

Rationale

Following approval by Academic Board on 26th September 2012, the new Extenuating Circumstances Policy came into effect as of the 1st October. Within this revised Policy, a number of limitations are placed on the use of the Extenuating Circumstances process and, in particular section 4.9 of the Policy, makes clear that:

'Where a student encounters medium or long-term disruption to their studies, the student must discuss the matter, and reach an agreement in the form of a **negotiated learning plan**.'

As such, this guidance has been provided for departments on how to implement a negotiated learning plan (NLP). This guidance is largely a formalisation of the custom and practices already in operation within departments, with the intention of drawing this into one document (and providing a pro forma template for recording arrangements) in order to allow for a greater degree of consistency and transparency across the institution. However, as guidelines, each Department will need to discuss and agree implementation arrangements in keeping with their own programme and resourcing requirements.

The information outlined in the following sections, and the attached pro forma for a NLP template, are intended to establish the criteria for implementing a NLP and to provide a resource to enable departments to more easily do this. The intention is to pilot this procedure during 2012-13, with a review undertaken towards the end of the academic year, so as to refine the procedures and the pro forma (if necessary) for use in 2013-14.

For all collaborative partners, the expectation is that the University's procedures will be applied in the same manner. A newsletter is being sent to partners in the next few days which will explain the system to them.

During the initial pilot implementation phase, if departments wish to seek advice on the operation or implementation of the NLP procedure, they are advised to contact the Academic Office of the Registry.

Criteria and Procedures for NLP

Definition of Medium and Long Term:

- **Medium term** is considered to be where the period affected goes beyond one term (or an equivalent 2-3 month period)
- **Long term** is considered to be where the period affected will be 12 months or more
- **NB:** In most cases where the period affected is up to one term, this can be dealt with through the 'more than 14 day' category of the Extenuating Circumstances procedures – although discretion is given to Departments regarding the appropriate route for such students, depending on their knowledge and understanding of a student's circumstances.
- It is possible that the NLP procedures may be appropriate for a period of less than one term, depending on the nature and intensity of the study and associated assessments and the underlying cause (although this route should be used sparingly). In all cases, the criteria set out below should be applied.

Criteria for students being moved into NLP route:

- Where a student has an illness (which is *not* classified as a disability¹) or personal difficulties which they *expect* will impact upon their assessments over a medium or long term period, a NLP, rather than Extenuating Circumstances, is appropriate.
- The NLP route is applicable for students on any taught programme, regardless of level or mode of study.
- Examples of circumstances which might require a NLP include (but are not limited to):

¹ Under Equality Legislation

- Where a student has broken a limb/undergone an operation and will require several months of recovery and rehabilitation
- Where a student has a terminally ill relative or partner (where they are *not* the carer for that person)
- Where a student is involved in a lengthy legal process, such as being a party to litigation, acting as a witness in a trial or going through a difficult divorce
- Where a student has become unexpectedly homeless
- Where a student is undergoing gender re-assignment
- Whilst a student may request a NLP, this must be for an acceptable and appropriate reason; where a Departmental Signatory is unsure whether a student would qualify for a NLP they are advised to contact the Academic Office of the Registry for advice.

Where a NLP is not the appropriate route:

- *Absence from studies where no assessments are affected:* -
 - If a student is informing the University that he/she will be absent for a significant length of time, the appropriate route is either:
 - Complete a 'Leave of Absence' form and submit it to the Director of Student Support and Guidance
 - Consider an interruption from their studies
- *Disability:* -
 - Under Equality legislation, students who identify that they have a disability or are the carer for someone with a disability would be eligible for reasonable adjustments, described in a Learning Support Plan (LSP), rather than a NLP. In such cases departments are advised to contact the University's Disability Advice Team (disability@canterbury.ac.uk) for further information about how to arrange a LSP.
 - If a student already has a LSP in place, but is experiencing additional difficulties not associated specifically with their disability or caring duties, this should be addressed by contacting the Disability Advice Team to revise the student's LSP rather than creating an additional NLP. **NB:** All Programme Directors have access to a shared drive where LSPs are stored which will enable them to check if a LSP already exists for a specific student.
 - If a Department is unsure whether a student should have a LSP or NLP, they should contact the Disability Advice Team for advice.
- *Placements:* -
 - For programmes where professional placements are involved, the appropriate programme procedures should be followed.

Responsibility for identifying students eligible for NLP route:

- The responsibility lies with the student to bring to their Department's attention medium and long term difficulties they believe will affect their studies.
- If a student has submitted an ECRF (or a series of ECRFs) which clearly indicates that the period of time they are referring to is significant, the Department may invite the student to consider whether the NLP route would be more appropriate and make the application.
- **NB:** A NLP is something which can be suggested to a student, but they are not obliged to accept this suggestion.

