

Annex E Assessment support package

Introduction

1. This annex replaces and subsumes *Annex E: Consideration of mitigating circumstances by examiners* and is to be used by final exam boards considering results in Hilary and Trinity term 2021.
2. This annex applies to First and Second Public Examinations (including formal parts within the Second Public Examination), Postgraduate Taught University Examinations (including qualifying examinations), and undergraduate summative assessment that contributes to an award-bearing course in the Department for Continuing Education, taken in Hilary and Trinity terms 2021 only.
3. Any final paper level marks from prior Parts of Second Publication Examinations should remain as they were finalised as well as paper level marks that have already been finalised at an interim exam board (see *EAF 4.3*). They should not be adjusted using the cohort level MCE and marks safeguard. They can, as normal, be considered as part of individual mitigating circumstances applications.
4. This annex is organised into two parts: the policy context for each measure and guidance on the operation of the exam board.

Part A: Policy context

Statements for submitted work

5. To account for the potential impact on submitted work of candidates being unable to return to Oxford to access in-person library provision or to undertake key activities such as field work, participant research or access to archives as a result of pandemic restrictions, candidates will be allowed to attach a statement detailing the impact of such disruption for some items of submitted work. This is in order to have that disruption taken into account during the marking process.
6. Statements can only address disruption to the research process and cannot be used to account for any other circumstances that have affected a candidates' work such as illness or personal circumstances. These should be addressed through the MCE process.
7. All exam boards with submission deadlines in Hilary and Trinity term 2021 will:
 - decide for which submissions they wish candidates to be able to attach a submission statement;
 - decide whether that statement will be solely completed by the candidate or will include a statement from the supervisor; and then
 - communicate with candidates about the new process and provide them with a template to complete;
 - communicate with assessors and examiners how to take statements into account and keep appropriate records in the marking process.
8. Statements should be kept with submitted work and retained according to the normal records retention schedule. All markers must record on the comment sheet how the statement has been taken into account and whether and how it has affected the mark given.

9. Below are examples of guidance to candidates and to assessors and examiners. These should be adapted as appropriate.

10. Example of guidance to candidates:

If you were unable to complete your references because you lost access to library resources in Oxford, you must still indicate passages which require a reference (according to the relevant referencing guidelines), and you should fill in as much information as you can. But you will not be penalized for the omission of specific referencing information, such as page-numbers, which resulted from loss of library access.

If you have been unable to access material which you had planned to consult for your submission, you may include a short statement with your essay on the form provided (maximum 200 words). This should explain as precisely as possible what material you were unable to consult or re-read, and what effect this has had on the work you have submitted.

11. Example of guidance to assessors and examiners:

Markers should not penalize missing or incomplete references to material which is difficult to access – especially that which only exists in hard-copy – arising from candidates' lack of access to hard-copy resources. Markers will be able to judge, however, where candidates have failed either to indicate passages which should have required a reference (according to the referencing guidelines), or to reference material that is more easily available (for example material they could have been expected to find remotely).

Where candidates have submitted a statement explaining how lack of access to libraries has resulted in them being unable to read or check particular material in the later stages of their preparation, assessors should take this into account in marking the essay. You must record the following on your comment-sheets: what it is that the candidate was unable to do as a result of losing access to material; how you have taken the statement into account; and whether and how it has affected your mark.

Disruption affecting a group or cohort of candidates

12. Disruption to teaching, learning and assessment could affect a whole group or cohort of candidates. The candidates could be all candidates taking a particular assessment (who may or may not all be on the same course) or could be a whole course cohort. The disruption is likely to affect all candidates in the group, although candidates may experience different impacts as a result of the disruption.
13. Disruption that could affect a group of candidates will fall into one of the following two categories:
- *disruption to the examination or the examination process* e.g. pigeons, bells, building work or errors in papers
 - *disruption to teaching and learning* e.g. pandemic, industrial action, issues with buildings or facilities, issues with staffing etc.

14. Under the *Examination Regulations*¹ examiners are not normally able to take into account circumstances not related to the examination when adjudicating on the merits of candidates, as set out in section 16.1:

No examiner adjudicating on the merits of any candidate shall take account of any circumstances, not forming part of, or directly resulting from, the examination itself, except as provided in Parts 12 [*exam adjustments*] or 13 [*mitigating circumstances*] of these regulations.

