

## Exceptional Circumstances

If you are appealing on the basis of exceptional circumstances, you must show that:

1. You had exceptional circumstances (and you have evidence of this) **AND**;
2. **That you had good reason for not submitting an exceptional circumstances claim form with evidence at the appropriate time, AND**
3. That those circumstances had an impact on the decision against which you are appealing.

### **COVID-19 UPDATE**

*Please note that students who have been unable to submit a claim or provide evidence at the appropriate time due to the impact of COVID-19, should explain the circumstances that have prevented them from failing to submit an exceptional circumstances claim form with evidence at the appropriate time, **but are not required to provide evidence of those circumstances.***

*The following measures taken in response to the Covid-19 situation are not considered to be exceptional circumstances since these concern services provided by the University, and may constitute matters for complaint rather than appeal:*

- *Moving from face-to-face to online teaching;*
- *Moving to online examinations and changes to the examination format;*
- *Implementation of the 'Safety Net' policy.*

*It is possible, however, to appeal on the basis that these changes contributed to other, or created additional, exceptional circumstances.*

### **Questions on the form about your appeal:**

#### ***Please list your exceptional circumstances here***

Set out here the nature of the circumstances, for example, your illness and symptoms and how these affected your ability to work, or the loss of a close relative, or a difficult family situation and how it affected you.

If you are appealing against a decision by an Exceptional Circumstances Committee tell us when you submitted the claim to the EC and when the decision was made. For example: "I submitted a claim on 1 May and received a rejection on 6 May."

**Which assessments were affected? Name specific assessments with their dates.**

You should make clear which assessments were affected, for example, 'I was unable to take the Social Policy Exams 1 and II (first attempt), on 25 May 2018, because I was in hospital'. *Make sure you are clear which attempt at the assessment you are referring to, i.e. the first attempt, or the resit, or both, and provide dates for each. If you miss out an assessment, it may not be considered for a remedy if your appeal is upheld.*

**Why did you not submit an exceptional circumstances claim in relation to these circumstances within one week of your assessment deadlines?**

This is a very important question. For guidance about answering it, see the separate guidance document:

[Reasons for late submission](#)

**Do you have supporting evidence for your appeal?**

**COVID-19 UPDATE**

**Due to the current Covid-19 situation, you must not contact a medical practitioner solely to acquire supporting evidence for your appeal.**

- *Exceptional circumstances affecting assessments during the Covid-19 outbreak can be self-certified and accepted without evidence. You are not required to provide evidence that you had exceptional circumstances during this period, should this form part of your appeal case.*
- *You will not be required to provide evidence of 'good reason' for failure to use the exceptional circumstances process, **but** you must still provide a good explanation as to why you did not use that process. 'Good reason' for failure to use the exceptional circumstances procedures will not automatically be assumed or automatically accepted, especially in light of the new simpler exceptional circumstances process currently in place, where supporting evidence is not required.*
- *Appeals that relate to assessments pre-Covid-19 must still be supported by appropriate evidence where the evidence has already been obtained (for example if medical or Open Door evidence has already been acquired to support Exceptional Circumstances claims, or for other reasons). **Where it is not possible to provide such evidence, you should provide contextual information, such***

***as correspondence with supervisors, other academic staff or administrators, college and student support staff at the time.***

- *Students have the option of placing their appeal on hold until the conclusion of the Covid-19 outbreak, at which point they can acquire supporting evidence.*

You can upload any supporting evidence you have with your appeal form, and/or submit evidence later.

*If I already have supporting evidence, what should I provide?*

It is not possible to anticipate every circumstance that students may be affected by or every kind of relevant evidence, but broadly speaking, if you are providing evidence in support of your appeal, it should be:

- **Relevant** to the circumstance e.g. bereavement should be supported by a death certificate, illness supported by a letter from a doctor, and crime against you by a police report & incident number.
- **Contemporaneous** with the circumstances, e.g. evidence from a doctor which is either written at the time of your circumstances or which indicates that the doctor saw you at the time of your circumstances.
- **From an official source** such as a hospital, doctor's surgery, therapist, employer.
- **From an independent source** (i.e. not from a relative or a friend). Whilst you can submit evidence from friends or relatives if you wish, this is useful only to provide context, and is not considered to be independent third-party evidence, given the close links between the author of the evidence and you.
- Clear that the circumstances resulted in medical, psychological or other difficulties, which had a **serious impact on your ability to study**. This is most relevant where you cite circumstances which would not normally be accepted, such as a relationship breakdown, or where the circumstances relate to someone else, such as the illness of a relative or friend.

