Nottingham Trent University

**Quality Handbook**

Part D: Regulations

Section 17a: Notification of Exceptional Circumstances (NEC) Procedures

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INTRODUCTION

1. Definitions

“NEC” means Notification of Exceptional Circumstances.

“NECC” means the Notification of Exceptional Circumstances Contact.

“NECP” means the Notification of Exceptional Circumstances Panel.

“Head of Academic Office” means the Head of Academic Office within the University or his/her nominee.

“Working days” means University working days, exclusive of University closure days outside of normal term time.

Aims

* 1. This Procedure is underpinned by the principle that the University will endeavour to provide opportunity and support for students to engage with their studies and perform to the best of their abilities in assessed work. It assumes that students intend, and are able, to work to their optimum level throughout the duration of their studies, but that their performance may, on occasion, be affected adversely by circumstances beyond their control.
	2. This Procedure provides a mechanism by which students can notify the University of such circumstances and seek guidance and support from their Academic Schools, and, as appropriate, from Student Support Services, about the implications of such circumstances for their study and assessment and how these might be addressed.

Scope and operational principles

* 1. This Procedure applies to all students of the University irrespective of mode of study except Research Degree Students (i.e. those students studying MPhil or PhD) for whom a specific and separate procedure applies (please see [Student Handbook](http://www.ntu.ac.uk/current_students/resources/student_handbook/index.html)) Separate procedures and frameworks also exist for the following:
* Academic Appeals Procedure;
* Complaints - Complaints Procedure for Students;
* Disciplinary issues – Student Code of Behaviour.
	1. The University will ensure that in the implementation of this Procedure, due regard is given to the need to ensure that students with protected characteristics, as defined under the Equality Act 2010, are treated fairly and without discrimination.
	2. Where a student indicates at any stage of this Procedure that they have a disability (including (but not limited to) experience of an ongoing impairment, medical or mental health condition) the University will communicate with the student through the appropriate channels at the University (and may also include contact with third parties where this is deemed necessary due to the student’s circumstances) and reasonable adjustments will be made (where appropriate to do so) to accommodate the student’s needs at the University.
	3. Reference is made within this Procedure to aspects of the structure and staffing of the University. It is recognised that there may be some variation in structures and nomenclature across the University. It is therefore implicit that those of appropriate seniority and experience will operate this Procedure at the appropriate equivalent level throughout the structure of the University and where different structures are in place. Similarly, where mention is made in this Procedure of action by the holders of specific posts it is implicit that this activity may be delegated to an appropriate nominee, having sufficient experience and skills and being sufficiently senior to act on behalf of the designated post holder.
	4. Information and guidance about this Procedure will be provided to students via the Student Handbooks, course handbooks, year group meetings and personal academic tutorials. Students may also contact the independent advice service of the Nottingham Trent Students’ Union (NTSU); details of their services are available on the following link <http://www.trentstudents.org/studentadvice>.
	5. The Procedure allows for the circumstances of students with identified and specified assessment support needs (including students with specific learning difficulties, such as dyslexia, ongoing physical or sensory impairments, medical or mental health conditions). Students with such needs – defined in this Procedure as Individual Requirements – should alert their course team to their circumstances at an early stage, and will normally be expected to consult with Student Support Services to agree a Statement of Access Requirements. Students with pre-approved Individual Requirements are **not** required to use the Notification of Exceptional Circumstances process described in this Procedure unless they wish to notify the University of the impact of specific and unforeseen circumstances that are related to their pre-declared support and access needs, or to notify the University of unrelated Exceptional Circumstances. The University recognises that the identification of circumstances which might be defined as Individual Requirements may occur at any stage of a student’s studies.
	6. It is also recognised that some students will have Exceptional Circumstances that have a prolonged and/or fluctuating effect on their performance (for example, enduring health conditions). In some cases, it may be more appropriate that these students’ needs are addressed through ‘reasonable adjustments’ in the context of the Equality Act, requiring agreed access requirements that apply over a longer timescale.

General Principles

* 1. Fairness

All reasonable efforts have been made in the design of this Procedure to ensure they embody the principles of fairness and are operated in a fair manner including:

* Giving reasons for actions taken and decisions made by the University;
* Removal of any potential bias by ensuring independent consideration at each stage of the process;
* The operation of reasonable timescales for both submissions to and responses from the University;

It is not the general policy of the University to adjust marks, grades or degree classifications where a submission by a student at any stage of these Procedures is upheld, but to provide circumstances in which a student can demonstrate their academic ability unhindered.

* 1. Confidentiality

Information provided by students under this Procedure will be treated confidentially and only shared with those persons necessary to progress their application and/or ensure that appropriate support is provided in response to information provided on the application.

