuating Circumstance, such difficulties must meet all of the following criteria
 - They must be out of the student's control – be unavoidable, where the student could not have prevented them.
 - They must have had an impact – the circumstance must have had a demonstrably negative impact on the student's ability to study or undertake an assessment.
 - The timing of the circumstance must be relevant to the claimed impact.
3. This procedure is to be used only in relation to personal extenuating circumstances submitted by students. Challenges to the academic judgement of the examiners on an assessment outcome are not permitted under the PEC Procedure or any other procedure. A PEC application should be used before the Board of Examiners reaches its decision on a student's results.
4. After the Board of Examiners has confirmed its decision on a student's results, the Academic Queries & Appeal Procedure should be followed.
<https://www.ncl.ac.uk/students/progress/Regulations/Procedures/appeals.htm>
5. The PEC procedure applies only to students on taught programmes of study or the taught element of research degrees. (Research students are advised to consult their supervisor or Graduate School Administrator).
6. Where possible, students considering submitting a PEC application should first consult their tutor or supervisor.
7. Given the existence of procedures for complaint and redress during the study period, alleged inadequacy of teaching or supervision shall not constitute grounds for a PEC application. Separate policies and relevant information are contained in the following documents:
 - *Student Complaints Procedure* - see <https://www.ncl.ac.uk/students/progress/Regulations/Procedures/complaints.htm>
 - *Dignity and Respect Policy* - see www.ncl.ac.uk/students/progress/Regulations/SPS/dignity.htm
 - *Guidelines for Research Students* - see www.ncl.ac.uk/students/progress/student-resources/PGR/
 - *Student Guide* – see <http://www.ncl.ac.uk/pre-arrival/support/>
 - *Public Interest Disclosure 'Whistleblowing' Policy* - see www.ncl.ac.uk/hr/policy/conduct/documents/policy-conduct-public-interest-disclosure-whistleblowing_rjcb.pdf
8. The University does not permit the same matter to be the subject of a PEC application and other procedures at the same time. The Student Progress Service should be consulted if there are concerns, by staff or students, about duplication of procedure. In such instances the Head of the Student Progress Service shall determine whether a PEC application should

proceed if an alternative procedure has also been invoked in connection with the same/similar matter as the PEC. PEC applications from groups of students are not permissible, but individual students may make reference to related PEC applications from other students if appropriate.

Confidentiality

9. The PEC application shall be treated in confidence and disclosed only to parties if it is necessary to progress the application or is otherwise required by law. In such a case, the applicant will be notified in advance of the disclosure.
10. All information obtained within the process of consideration of the PEC application will be held in accordance with Data Protection legislation and the University's Student Privacy Notice. www.ncl.ac.uk/data.protection/documents/StudentPrivacyNotice20180525.pdf
11. Students must also avoid disclosing personal data of another person/s in their complaint unless they have been given permission by them to do so, and this is also submitted.

Grounds

12. There are two main types of circumstances that may affect student performance in study and/or assessment;
 - Long-term conditions/disabilities for which adjustment can be put in place to support study or assessment. These should be referred to the Student Health and Wellbeing Service (SHWS) to seek support via a Student Support Plan (SSP) report, which will be submitted to the Academic Unit/School which usually removes the need for PECs to be submitted by the student.
 - Shorter term circumstances such as a self-limiting illness or specific episode/'flare-up' of an existing condition which requires consideration as and when they arise and may affect study and/or assessment. It is for these circumstances that the PECs are primarily intended.
13. PEC applications can only be made on the following grounds:
 - (i) Personal extenuating circumstances affecting studies, including attendance at timetabled events
 - (ii) Personal extenuating circumstances affecting assessment, including examination.
14. PEC claims made by the student should be supported by documentary evidence where appropriate and should, wherever possible, be made in advance of an assessment deadline or by the school published deadline for consideration by a Personal Extenuating Circumstances Committee (PECC) or Board of Examiners (BoE).
15. Requests for adjustments that relate to the following, are not normally accepted as the basis of a PEC application:
 - (i) Instances where an appropriate adjustment has already been made.
 - (ii) Retrospective report of illness or other extenuating circumstances, without good reason.
 - (iii) Ongoing medical conditions/disabilities including learning disabilities, or mental health conditions for which the student is already receiving reasonable adjustments via a Student Support Plan (SSP).