15. It is important that examiners only consider circumstances that have been officially notified to them. This is to ensure that candidates' personal circumstances that are known to the examiner, or other information about the course, do not influence the independence of the decision-making process.
16. This process allows examiners to take into account matters of disruption to the examination process (which could be considered as 'directly resulting from, the examination itself') but also matters related to teaching and learning that are out of scope of the current provisions in regulation.
17. The pre-board process in relation to disruptions to the examination process will be as follows:²
- For disruptions to the examination process the Proctors Office should be notified promptly after the examination as to the nature of the disruption, the duration of the disruption and who was impacted. This notification can be from the Examination School, a College or a candidate directly.
 - Once notified the Proctors Office will then provide the relevant information to the Chair of Examiners and instruct them to consider the impact under the group MCE process.
 - The Chair of Examiners should issue a circular to the candidate cohort and advise them that the impact has been recorded and will be considered in due course at the Board meeting.
 - At this time the Chair should also encourage any candidate who believes they were unduly impacted beyond the rest of the cohort to detail this through the individual MCE process.
18. For disruptions to teaching and learning – such as a result of industrial action or a pandemic – the department should ensure that exam boards are notified at a high level of the overall status of disruption and any mitigation that has been put in place that relate to the papers for which the exam board is responsible. This should focus on any elements of teaching and learning that have not been able to be delivered at all or only partially (in the original form or an acceptable alternative).

Marks safeguard

19. Beyond accommodations that can be made for individual candidates through the normal MCE process, and for groups of candidates through the cohort wide process, given the challenging circumstances many candidates have experienced in relation to their learning environment Taught Degrees Panel has agreed that an overall safeguard should operate in relation to paper-level marks to ensure that candidates sitting

¹ [2019-20, Regulations for the Conduct of University Examinations: Part 16 Marking and Assessment \(ox.ac.uk\)](https://www.ox.ac.uk/2019-20-regulations-for-the-conduct-of-university-examinations-part-16-marking-and-assessment)

² This is based on existing custom and practice within the Proctors Office.

University Examinations this year should not be disadvantaged in comparison to prior cohorts. This operates as a lower (and upper) threshold for deviation from the median. It is not intended that this threshold will need to be applied to most papers, but it acts as a backstop should marks be affected in ways that we cannot predict by the pandemic.

Outcomes safeguard

20. The final safeguard in place operates at the overall outcome level and is designed to ensure that final outcomes this year are in line with what might be expected based on the performance of prior cohorts. It is also expected to only need to be utilised rarely and examiners are encouraged to use their academic judgement to decide whether or not it should be applied in reference to the guidance thresholds provided. It is intended to provide both reassurance to candidates that their results will not be out of line with their predecessors whilst also fulfilling the University's obligation to ensure that academic standards are maintained over time.

Enhanced mitigating circumstances

21. The core of the individual MCE process remains unchanged for HT21 and TT21. However there are a number of enhancements in place:
- Candidates will be able to initiate and submit an MCE directly (to be in place from TT21)
 - A 'student impact statement' template to support candidates completing their MCE and encouraging (but not requiring) them to make one main application
 - A revised deadline for candidate submission (within three days of the last exam/submission deadline)
 - Reintroduction (in comparison with TT20) of the banding process, although amended to not require the panel to consider strength of evidence.
 - Reorganisation of the guidance on actions that can be taken as a result of individual MCEs (no new content)
 - Enhanced guidance for exam boards on how to consider disruption to a group or cohort and what actions can be taken
 - Guidance on the consideration of MCEs in relation to exam responses uploaded late

Regulations

22. There are two applicable sections of the University's *Examination Regulations*.
- **Part 13 Mitigating Circumstances: Notices to Examiners** relates to unforeseen circumstances which may have an impact on a candidate's performance.³
 - **Part 12 Candidates with Special Examination Needs** relates to candidates with some form of disability.⁴

Procedure for notifying examiners

23. Candidates can notify the examiners of mitigating circumstances due to the impact of any of the following on their performance in assessment:

