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**Briefing Paper**

**Crystal Ball Gazing: What is the Future for Handling Exceptional Circumstances?**

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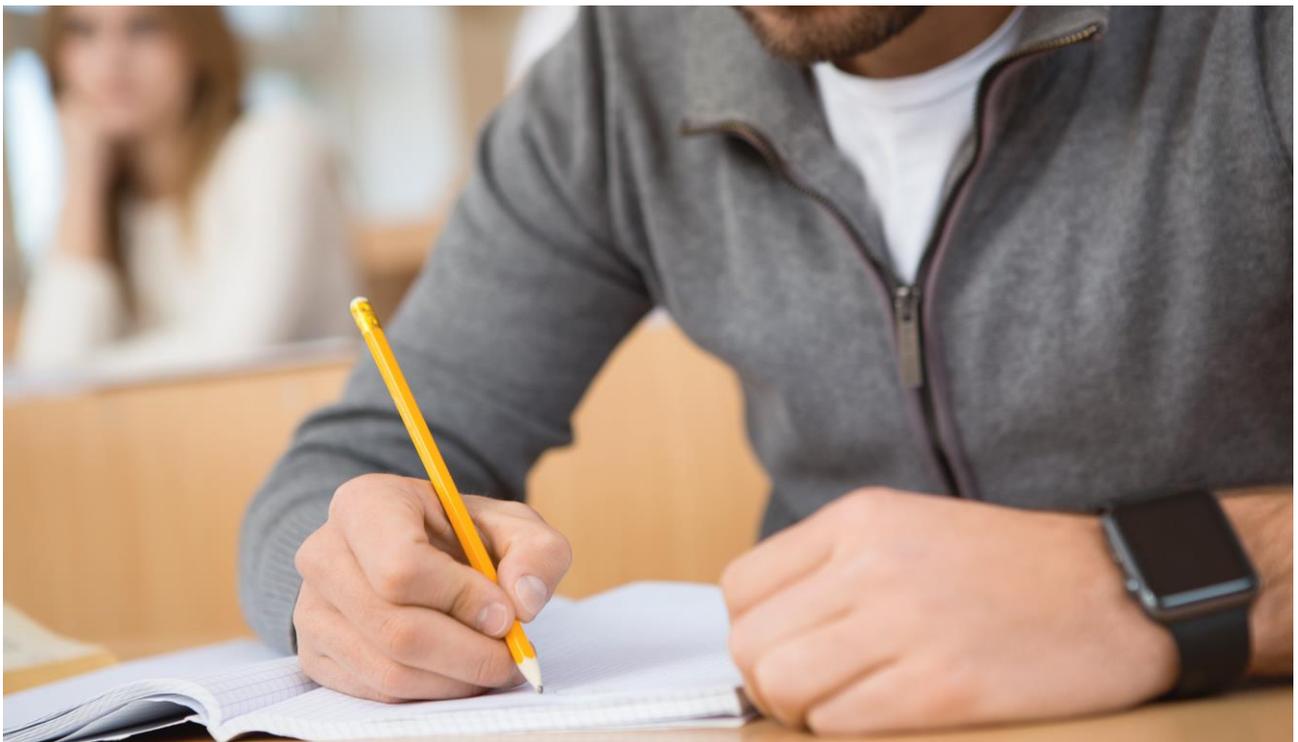
*SUMS is a membership-based higher education consultancy, a registered charity and not-for-profit organisation that provides expert consulting to universities across all professional service areas. We work with university leaders to deliver meaningful and impactful solutions to complex university challenges.*

*Here, SUMS Principal Consultants Helen Baird and Jeannette Strachan share insight from recent discussions with sector representatives on exceptional circumstances.*

## Background

The pandemic has caused us to reassess so many aspects of the way we work, including our provision for students facing unexpected life events. During the unprecedented times as a lockdown was announced, students returned home part way through an academic year and face-to-face teaching was replaced by remote learning. Universities moved quickly to ensure students were not disadvantaged. They introduced a range of measures to stem an anticipated tidal wave of requests for exceptional circumstances and to manage those that were submitted. Many universities relaxed their usual rules and implemented automatic 14-day extensions, self-certification, relaxed evidence requirements and introduced monthly rolling assessment boards.