* 1. Representation

Representation of a student under this Procedure cannot be made by a third party unless written consent is received from the student allowing an individual to act on their behalf. This includes Notifications of Exceptional Circumstance submitted by a parent, guardian or spouse of the student. Where consent is provided to and accepted by the University, all communications relating to this Procedure will be made through the nominated individual only.

If a Notification of Exceptional Circumstances is made under this Procedure by a student who is under the age of 18 (a 'minor') at the time the submission is received, the University will notify the parents or guardians of the student in writing and keep them informed of progress. The University will permit the parents or guardians of the student to act on the student's behalf during the process, provided the student has confirmed agreement in writing to the University beforehand. This applies to under 18 Further Education students only.

* 1. Timescales

The University will use all reasonable endeavours to comply with time limits prescribed within this Procedure via its planning and operational processes, although there may be circumstances in which it cannot reasonably meet such time limits. Similarly, the University considers that students will normally be able to meet the time limits in communicating with the University, including by electronic means, unless affected by circumstances which themselves explain the delay.

DEFINITION OF EXCEPTIONAL CIRCUMSTANCES

Definition

* 1. For the purpose of this Procedure, events which are outside the control of the student, such as illness, accident, loss and bereavement, unavoidable absence, procedural irregularities, personal crisis, crime, victimisation, or similar trauma are classified as Exceptional Circumstances. Problems arising from circumstances recognised as being within the student’s reasonable control (for example, being on holiday, IT difficulties) are not covered by this Procedure.

RESPONSES TO EXCEPTIONAL CIRCUMSTANCES

Responses

* 1. Exceptional Circumstances are likely to differ in severity and, because they will affect individuals to varying extents and present diverse practical challenges, this Procedure seeks to describe a process by which decisions about Exceptional Circumstances are made in the light of a student’s contingent circumstances. Factors to consider include:
* the nature of the Exceptional Circumstances and the likely duration of their impact;
* the extent of learning that the student has missed during the module(s);
* the student’s knowledge about the effect of his/her situation on any preparation for forthcoming assessment tasks;
* the impact of any delay in assessment in one or more module(s) on work in other modules;
* any implications for the timing of progression or graduation;
* the final date by which coursework will need to be submitted in order for it to be considered by the examination board.
	1. Where Exceptional Circumstances are claimed and upheld (and such claims have been made prior to an assessment event or submission date), the University’s response will be to either:
* provide a short extension to an assessment deadline where this is appropriate and practicable, or
* provide the opportunity for the student to be assessed at the next available opportunity.
	1. A student may notify the University of their Exceptional Circumstances **at any time of the academic year** and, as appropriate, seek support from his/her School or from Student Support Services.
	2. However where the circumstance is likely to impact upon assessment, or has already done so, **the timing of the notification is important**.

CLAIMS OF EXCEPTIONAL CIRCUMSTANCES WHICH ARE UPHELD:

Upheld claims

* 1. Where the notification is made **before** an assessment event or submission date, permission may be given for a short extension, as outlined in the Common Assessment Regulations. Extensions will only be given after careful consideration of both the nature of the assessment and the Exceptional Circumstance(s) and may not be appropriate in all cases. The University will endeavour to work with the student to determine the timeframe and the support that he/she might require to be able to perform at his/her optimal level.
	2. Where an extension is not deemed to be appropriate (because of the nature of the circumstance(s) or the nature of the assessment (eg the event is an examination)) and the student believes that their performance will be impeded if they submit or attend according to the scheduled assessment timeframe, then the University can allow the student the opportunity to be assessed at the next most appropriate assessment date. This will be as a first or further attempt. Where this is the resulting decision following a notification submitted by the student, this decision will need to be ratified by the relevant Board of Examiners.
	3. Where the notification is made **after** an assessment event or submission date, and the student has not undertaken the associated assessment or submission of work, extensions will only be considered if notification is made by the student **within 5 working days** of the submission date, and will not be permitted unless the circumstance itself explains the delay in notification to the University’s satisfaction.
	4. Where the notification is made **later than 5 working days after** an assessment event or submission date, and the student has not undertaken the associated assessment or submission of work, and the circumstance itself explains the delay in notification to the University’s satisfaction, an extension will not be permitted but the University may allow the opportunity for the student to be assessed at the next most appropriate opportunity and such a decision by the University will need to be ratified by the relevant Board of Examiners.
	5. If the notification is made **after the relevant Board of Examiners**, and/or if it concerns unanticipated impaired performance **in an assessment which has been attempted**, it should be made using the University’s Appeals Procedures.

