

HE Special Consideration Policy

This document details the policy for all Higher Education programmes.

Before submitting a claim for consideration we recommend that you contact us. Please see Appendix 1 for contact details.

1.0 Definitions

We define extenuating circumstances as circumstances, normally exceptional and outside the control of the student, which happen unexpectedly on or before an assessment and have prevented the student from performing in assessment at the level expected or required of them.

Special consideration is the term used when we consider cases of extenuating circumstances.

2.0 Policy

- 2.1 For students who were not able to sit an examination, claims must be notified within five working days of the examination date. Claims relating to written assignments and other assessments must be notified on or before the date of submission.
- 2.2 If you are aware of an extenuating circumstance which affects your studies prior to the timeframe set out under paragraph 2.1, you must inform us immediately.
- 2.3 If you do not present your claim within the timeframes set out under paragraphs 2.1 and 2.2 you will be considered as declaring yourself 'fit to sit' the assessment concerned.
- 2.4 Where we consider there are reasonable grounds we may, exceptionally, consider accepting late submissions of special consideration claims.
- 2.5 We will not consider requests for special consideration if the issues / circumstances concerned have previously been addressed through the implementation of special arrangements under our Reasonable Adjustments policy.
- 2.6 **Likely acceptable extenuating circumstances**

The following is a non-exhaustive list of examples which we accept as an extenuating circumstance:

- i. Bereavement - death of a close relative / significant other (of a nature which, in an employment context, would have led to an absence in accordance with Compassionate Leave).
- ii. Serious short-term illness or accident (of a nature which, in an employment situation, would have led to absence or sick leave) that could not have been addressed in advance through a reasonable adjustment request.

- iii. Long term health condition deteriorating.
- iv. Long term health condition which has reoccurred.
- v. Significant adverse personal / family circumstances.
- vi. Significant disruption at the assessment venue.
- vii. Incorrect information provided to the student.
- viii. Scripts are not presented for marking, where this is not your responsibility.
- ix. Other significant exceptional factors outside your control, for which there is evidence of something that caused you not to perform to your best ability.

2.7 Unlikely acceptable extenuating circumstances

The following is a non-exhaustive list of circumstances unlikely to be regarded as falling within the relevant definition:

- i. Alleged statement of an extenuating circumstance without evidence (medical or otherwise) to support it.
- ii. Alleged medical circumstances for which appropriate reasonable adjustments have already been made.
- iii. Retrospective evidence - that is evidence that is not in existence at the same time as the extenuating circumstance eg a doctor's note which states that you were seen (after the illness occurred) and declares you were ill previously.
- iv. A circumstance that was foreseeable or preventable.
- v. A circumstance which, in a work situation, would be unlikely to lead to absence from work.
- vi. Holidays, regardless of the date of booking.
- vii. Financial issues.
- viii. Issues with personal / workplace electronic devices affecting assessment and studies (eg faulty laptop).
- ix. Poor practice eg no back up of electronic documents.
- x. Late disclosure of circumstances.
- xi. Poor time management, including increased workload.
- xii. Transport issues unless satisfactory evidence can be provided.

- 2.8 If your examination or assessment performance (including assessed coursework) has been affected due to you breaking the law or consuming alcohol or any other non-prescribed drugs, we will reserve the right not to consider your application for special consideration.
- 2.9 If there are issues during an examination, it is your personal responsibility if you intend to make a claim under paragraph 2.6 to report in detail to the relevant Programme Team as soon as possible.
- 2.10 A claim submitted under paragraph 2.6 must be provided on a Special Consideration form and supported by independent evidence. For example:
- Death certificate
 - Medical / health certificate (with relevant date to the assessment)
 - Letter of support / explanation from a Line Manager / HR at place of employment.
- 2.11 All completed claim forms and supporting evidence must be submitted within five working days of notification of the claim.
- 2.12 All supporting documentation must be in English, legible, dated, include the student's full name and be on headed paper as appropriate.
- 2.13 All evidence must be valid and include specific dates for the period stated within your application and support the circumstances detailed within the claim form.
- 2.14 When providing copies of evidence to support a claim the document(s) must be certified and include contact details of the certifier.
- 2.15 We are not responsible for obtaining evidence and will not pay any costs in obtaining evidence to support a claim, but will provide advice on its requirements.
- 2.16 Any information supplied by you in respect of an application for special consideration will, as far as possible, be treated as confidential.
- 2.17 All outcomes for special consideration will be decided by the Concessionary Board and, where appropriate, reported to the relevant Assessment Board.
- 2.18 When deciding upon the outcome of an application for special consideration, the Concessionary Board will, in addition to making a judgement upon the individual merits of the case under review with reference to the supporting evidence / documentation provided, take into account the outcome of previous claims of a similar nature. This action maintains the consistency and fairness of our assessment procedures.
- 2.19 If the Concessionary Board decides there is a case to answer, one of the following outcomes will be actioned to ensure you are not disadvantaged. Please note that this list is not exhaustive and applications are considered on a case by case basis
- Discount assessment attempt and sit / submit at the next available opportunity. This will normally only occur if the assessment has not been sat / submitted by the student.
 - Extend deadline for submission of coursework (or other written work). This will normally be up to a maximum of two weeks from the date of submission.
 - Refer to the Managing Director, Degree Programmes for extension to programme registration.