In recent years, universities have experienced an exponential increase in the volume of requests for exceptional circumstances. At the same time, despite the huge amount of academic and administrative resource which is devoted to this activity, elements of the student body remain dissatisfied with the process. The Office of the Independent Adjudicator (OIA) reports that one fifth of its complaints arise from this process. The complaints relate to students finding it hard to use the process, to meet the set deadlines or to get the evidence they need. Students may have successfully navigated the process but still feel that the outcome is unfair, and in some cases, they are unable to appeal.



So, what have we learnt from managing the process during lockdown? SUMS Consulting ran a workshop with 33 practitioners in the field in mid-September to consider the learnings and what changes lie ahead for the way universities support students with this process in the coming academic year.

## The Balancing Act

Each university has a set of assessment regulations and policies, and students are expected to plan their studies in order to satisfy these. However, there must be provision for life events that a student could not usually have anticipated or planned for, that impact on their ability to study or to undertake assessments. That provision is called *exceptional, extenuating or mitigating circumstances* across different universities.

The fundamental aim of this process is to permit fair alternatives or adjustments, but it does present a difficult balancing act for universities. Universities want their graduates to develop self-reliance and to be equipped to run their lives and hold responsible positions. If a system permits too many exceptional circumstances, then this reduces a student's opportunity to grow these skills. It may be that a student who is too dependent on exceptional circumstance support may be better served by disability adjustments or deferral. It is essential that there is a clear framework for all these policies with the provision of advice for students on the most appropriate route for their circumstances. Finally, in any scheme, there will be a proportion of people who attempt to 'game' the system for their own personal advantage. The view of those at the SUMS workshop was that this was a small minority. In order to be fair to all students, it is important that gaming is kept to a minimum. It is difficult for universities to balance these three competing objectives.

The OIA, in its recent consultation, [The Good Practice Framework Requests for Additional Consideration](#), emphasises the importance of prioritising academic standards and the reasonable expectation for students to be able "to deal with normal life events, to manage their workloads properly, and to expect a level of pressure around assessments." The OIA also acknowledges the difficulty in achieving the right balance between fairness to the individual and fairness to the overall student body.

## What's in a Name?

Over the years, a myriad of different names have emerged to describe the process where consideration is given when a student has experienced a life event, which usually couldn't have been expected or planned for, and which has affected their ability to study or undertake assessments. *Personal circumstances, mitigating circumstances, extenuating circumstances* and *exceptional circumstances* are all used to describe the process. However, the proliferation of names may serve to create mystique and confusion around a process which exists in every university and this may deter students from using it.

The OIA in its consultation on a new section for the Good Practice Framework presents several options for a common term to be used in the framework. SUMS' views is that a common term is needed to provide clarity to students and staff alike. Participants in our recent workshop preferred the term "Request for Exceptional Consideration" because it describes the process, but also emphasises that it should not be used routinely. Additionally, it reinforces the principle that students should be able to manage normal life events, and that this process should apply in most circumstances only to unplanned or unforeseen life events.

## Experience during the Pandemic

The pandemic and the switch to online learning has led to many assessments being changed. In the future, many academics may embrace greater diversity in assessment types with less of a focus on examinations. This in itself may reduce the number of exceptional circumstances requests which are often associated with stressful examination periods. Many of the SUMS' workshop participants noted that the usual peak of applications during April and May did not arise this year.

During the pandemic, many universities relaxed evidence requirements for exceptional circumstances recognising the difficulty in obtaining the documentation. Frequently, students will request letters of support from Student Wellbeing Services, which adds little to the claim, but creates a huge amount of work for the service. Freeing up wellbeing services from having to provide this evidence, means resources can be redirected to support students in need. As a result, some universities may remove the need to include letters of support from Student Wellbeing Services in normal circumstances because it is not an effective use of this valuable resource. Further to this, it may prove difficult to obtain letters of support from GPs for the foreseeable future. Many universities are now reflecting more widely on the evidence required by students and removing the more onerous elements, for example the need to produce a death certificate.