*Evidence of good reason for failure to submit a claim on time*

If you have evidence available to submit with your appeal, it should, if at all possible, demonstrate that you could not have submitted an exceptional circumstances claim at the appropriate time. If the evidence addresses this directly, that is ideal. If not, it may make some reference to your ability to address your academic studies or some other related issue. If in doubt about this, contact [asc@yusu.org](mailto:asc@yusu.org) (for undergraduates) or [advice@yorkgsa.org](mailto:advice@yorkgsa.org) (for postgraduates).

**Where evidence is not available, you must still provide a good explanation as to why you did not use that process.**

If you do not have good reason for failing to submit a claim at the appropriate time, it is highly unlikely that your appeal will be upheld. You may therefore wish to consider whether or not you still wish to continue with the appeal process.

#### *Appealing a decision of an ECC*

If you are appealing the decision of an Exceptional Circumstances Committee, read the [Guidance for appealing an ECC decision](#)

#### *Advice and support*

If you are unsure what evidence **or reasons** might be appropriate you may contact YUSU (undergraduate students) or the GSA (postgraduate students). YUSU can be contacted at [asc@yusu.org](mailto:asc@yusu.org). The GSA can be contacted at [advice@yorkgsa.org](mailto:advice@yorkgsa.org). The Special Cases team can also both be contacted by emailing [appeals@york.ac.uk](mailto:appeals@york.ac.uk).

#### *Evidence about a third party*

If you intend to submit evidence about a third party, e.g. a friend or relative's ill health or personal circumstances, **you must ensure you have their permission to share their data before submitting it as part of your appeal**. We strongly recommend that any evidence you submit is about the impact on you instead - e.g. a GP letter explaining that a relative's ill health caused you health problems. This is because the appeals process is concerned with your own circumstances and how they affect your ability to study.

#### *Submitting your evidence*

To submit evidence, select the appropriate button(s) on the form. A box will open where you can list each item of evidence that you are submitting and when you intend to submit it. If you intend to provide some or all evidence later, explain when you will be providing it in this box. If you intend to provide evidence later, your appeal will be placed on hold whilst we wait for you to provide it.

Do not upload your evidence until you are completely ready to submit your form. If you click "Save and Resume later" any evidence you have uploaded will be deleted.

**It is your responsibility to obtain any evidence you intend to submit – this will not be done for you by the University.**

- You will not be chased for evidence if you fail to provide it;

- If you do not provide evidence with your appeal and do not explain why, your appeal will be rejected. **If you are unable to provide evidence because of Covid-19 you should explain this;**
- Evidence must be submitted in English, or with an official English translation. If you cannot secure a translation within the 28 day appeal deadline, submit the evidence with the appeal and explain that the translation will be submitted by an estimated date.

#### *Further guidance*

Guidance on Submission of Exceptional Circumstances Claims in light of Covid-19 can be found at:

<https://www.york.ac.uk/students/studying/progress/exceptional-circumstances/>

Further guidance on evidence can be found in the University's Exceptional Circumstances Procedures, under section 23.2. The Exceptional Circumstances Procedures can be accessed on the University webpages in the *Guide to Assessment, Standards, Marking and Feedback*, available to view at <http://www.york.ac.uk/about/departments/support-and-admin/registry-services/guide/>

#### **Is your appeal on time?**

If you are submitting your appeal more than 28 days after the decision, you should use this box to explain why.

#### **What remedy are you seeking?**

Use this box to say what you would like the outcome of your appeal to be. You should note that even if your appeal is upheld it will not always be possible to provide you with the outcome you seek.