- 2.20 The actions listed in 2.19 are usually free of charge to the student, though the Concessionary Board reserves the right to apply a charge where appropriate.
- 2.21 You will be notified whether your claim has been accepted or rejected within five working days of the Concessionary Board considering your case.
- 2.22 We will not make a special consideration that affects the integrity of the qualification or disadvantages other students.
- 2.23 If, at any time, we find that an application for special circumstances was fraudulent, we will consider this to be malpractice and will investigate according to the Code of Practice for Quality Assurance (Chapter 9: [Malpractice](#)).
- 2.24 We reserve the right to withdraw any grade awarded made as a result of the special consideration applied in such circumstances, subject to the outcome of a malpractice investigation. The outcome of the investigations we undertake may be shared with any interested parties.

3.0 Appealing a decision

- 3.1 You have a right to appeal against a special consideration decision we make if you believe that the process has not been followed properly. Appeals against special consideration decisions will be considered in line with our Code of Practice Chapter 10, Student Complaints and Appeals. If after following our internal appeals process you remain unhappy, you may be able to escalate your appeal externally to the OIA. For further information, please see Appendix 2.

4.0 Quality assurance, monitoring and review

- 4.1 The policy and procedures are formally approved by our Academic Standards and Quality Committee.
- 4.2 The policy and procedures are subject to regular review and approval.
- 4.3 All records of special consideration applications and their outcomes are maintained by us until your qualification has been completed.
- 4.4 The policy and procedures have been developed to comply with all relevant legislation.

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Appendix 1 – Contact Details

Undergraduate Level

- a) Part-time students: - Part-time Programme Team, Tel: +44 (0)1227 818660, Email: ptp@libf.ac.uk.
- b) Full-time students – HE Programmes Team, Tel: +44 (0) 20 7337 6293/4, Email ftp@libf.ac.uk.

Apprenticeships

Apprenticeships Team, Tel: +44 (0) 203 372 2221, Email: apprenticeships@libf.ac.uk.

Appendix 2 - External referral

You may be eligible to escalate your complaint or appeal to an external body if you believe that our internal processes have not been followed properly. At LIBF we offer a wide range of programmes and qualifications, so the steps which you will need to follow will depend on the programme of study that you are undertaking. The below is a list of the different routes that are available, but please check with us if you are unsure what you need to do and we will confirm which route is appropriate for you.

Learners studying a Higher Education qualification

If you are unhappy with the outcome of a decision we have made, you may be able to ask the Office of the Independent Adjudicator (OIA) to review your case. The OIA runs an independent scheme to review the internal processes of its member providers, and we are a member of this scheme. You can find more information about making a complaint to the OIA, what it can and can't look at and what it can do to put things right if something has gone wrong here: <https://www.oiahe.org.uk/students>. You will have a maximum of 12 months to escalate your case to the OIA.

You normally need to have completed our internal procedures, confirmed in our [Code of Practice Chapter 10: Complaints and Appeals](#), before you escalate your case to the OIA. We will send you a letter called a "Completion of Procedures Letter" when you have reached the end of our processes and there are no further steps you can take internally. If your case is not upheld, we will issue you with a Completion of Procedures Letter automatically. If your case is upheld or partly upheld you can ask for a Completion of Procedures Letter if you want one. You can find more information about Completion of Procedures Letters and when you should expect to receive one [here](#).

Those applying to study Higher Education qualifications with us may follow our internal processes, however, they will not have access to escalate their case, externally, to the OIA as they are not registered students

Learners studying a Higher Education programme of learning

Those who are on a programme of learning with us but are **not** undertaking a Higher Education qualification may follow our internal processes, however, they will not have access to escalate their case, externally, to the OIA. This includes Executive or Continuing Professional Development programmes.

Apprentices

If you remain dissatisfied with the outcome of your complaint or appeal following our internal Complaints and Appeal process, you may request that you are supplied with a Completion of Procedures letter, which you can use to support escalation of your case to the OIA (please see above), or to the [ESFA Complaints Team](#). If you are unsure on who to escalate your case to, please speak to the Head of Apprenticeships. You will have a maximum of 12 months from the date of your completion of procedures letter to escalate your case to either the OIA or EFSA.

Professional Education and Financial Capability learners

If all our internal complaints and / or review procedures are exhausted, we will issue you with a close of procedure letter stating that our complaints / review process has been exhausted. The case may then be eligible for consideration by the regulators ([Ofqual](#), [Qualifications Wales](#) or [CCEA](#)) within the terms of their complaints policy (in some instances, the external body may choose to look at a case before our final decision, for example if the matter appears to be urgent or in the public interest). We will comply with the process established by the regulators and will give due regard to the outcome of any process in relation to a qualification which we deliver. Please check with the relevant external body regarding the time period you have to raise your case with them.

Learners studying a Professional Education programme of learning

Those who are on a programme of learning with us but are **not** undertaking a Professional Education qualification may follow our internal processes, however, they will not have access to escalate their case, externally, to Ofqual. This includes Executive or Continuing Professional Development programmes.