³ [Regulations for the Conduct of University Examinations, Part 13 Mitigating circumstances: Notices to Examiners](#)

⁴ [Regulations for the Conduct of University Examinations; Part 12 Candidates with Special Examination Needs](#)

- circumstances with personal impact related to Covid-19 including illness, self-isolation, lack of study space, inability to access teaching and learning, additional caring responsibilities etc.
 - sudden illness or accidental injury
 - more long-standing conditions which may or may not have resulted in alternative examination arrangements under Part 12 (see paragraph 24 below)
 - bereavement (usually the death of a close relative/significant other)
 - significant adverse personal/family circumstances
 - other serious circumstances (e.g. the impact of a crime).
24. Candidates who have in place exam adjustment under Part 12/major adjustments to assessment, but who believe that those arrangements may not be sufficient to fully mitigate the impact of disability on their performance, either due to the nature of the disability, or as a result of a fluctuating condition, can use the mitigating circumstances notice to examiners procedure to make examiners aware of this. Candidates with exam adjustments under Part 12 will not be considered under the mitigating circumstances process if they do not submit an MCE.
25. A mitigating circumstances notice to examiners (MCE) should be submitted by the candidate (from TT21), or the college⁵ on behalf of the candidate. Guidance is provided for candidates including a template 'impact statement'.⁶ They may also seek support from college staff. The college may, but is not required to, include a college statement as part of the notice to examiners. Notices should be submitted through student self-service/eVision.
26. Candidates should provide a detailed statement explaining the ways in which their circumstances affected their preparation for or performance in assessment. The candidate's statement is a form of evidence and further independent evidence is not required for an MCE to be considered but can be provided if available to add further information.
27. Independent evidence may be medical evidence provided by a doctor, supporting statements from other professionals (counsellors, chaplain, tutors, college staff, solicitor etc.), or other documentary evidence (travel schedules, funeral programme, police report, relevant emails etc.).
28. A University medical certificate template and guidance for medical practitioners is available for use as supporting evidence for MCEs.⁷ Medical certificates supplied electronically will be accepted where the receiving officer is satisfied that the e-mail address from which the certificate is sent is a genuine UK NHS medical practitioner's or practice / hospital account (e.g. doctor.name@trust.nhs.uk or equivalent).
29. In the case of MCEs submitted in relation to exam adjustments/major adjustments to assessment which the candidate believes did not fully mitigate the impact of disability on their performance the notification of approved adjustments should be included, e.g. extra time, rest breaks, not taking exams in the morning, an amanuensis, etc. and the candidate should explain why the adjustments have not been sufficient.

⁵ For college in this paragraph read department for non-matriculated students.

⁶ <https://www.ox.ac.uk/candidates/academic/exams/problems-completing-your-assessment>

⁷ <https://academic.admin.ox.ac.uk/medical-evidences-and-certificates>

30. The MCE process should not be used to make complaints about the conduct of examinations, and any such complaints should be referred to the Proctors for consideration (see section 15 of the *EAF*).

Timing of mitigating circumstances notices

31. MCEs can be submitted at any time and candidates should submit them as soon as they are able after the circumstances that have affected performance have occurred. MCEs **must be submitted no later than three days after the last written examination or submission deadline**, whichever is later (e.g. if the last exam is on the 5 June, the notice should be submitted by the end of the working day on the 8 June). This late deadline is to allow for cases of acute illness or similar during the examination period itself, and submission of notices should not be delayed unnecessarily until this deadline if it is possible to submit them earlier.
32. MCEs are forwarded to the chair of examiners if they are received before the deadline. Notices received after this deadline will be considered by the Proctors, and will only be passed on to examiners if received within **three months** of the publication of results **and** if one of the following criteria is met:
- The candidate's condition is such as to prevent them from making an earlier submission;
 - The candidate's condition is not known or diagnosed until after the final meeting of the examiners;
 - There has been a procedural error (beyond the candidate's control) that has prevented the candidate's information from being submitted.

Any applications received after three months of the results being released will be considered as out of time.