- (iv) Transport problems, excepting those where it can be shown that adequate time had been allowed.
- (v) Unspecified anxiety or examination stress
- (vi) Minor infection such as coughs, colds, headaches or hay fever, unless supported by specific medical evidence.
- (vii) Distress relating to family pet.
- (viii) Holidays, house moves, sporting or other social commitments.
- (ix) Known employment or financial responsibilities (particularly when in full-time study).
- (x) Problems with personal computers, printers or other technology.
- (xi) Where the circumstances could have been avoided, particularly due to poor time management.

How to apply

16. Students are advised to consult their tutor about submitting a PEC application. Impartial advice on submitting a PEC application may be sought from the appropriate Officers of the Students' Union or from the Student Advice Centre (<http://www.nusu.co.uk/support/sac/>). Procedural advice may be sought from Student Progress Service, King's Gate Building (casework@ncl.ac.uk).
17. All PEC Applications must be submitted to the academic unit in accordance with the published on-line arrangements and by deadlines published by the academic unit. <https://www.ncl.ac.uk/students/progress/Regulations/Procedures/change/PEC.htm>
18. A late PEC application shall only be accepted at the discretion of the PEC Committee or nominated member of staff if circumstances exist which make it reasonable for the student not to have applied within the normal timescales. Evidence of grounds of a late PEC application must be supplied by the student.

Procedure

19. The academic unit shall log receipt of the PEC application.
20. The application shall be submitted to the Academic Unit as soon as possible and where possible in advance of the requested adjustment/ Board of Examiners. If appropriate, the PEC Committee or nominated member of staff may seek additional information from the applicant or relevant staff. The PEC Committee or nominated member of staff will review the case and determine an appropriate outcome.
21. Normally, the academic unit will notify the student of the outcome of the PEC application. However, applications received as part of a pre-Board of Examiners call will not generally receive individual feedback.

Outcome

22. The PEC Committee or nominated member of staff is authorised to approve a number of adjustments in accordance with University procedures. These are:
 - a) *Extensions within and beyond those permitted as part of the Submission of Work policy;*

- b) *Exemptions from minor elements of assessed work (normally a maximum of 20% of the module in question);*
- c) *Deferral of a formal examination or assessment attempt to the next or future normal occasion;*
- d) *Extraordinary examinations outside of the regular assessment periods*
- e) *Permission to repeat tuition in residence*
- f) *Setting aside previous attempt(s) of a module, Stage or Semester and allowing repeat tuition if required.*
- (g) *Allowing a student to proceed to the next Stage of a programme carrying fails.*

And, for all students except those starting or restarting undergraduate stage 1 programmes during the 2018/19 Academic Year, there is a positive assessment of the impact of medical or other mitigating circumstances by the Personal Extenuating Circumstances Committee (Conventions 13 and 14).

- h) *to provide Boards of Examiners with an assessment of the scope and severity of mitigating circumstances affecting a student, which have not been addressed by a-e above (i.e. to recommend the use of discretion where there is evidence in the student profile to support their decision)*

23. Other outcomes may also be considered. This includes referral to specialist services within the University or, on occasion, consultation with the relevant Dean. The PEC Committee may also decline to support any adjustment or to recommend for Board of Examiners discretion.
24. Adjustments for Personal Extenuating Circumstances will not result in a change of marks.

Appeals against PEC Committee Decisions

25. If the Board of Examiners has not yet reached a final decision on the student's case for that academic year, the student can either:
- (i) Submit additional evidence to the academic unit, or
 - (ii) Seek a review of the original PEC application by submitting an Academic Appeal, including a full copy of the PEC application and outcome correspondence.

If either the Board of Examiners has reached a decision on the student's case or a decision has been made by the Academic Unit on the PEC submission, the student should follow the Academic Queries & Appeal procedure to seek a revised outcome. For Level 1 academic queries, this should be within 14 calendar days of the original publication of the examination results or within **14 calendar days** of notification of any other relevant decision. <https://www.ncl.ac.uk/students/progress/Regulations/Procedures/appeals.htm>