The implications of this Procedure are that students with substantiated Exceptional Circumstances need to make a judgement (supported wherever possible by University staff and appropriate evidence) about whether or not they wish to be assessed alongside their cohort within the scheduled timeframe of the assessment. Where they feel that their performance may be impeded, then students might be advised not to submit the work or attend the assessment event after seeking advice. In this context, if students decide to submit or attend an assessment event , then they are accepting that their performance will be judged on its merits alongside that of their peers and a student cannot thereafter submit a Notification of Exceptional Circumstances under this Procedure.

PROCEDURE FOR NOTIFICATION

Notification procedure

* 1. **Notification of Exceptional Circumstances must be made using the on-line NEC application portal and should be supported by appropriate evidence.**
	2. Some examples of evidence which would be considered to be appropriate in support of a Notification of Exceptional Circumstances are listed below:
* Medical evidence in the form of a medical certificate, hospital appointment card or similar;
* Police Crime Incident Report;
* Corroborative statement or death certificate;
* Independent, professional third party evidence;
* Corroborative statement from a member of University staff who has had direct and detailed knowledge of the student, the circumstances and their impact.
	1. The notification of, and response, to exceptional circumstances involves specific responsibilities for both the student and the University. The role of the student is described at 9.
	2. In each academic School, the Dean will identify appropriately qualified, independent and experienced academic staff to act as:
	3. The first point of contact for students wishing to notify the University of Exceptional Circumstances. The name(s) and contact details of these staff will be made known to students via the normal procedures (for example inclusion in student handbooks, through year group meetings, personal academic tutorials etc). The role of the Notification of Exceptional Circumstances Contact (NECC) is described at 10.
	4. A Notification of Exceptional Circumstances Panel (NECP) which is responsible for the overall effective and objective implementation of this policy. The NECP will consist of at least three members of academic staff. The role of the NECP is described at 11.

The Role of the Student

* 1. The student must inform the NECC as soon as practically possible of circumstances beyond their control which they believe will impede his/her performance in assessment, or prevent him/her attending an assessment event or meeting a submission date.
	2. The student must complete the Notification of Exceptional Circumstances (NEC) application and submit it to the NECC along with supporting evidence. Where the NECC regards the claim as substantiated, the student may be expected to discuss with the NECC what actions may be required to allow the student to perform to the best of his/her ability. Actions should be informed by a consideration of the factors described at 6.1 and may include a short extension where this is appropriate.
	3. It is the student’s ultimate responsibility to decide whether or not he/she wishes to be assessed alongside his/her cohort within the scheduled timeframe of the assessment. If a student decides to submit or attend an assessment event, then he/she is accepting that his/her performance will be judged on its merits alongside that of his/her peers. **Students are strongly advised to seek help with this decision from the NECC**.
	4. In those cases where a student is claiming that there has been a material administrative error or a mistake/irregularity in the conduct of an assessment event or outcome, the NECC will endeavour to resolve this as quickly as possible.

The Role of the Notification of the Exceptional Circumstances Contact (NECC)

* 1. Once the student has completed the Notification of Exceptional Circumstances (NEC) application and provided supporting evidence, this will be considered by the NECC who will first determine whether the evidence presented substantiates the claim that is being made. Where necessary the NECC may request that the student provide further evidence or may undertake an investigation. Where deemed appropriate by the NECC, the NECC will have a discussion with the student.
	2. Having reviewed the NEC and any other evidence or information gathered, the NECC shall make a judgment, inform the student, and take action in accordance with the following paragraphs. In determining the appropriate outcome the NECC will refer to the range of factors outlined previously. If the claim is not considered to be upheld, the NECC shall notify the student and notify the NECP of the decision.
	3. Where the claim is upheld, and the nature of the Exceptional Circumstance(s), and the type and timing of the assessment are such that **an extension of 5 or 10 days** is considered appropriate, the NECC shall confirm the extension to the student and notify the NECP. The decision as to whether the extension should be of 5 or 10 days is at the discretion of the NECC and will be taken after careful consideration of the factors outlined previous. No extension periods other than 5 or 10 days are permitted.
	4. Although it is the student’s ultimate responsibility to decide whether or not he/she wishes to be assessed alongside his/her cohort within the scheduled timeframe of the assessment the NECC should offer support in the making of this decision where the student has made the NECC aware of their circumstances. The NECC should endeavor to ensure that the student understands that if he/she decides to submit or attend an assessment event, his/her performance will be judged on its merits alongside that of his/her peers.
	5. Where the Exceptional Circumstance claim is upheld, but it is deemed that an extension is not practically possible or appropriate (for example, if the exceptional circumstance is particularly complex and/or ongoing, or if the assessment is a scheduled event which cannot be delayed, or if the notification is made later than 5 working days after the assessment event or submission date), the NECC shall inform the student that his/her claim is upheld and that it will be referred to the NECP to be logged and communicated to the Board of Examiners for ratification.
	6. Where the NECC considers that the student needs to be referred for further or specialist support, the NECC is responsible for signposting the student to the appropriate source of support and facilitating access where necessary. The NECC will also inform the student’s Course Leader.
	7. Where the nature of the circumstance indicates a potential need for Individual Requirements, the NECC should refer to the Course Leader and Student Support Services. Individual Requirements might be indicated by repeated notifications of Exceptional Circumstances of a similar nature. The Course Leader, with advice from Student Support Services, will consider whether access requirements that apply over a longer timescale may be more appropriate.
	8. In cases where a student is claiming that there has been a material administrative error or a mistake/irregularity in the conduct of an assessment event or outcome, and the NECC is able to resolve this, they will do so as quickly as possible and action the change. Where it is complex and cannot be speedily resolved it shall be referred to the NECP for a decision.
	9. Where the nature of the circumstance or evidence is such that the NECC cannot make a decision about whether to uphold a notification of Exceptional Circumstances it shall be referred to the NECP for the NECP to make an appropriate decision. The student will be informed of decisions on matters that are referred to the NECP.