33. If the Proctors decide not to pass on an MCE to examiners, the regulations require them to give their reasons for their decision. A candidate or their college may appeal against a decision of this kind under the regulations governing appeals.⁸

Part B

Order of consideration

- i. By a Mitigating Circumstances Panel for individual MCEs to band the serious of each notice.
- ii. By the exam board of:
 - a. Disruption affecting a group or cohort of candidates
 - b. Consideration of the marks level safeguard
 - c. Any adjustments on the basis of individual MCEs
 - d. Any MCEs received in relation to late submission of exam responses
 - e. Consideration of the overall profile of outcomes and the outcomes level safeguard.

Consideration by a Mitigating Circumstances Panel [i]

34. A subset of the board (the 'Mitigating Circumstances Panel') should meet to discuss the individual notices to examiners. Except for very small examination boards, the Panel

⁸ [Regulations for the Conduct of University Examinations, Part 18 Appeals Against Decisions of the Proctors and Examiners](#)

should consist of a minimum of three members. In smaller departments, the entire exam board may need to act as the Panel. The Panel should band the seriousness of each notice to examiners on a scale of 1-3, with 1 meaning that the evidence indicates that the mitigating circumstances would have had a minor impact on the candidate's performance, 2 indicating moderate impact, and 3 indicating very serious impact.

35. The **requirement to consider the strength of the evidence provided in support has been removed for HT and TT 21** to acknowledge the difficulties faced by many candidates in obtaining independent evidence of their circumstances. Candidates are able to provide evidence where available.
36. The Mitigating Circumstances Panel should not consider examination scripts/submissions or marks, but should only consider the mitigating circumstances notices, i.e. it should consider the evidence regarding the mitigating circumstances rather than its impact on the actual work submitted. The role of the Panel is to evaluate, on the basis of the information provided to it, the relevance of the circumstances to examinations and assessment.
37. The Board of Examiners will separately consider whether and how to adjust a candidate's results as a result of the mitigating circumstances, taking into account both the Panel's banding of the seriousness of the notice, and the scripts/submissions and marks.
38. When making its decision on the seriousness of each notice to examiners, the Panel should consider the circumstances and their **relevance** to examinations/assessment:
 - the types of circumstances which are likely to be covered in mitigating circumstances notices to examiners are covered in paragraph 23 above.
 - in the case of health issues or bereavement, it may be helpful to consider whether the circumstances would have resulted in sick or compassionate leave in an employment context.
 - that relatively minor illnesses, which might have resulted in one day's absence in an employment context (e.g. a migraine), could be judged as being likely to have had a very serious impact on a candidate's performance (band 3) for an examination taking place on the day of the illness.
 - any evidence provided on how the impact of the circumstances has already been mitigated should be taken into account (e.g. if an extension has already been granted for a submission).
 - for candidates with exam adjustments or major adjustments to assessment (see paragraph 24) banding should take into account the information provided that existing accommodations have not fully mitigated the impact of the disability or illness. This might be the case if the candidate has:
 - a very serious disability/long-term health condition which is difficult to fully adjust for
 - if they have a fluctuating condition and were particularly affected during the examination/assessment period
 - if an examination adjustment itself has had an adverse impact on the candidate's performance (examples might include the fatigue caused by taking examinations with extra time; the experience of lengthy extended supervision; and frequent interruptions due to the need to take rest breaks).

- how the timing of the circumstances relates to the examination period/deadline for submission, including to the preparation period for the assessment, and whether it is reasonable to conclude that the circumstances described would be likely to have an impact on a candidate's performance.
- whether all or a subset of papers appear likely to have been affected, based on the evidence provided regarding the timing (since it is possible for circumstances to have different levels of impact on different papers).

Consideration of disruption affecting a group or cohort of candidates [ii(a)]

39. When the exam board meets, they will first need to consider any information received about group/cohort disruption, before consideration of any individual MCEs. The group consideration should be done at a paper by paper level through a three stage decision making process (stage 1 and stage 3 parallel the two stage process for individual MCEs):