Who is responsible for creating and implementing a NLP:

- *Who is responsible:* -
 - Each Head of Department should designate a Departmental Signatory responsible for dealing with all NLPs for a department and/ or programme. Whilst not intending to be prescriptive, the University's expectation is that this member of staff will (in most cases) also

be the Extenuating Circumstances Deputy Chair for that programme/pathway/level. This will allow parity of treatment for students across the programme.

- Where the Departmental Signatory is not the Programme Director, the Programme Director must be consulted as part of drawing up the NLP to ensure they are aware of the proposed changes. **NB:** The Programme Director should also be kept updated regarding any revisions subsequently made to a student's NLP.
- It is important to ensure that all departments/programmes have a designated alternate signatory who can act to provide cover during periods of leave or illness.
- Where a student's assessment schedule for the year is to be entirely re-adjusted, Departments may wish to designate a counter-signatory for NLPs (usually the Head of Department or Chair of the relevant Examination Board), to ensure the revised schedule remains in keeping with the Programme requirements.
- A list of all staff acting as NLP Departmental Signatories should be kept within the Department and made accessible to all staff for information.
- Where a student is on a combined honours programme, it is crucial that both Departmental Signatories are involved in the discussion with the student, to ensure parity of treatment across both subject areas.
- Where a student is undertaking a starred module or shared modules this would also require consultation between both Departmental Signatories, but the student's main programme would take responsibility for drawing up and signing off the NLP. **NB:** For students undertaking shared modules, who will act as the primary signatory should be negotiated and agreed between both departments.
- *The Departmental Signatory is responsible for:*
 - Drawing up and signing off the NLP, in consultation with the student.
 - Seeking a counter-signature, as appropriate.
 - Ensuring the NLP is implemented, and for circulating copies of the NLP to the relevant departments within the University.

What can be offered to a student as part of a NLP:

The following would be appropriate to offer a student as part of a NLP, depending on their particular circumstances.

- Staggering of assessment deadlines, within the requirements of the relevant programme framework and academic year (i.e. work must be marked in time for the relevant Examination Board) – which can include:
 - Extensions to be given, as required, throughout the year without recourse to an ECRF. **NB:** Where such extensions are offered, the student should be given clear instructions in the NLP regarding how, and at what point prior to an assessment, they should request such an extension.
 - The development of an alternative schedule of submission at the beginning of the year (or from the point of agreement of a NLP, if later).
 - **NB:** A NLP *cannot*, however, permit coursework extensions that will prevent that work being marked and considered by an Examination Board, and *cannot* extend a student's programme end date without Examination Board approval (and, for cases of programme end date extensions lasting more than 3 months, the Academic Registrar's approval).
- Confirmation that a student is aware of the additional support services available to them (including student support services and/or tutorial sessions), and from where within the University these can be sought. **NB:** Whilst a NLP might advise students to make use of support services, they cannot be *required* to do so, and may choose not to do so.

What cannot be offered to a student through a NLP:

- A NLP is not to be used to vary the *mode* of assessment; this is only an option for students whose disability requires reasonable adjustment to be made, and is dealt with solely through a 'variation of assessment' agreement which forms part of the student's LSP.
- A NLP is not a method by which students can interrupt their studies or change their mode of attendance; this can only be done through completion of a 'Change of Academic Circumstance' form.
- A NLP is not to be used to authorise absences from studies, this should be done through a 'leave of absence' (LoA) form, if the circumstances meet the requirements of the LoA.
- A NLP is not a method by which a student can make special arrangements for coursework or examinations on the basis of disability (e.g. where a student wishes to request additional time in an examination); this can only be done by contacting the Disability Advice Team or the appropriate Registry team directly.

What is expected of a student regarding their NLP:

- That they will provide appropriate professional or independent evidence to support the NLP.
- That they will sign the final NLP and abide by the agreements contained within it.
- That they will engage with any review process, when required.
- That they will notify the Departmental Signatory if, at any point, their circumstances change in a way that will impact upon the arrangements laid out in their NLP.

Procedures for drawing up and signing off a NLP:

- *Drawing up and agreeing a NLP:* -
 - The Departmental Signatory will discuss and agree with the student what support is appropriate in each case. **NB:** In exceptional cases, this discussion might be by phone or email if it is not feasible for the Departmental Signatory and student to meet in person.
 - Any discussions with students about a NLP should be recorded in writing for audit purposes.
 - The Departmental Signatory will consult the Disability Advice Team where necessary during the drawing up of a NLP (e.g. if they wish to check whether a student should have a LSP instead of a NLP or if the student has indicated that student support services might be appropriate).
 - The Departmental Signatory will ensure that where a student has an overseas visa type of 'TIER4' or 'STUOLDIR' (please see appendix for guidance on identifying such students through QLV4), that the UKBA Compliance Office within the Registry is consulted as soon as is possible and in all cases in advance of any agreement to ensure any arrangements, particularly extensions, are in keeping with UK Border Agency regulations.
 - Where a NLP involves the staggering of assessment deadlines, the agreed dates must be clearly set out within the NLP. **NB:** For students on combined honours programmes, this must be agreed in consultation with both departments.
 - Once agreement has been reached about the appropriate arrangements for the student, they should be recorded on a NLP form which should be signed by both the student and Departmental Signatory. **NB:** The NLP can be signed electronically by both parties, where necessary.
 - The end date of the NLP must be stated. This is the date on which the NLP will cease to apply. An NLP may only be extended on the application of the student and a review outlined below is required before any extension is agreed.
- *Who receives a copy of the signed NLP:* -
 - The Department should ensure they retain a copy of the final signed NLP for each student (and the associated evidence from the student), for their record.
 - The Departmental Signatory must ensure that a copy of the final signed NLP is provided to the student.