Role of the Notification of the Exceptional Circumstances Panel (NECP)

* 1. The NECP shall meet frequently throughout the academic year as determined by each School. The responsibilities of the NECP shall include:
* having oversight of all decisions made by the NECC(s);
* making decisions about NEC outcomes for complex cases, which are referred to them by the NECC;
* receiving all claims relating to material administrative error and resolving any outstanding issues which the NECC has been unable to resolve;
* reporting NEC outcomes to the Board of Examiners; and
* reporting annually to School Academic Standards, Quality Committee (SASQC) and Academic Office on the implementation of this Procedure in order to identify any staff or student development needs.
	1. The NECP shall receive, from the NECC, a copy of all claims of Exceptional Circumstances and their outcomes. These shall be logged and the information reported to the Board of Examiners.
	2. Where an Notification of Exceptional Circumstance has been forwarded to the NECP because the circumstance(s) is/are complex, the NECP shall determine whether the claim is upheld.
	3. Where a claim considered by the NECP is deemed to be upheld, the NECP shall inform the NECC and the student. Where necessary, the student shall be directed to Student Support Services or members of the course team by the NECC.
	4. If the claim is deemed to be not upheld, the NECP shall inform the NECC and the student.
	5. Where a case has come to the NECP because a student is claiming that there has been a material administrative error or a mistake/irregularity in the conduct of an assessment event or outcome, and the NECC has not been able to resolve this, the NECP shall take appropriate action or shall refer the matter to the Board of Examiners for a decision. The NECC and the student shall be notified of the outcome.

At the Board of Examiners Meeting

* 1. The Board of Examiners will be presented with two lists of students from the NECP in the format as follows:
* A list of students whose claims of Exceptional Circumstances are deemed **not** to be upheld on the basis of the evidence presented;
* A list of students whose claims of Exceptional Circumstance **are** deemed to be upheld on the basis of the evidence presented.
	1. Schools will put in place arrangements appropriate to their local circumstances to ensure that the decisions of the NECP are fully and properly communicated to the Board of Examiners. This may include a requirement that the Chair of the NECP will attend the Board but not as a member.
	2. Where the Board of Examiner’s deliberations and decisions necessitate it, the Chair of the NECP may further brief the Chair of the Board of Examiners on the nature of a student’s circumstances, which would otherwise remain confidential.
	3. The Board of Examiners will consider the NECP report as part of the overall academic decision-making process relating to the performance and progress of the students concerned.

After the Board of Examiners Meeting

* 1. All students will be notified of decisions of the Board of Examiners regarding their academic performance, normally within ten working days of the date of the Board of Examiners Meeting, together with the outcome of the NECP’s consideration of any representation.
	2. The Procedure of the University is that notification of results is made via electronic posting and students are required to access online results via the University’s website.

Courses Operated Under Collaborative Provision (CP) Arrangements

* 1. School based Collaborative Provision

Submissions of Notification of Exceptional Circumstances, Request for Reconsiderations or Appeals should be to the University via the Centre.

* 1. Validated Centre Collaborative Provision

Collaborative partners that have been awarded Validation Centre status will develop and operate their own procedures for dealing with NECs and Appeals. Students do not have the right to approach the University until all local procedures have been exhausted. The University’s role in reviewing any Appeal application is to ensure that the Centre has followed its own procedures correctly.

# Appendix 1

# NEC Flow