- Assess the information provided in relation to the group disruption of teaching and learning and/or disruption of an exam, this could include:
 - Did the disruption compromise the assessment in its entirety or only partly?
 - How significant was the impact on the candidates' ability to prepare for/complete assessment?
- Assessing mitigation – what has already been done to reduce/eliminate the impact? Does the mitigation neutralise the impact fully or partially?
- What (if any) action can be taken to address any residual impact? (these parallel the three outcomes from the individual MCE process):

a) Disregarding a paper

This is the action to remove a paper or papers from consideration entirely and classify on a reduced set. This should only be undertaken if the residual impact is felt to be very severe and that the disruption compromised the paper in its entirety. This action should normally be taken in advance and agreed as part of any revisions to assessment and examination conventions in response to disruption.

b) Finalising the mark for a paper taking into account all available material

This action allows examiners to potentially disregard elements of a paper (e.g. a particular question), as can be necessary, for example:

- where there is an error in the exam
- where elements were not taught
- where elements could not be completed or not completed to the normal expected standard (such as due to interrupted lab work or library access)
- by modifying assessment criteria to reflect what has been taught (this should, wherever possible, have been done proactively but can be done during the examining process if needed).

c) Reviewing the overall mark profile for the paper

Examiners can compare the overall mark profile for the paper and if significantly out of line with previous years use scaling to adjust the profile (see also the marks safeguard).

40. The Exam Board should record stages i to iii within the Board minutes. This may be as a narrative description or in tabular format similar to that suggested for recording individual MCE actions and decisions.

Consideration of the marks safeguard [ii(b)]

41. Once the paper level marks have been considered, and any adjustment made to account for known disruption at the group or cohort level and any scaling undertaken through the normal provisions of the examination conventions, examiners should consider whether the final profile of marks is in line with that expected for the paper. This consideration should be applied to all submitted and written papers (excluding performance and practical papers).
42. Examiners should review the marks in relation to a reference value achieved by averaging the marks from the previous three pre-pandemic years for that paper (results from 2017, 2018 and 2019) to identify the median⁹ mark for that period. This should be compared to the median mark for 2021 results.
43. Where the 2021 median is 3¹⁰ or more marks above or below the reference median, marks **must** be scaled to bring them within 1 or 2 marks of the reference value (e.g. if the median is 60 and the reference median is 65, marks should be adjusted to give a median of 64 or 63). Whether scaling to within 1 or 2 marks should be undertaken should be based on academic judgement, taking into account the normal range of variance from the median for that paper and across papers. (NB: the 3-mark limit is based on modelling that shows that shifts larger than this can result in very large swings in the overall class distribution.)
44. Where the median is less than 3 marks above or below the reference value, marks **may** be scaled to bring the median to within 1 mark of the reference value if the examiners consider this necessary to generate a reasonable distribution of marks.
45. Exam boards should seek to act consistently for the papers within their responsibility.
46. Scaling should take the form of simple addition or subtraction – a fixed number of marks added or deducted from the final mark of all candidates; as long as no scaled marks are greater than the total marks available for the paper or less than 0.
47. For small cohorts or new papers where previous results are not available examiners should consider whether the profile of results is in line with their expectations and apply scaling using their discretion. Exam boards should carefully record their consideration of the marks safeguard in their minutes, and if it was applied record how and why.

Consideration of any adjustments in relation to individual MCEs [ii(c)]

48. Once any adjustments have been made at the group level the exam board should consider the ratings for individual MCEs and make any further adjustments if appropriate. The banding information agreed by the Mitigating Circumstances Panel should be used at the final board of examiners meeting to decide whether and how to adjust a candidate's results. The board of examiners should take into account both the banding information and the scripts/submissions and marks. Where the exam board

⁹ The median is the middle of a ranked set of marks. For example, given the marks 55, 60, 65, 70, 85, the median is 65 (whereas the mean is 67). The median is preferred to the mean as it is less affected by extreme high or low marks than the mean.

¹⁰ For subjects operating decimal marking this can be read as 2.1

decides that the mitigations taken as a result of consideration of group-wide disruption are sufficient and no further adjustment is required, this should be recorded.

49. When deciding what action to take from an MCE, examiners may wish to consider one of the following. Examiners are not required to take the possible actions suggested below, but are always expected to consider very carefully the circumstances that affected the candidate's performance on the relevant examination/assessment dates and/or in the preparation period, and to determine whether those circumstances are likely to have affected the candidate's results to the extent that any adjustment should be made.