- The Departmental Signatory will ensure that, where the arrangements set out in section 2a of a NLP will impact upon assessment deadlines, the relevant Examinations and Records team of the Registry is notified.
- The Departmental Signatory will ensure that, where additional support is suggested in section 2b of the NLP, a copy of the signed NLP is forwarded to the Disability Advice Team or, where study support is suggested, to the Learning and Teaching Enhancement Unit from January 2013 onwards.
- *Review of an agreed NLP: -*
 - Each NLP should include a set point at which a review will take place (the minimum being once per academic year), where the student and Departmental Signatory will discuss and assess whether the arrangements within the NLP remain appropriate to their needs. **NB:** If revisions are made to the NLP this should be re-signed by both parties, and copies forwarded to the appropriate Professional Service Departments as required.
 - It is the responsibility of the Department to initiate the review process by contacting the student.
 - Students will be permitted two opportunities to participate in a review of their NLP. However, if on both occasions they fail to engage in such a discussion without explanation, the NLP will become void (and the standard assessment schedule for the programme will be applied), until such time as the student has participated in a review discussion with the Departmental Signatory.
- *Additional information: -*
 - If a NLP is being developed, it may be necessary to support a student who has an upcoming assessment through the Extenuating Circumstances process whilst the NLP is finalised and implemented (as with the current process for LSPs).
 - As the NLP is likely to contain sensitive personal data, it must be stored securely within the Department and access limited to those involved in its implementation (as outlined in section 4 of the NLP).
 - Under the University's Retention regulations, all NLP should be retained for six years after the student has completed their programme of study.
 - As a NLP will result from a negotiation between the Department(s) and student, should this process reach an impasse (for example where an unacceptable reason for NLP is given, insufficient evidence is provided or where the length of extension(s) appropriate or revised submission schedule cannot be agreed upon), the matter should be escalated to the Head of Department for a decision. **NB:** An Academic Appeal would not be appropriate at this point; however, should the student feel (subsequent to receiving an Examination Board decision) that their assessments were affected by a lack of a NLP, they would have the right to appeal under the standard procedures at that point.

Appendix

Locating Visa information

To locate a student's visa type you will need to go ensure that you are in the QL Read Only work group on QLV4. You should then click on the CCCU Specific Details tab



Agresso Students QLV4 LIVE Help | Logout

Student Records Exam Board Options

Student Search
Biographical Details
Contact and Address Details
Area of Study Enrolments
CCCU Specific Details
Qualifications On Entry
Application Details
Student Assessment
Student Notes

Name: Mr Smart Test Dummy DOB: 15/06/1974 Gender: Male Student Status: Overseas Student ID: DUM00851839 [E] Institution ID: ^DMO USE ONLY

Student Identification

Student ID	<input type="text" value="DUM00851839"/>	Initials	<input type="text" value="ST"/>	SSN	<input type="text"/>	
Surname	<input type="text" value="Dummy"/>	Title	<input type="text" value="Mr"/>	UCAS PID	<input type="text"/>	
Forename(s)	<input type="text" value="Smart Test"/>	Gender	<input type="text" value="Male"/>	UCAS ID	<input type="text"/>	
Date of Birth	<input type="text" value="15/06/1974"/>	Postcode	<input type="text" value="CT1 1DA"/>	NMAS ID	<input type="text"/>	
		Institution ID	<input type="text" value="^DMO USE ONLY"/>	GTRR ID	<input type="text"/>	
		Unique Learner Number	<input type="text" value="1234567899"/>			
		Debtor Date	<input type="text"/>			

If a student has an overseas visa type this will be noted here, and it would only be those where this shows as TIER4 or STUOILDIR that are of relevance.

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Student Search
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CCCU Specific Details
Qualifications On Entry
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Student Notes

Name: Mr Smart Test Dummy DOB: 15/06/1974 Gender: Male Student Status: Overseas Student ID: DUM00851839 [E] Institution ID: ^DMO USE ONLY

College Specific Details

Overseas Visa Type	<input type="text" value="TIER4"/>	<input type="text" value="Tier 4"/>
Qualification Check	<input type="text"/>	<input type="text"/>
Interruption	<input type="text"/>	
Other Institution Id	<input type="text"/>	