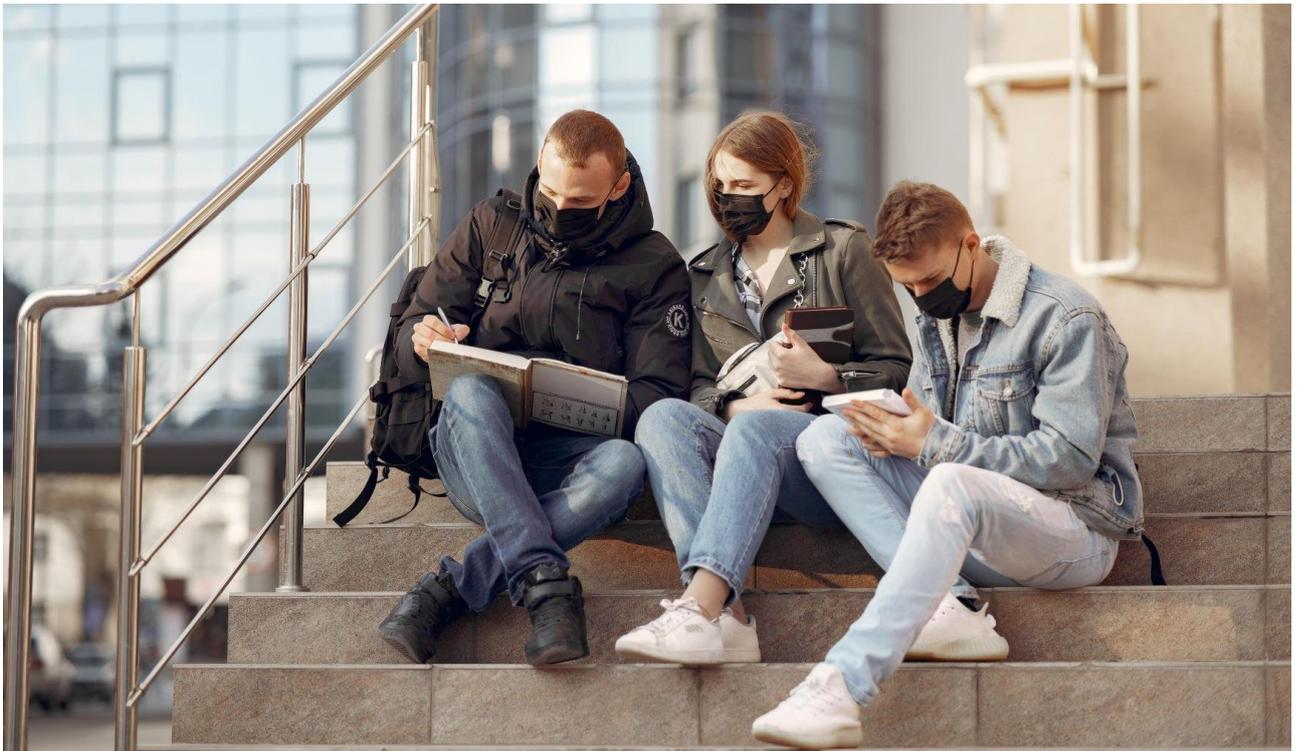
Most universities have a list of examples of circumstances that are likely to be accepted and those which are likely to be excluded. In the past, IT failure was likely to be in the "excluded" category. However, an increased focus on online learning and a recognition that some students have limited IT resources, is likely to impact this categorisation.

Universities are also focused on achieving a greater consistency and equity in determining these requests across different disciplines and academic units, which do vary at present. They are also concerned with ensuring that exceptional circumstances, reasonable adjustments, support to study and fitness to study policies form an integrated policy framework.

Almost half of the universities attending the workshop had already introduced self-certification before Covid-19 and had deployed many of the safeguards identified by the OIA in their consultation [\*The Good Practice Framework Requests for Additional Consideration\*](#). In particular, most universities using self-certification have adopted the following:

- Place a limit on the number of assessments or days for which self-certification is permitted
- Only permit it for certain types of assessment
- Provide clear information about what will happen if a student is suspected of misusing the process
- Intervene when a student has made repeated requests by requiring them to meet with a tutor or Student Wellbeing Services.

Many more universities have introduced self-certification because of Covid-19 and this trend is likely to continue.



## Removing Caps from Marks

Interesting insight comes from the University of the West of England (UWE), which removed mark capping for resits and retakes, also reported in a [WonkHE article](#) in June 2019. The regulations at most universities mean that if a student fails an assessment and must retake it, the overall module mark is capped at the pass mark. However, if a student submits a request for exceptional circumstances and this is approved, the student may repeat the module as if for the first time and the module mark is not capped.

UWE carried out a thorough analysis in the last academic year and found that most of the requests for exceptional circumstances in 2018/19 related to removing mark capping. Out of 4,233 requests in 2018/19, 87% (3,652) were accepted, 6% were rejected and the remainder were redirected. Each request related to 1-6 assessments and so in total for the 3,652 accepted requests, 21,952 assessments were affected. The consequence was that members of staff had to go into the system and remove a total of 21,952 marks. This led to reflection about why modules are capped. Is it to encourage students to pass the first time? Is it to differentiate between students who passed the first time and those who did not, to be fair to students who passed the first time and those who did not? Or, is it actually a punishment?

The capping of marks has several negative consequences:

- Firstly, it causes anxiety in both students and staff and overall, it may be perceived to be a reactive, unwieldy bureaucratic process.
- Additionally, students may be disadvantaged, for example, international students who are coming into a new teaching and assessment culture, direct entrants and those who take longer to learn.
- Also, the process may not be perceived as inclusive since some students may not be used to asking for help, and might not submit a request for exceptional circumstances as a result.

- The realisation that they can only achieve a capped mark may demotivate some students.
- Finally, the impact of teaching quality is lost because the student's true performance is masked by capped marks.

The removal of capping produces several benefits. A key benefit is that that staff resource can be redirected to proactively supporting students rather than processing huge volumes of requests for exceptional circumstances and retrospectively amending 21,952 assessment marks! This staff resource can provide bespoke support using learning analytics data to enable students to make well-informed decisions. The removal of capping could also promote better mental health by addressing a cause of anxiety and reducing the stigma around resits for those students who need them.

Following a full regulatory review in December 2019, the Academic Board at UWE approved the proposal to remove mark capping for implementation from 2022/23. However, the impact of Covid-19 has prompted the University to bring this forward and introduce the change in April 2020, backdated to August 2019. No evidence is required for the exceptional removal of marks process, but students still need to apply and consider the consequences, for example, around the timing of when they graduate. UWE had investigated the impact of this change on degree classifications. This showed a negligible impact on degree classifications since 92% of students came out with the same degree classification and 7.9% fell within the discretionary boundaries for examination boards. Professional bodies were consulted and have confirmed that there are no issues with removing mark capping, as their focus is normally on whether the student has achieved the requisite credit for the qualification. The pandemic has accelerated the implementation of this bold and innovative initiative from UWE, which has resulted in many benefits to students and the introduction of a more inclusive approach.

## Conclusion

The combination of Covid-19 and the learnings from the last few months have led many universities to significantly change their approach to exceptional circumstances. Over the next few months, it is inevitable that further adaptations may be required to accommodate events such as local lockdowns or students being sent home. There is a move to divert resources from approaches that add little value, to those that benefit the student. Universities are adapting their evidence requirements, introducing self-certification and focusing on consistency across academic disciplines. The OIA is due to publish the final version its Good Practice Framework later this year, and there is no doubt that this too will incorporate many of the lessons from universities in operating the process during Covid-19. The pandemic has accelerated the rate of change in so many aspects of university life - the exceptional circumstances process is proving to be no different.

In thinking about their exceptional circumstances process this year, universities may wish to consider:

- How coherent is your overall policy framework? When were related policies last updated?
- How recently have you reviewed the evidence required to support exceptional circumstances?
- How recently have you reviewed the list of examples of circumstances that are likely to be accepted and those that are likely to be excluded?

- How do you ensure that there is consistency and equity in determining exceptional circumstances across different disciplines and academic units?
- Have you decided whether to introduce self-certification with safeguards, if you have not already taken this step?
- Analysing your data over an academic year in the way that UWE has done, to discover the impact of your present process.
- Whether or not your existing processes are inclusive?

*For additional support on examining and improving your exceptional circumstances process or any other project related to your institution's effectiveness, please contact us at [sums@reading.ac.uk](mailto:sums@reading.ac.uk).*