Actions	Guidance
A. Disregarding a paper or papers and finalising results on the basis of the remaining work	This is most likely to be appropriate in cases of acute illness, where it is clear that performance in a particular paper affected by that illness is weaker than other papers. It is likely that it will normally be appropriate to allow only one paper to be disregarded while still allowing results to be finalised on the basis of the remaining material, although exceptionally it may be appropriate to disregard more than one paper. Where a paper is disregarded, its mark should be reported as 'no result expected' rather than as zero.
B. Finalising the mark for a paper or papers taking into account all available material	<p>This could mean finalising a mark for a paper on the basis of the number of questions actually completed rather than the number of questions required, where there is evidence that a particular paper was affected. It is likely that this will be appropriate for papers where at least half of the questions have been completed. Examiners should not otherwise change the mark for an individual paper</p> <p>If action C has been taken and progression/classification threshold requirements have been extended or reduced, and examiners consider that it is not appropriate for the mark for an individual paper to appear on the candidate's transcript, the examiners should report the mark as 'no result expected'.</p>
C. Reviewing the classification/overall outcome requirements (giving particular consideration to candidates who are just below boundaries for classification or progression)	<p>Where there is evidence that a candidate's performance has been affected over one or more papers and this leaves them just below a classification or progression boundary, examiners may consider whether they should be awarded the higher classification, or allowed to progress (e.g. permitted to progress to the FHS, or to the final Part of a multi-part honours school, despite not having met the usual threshold for doing so).</p> <p>This may include extending the threshold usually used for consideration of boundary cases, or reducing the requirements for progression or for classification in the higher band.</p> <p>This should not be considered if individual adjustments to papers have already been applied (such as those under A and B above), to avoid double compensation.</p>
D. Removing any cap on resit marks	Where a candidate has submitted evidence that they were significantly affected for an assessment or assessments but the examiners do not consider it appropriate to give the assessment a passing mark (or to disregard the assessment), and the resit attempt would ordinarily be capped, the examiners may recommend to the resit board that the resit attempt should not be capped.
E. Passing the notice to the examiners of the	For early parts of multi-part exams, and exams which release final marks throughout the course, the mitigating circumstances notice must be passed to the final exam board which will make the final classification

final results/ classification meeting	<p>decision, so that the board can consider whether the final classification should be affected. However, this should not preclude examiners for the earlier parts from also considering notices if this is felt appropriate, e.g. to determine eligibility for progression.</p> <p>If a candidate's circumstances are considered more than once (e.g. at the meeting for an earlier part and at the final meeting), this should be recorded, with the decisions made at the different stages made clear.</p> <p>A confidential record of previously submitted medical evidence will need to be kept, including any action taken, e.g. on a password-protected spreadsheet, for use in the final classification meeting.¹¹</p>
F. Recommendation to Education Committee (including for an exceptional third attempt)	<p>In circumstances where there has clearly been serious impact on a candidate but there is no action which the examiners can take, they may wish to consider whether to recommend that an application is made to Education Committee for appropriate dispensation with regard to resit entitlement. For example:</p> <ul style="list-style-type: none"> examiners are not able to decide that an attempt should be set aside, but in some circumstances an exam board may be sympathetic to a candidate being given an exceptional third attempt at an assessment. examiners may wish to recommend that a reduced schedule of re-assessment is appropriate given the candidate's circumstances <p>In such cases, the exam board should not contact the candidate's college but should contact the Proctors' Office who will pass the information on and advise on the possibility of an application to Education Committee. This maintains the integrity of the examination. Examiners should also note the option, under action D, of recommending to a resit board that the resit attempt should not be capped.</p>

50. Examiners may determine that there is no appropriate action which they can take from the options above, and therefore for no adjustment to be made, irrespective of the banding of the notice. The banding information will reflect the relevance of the circumstances to examinations and not whether an adjustment can or should be made.

51. Examiners should note that it is possible to review the banding information provided and decide to take action if, on consideration of both this information and the candidate's marks, it appears that the original band does not reflect the impact on the candidate and is more supportive of action being taken than the banding would imply. This is likely to be appropriate if the original banding information reflects minor impact, but performance in a particular paper is demonstrably weaker than others, and the evidence shows that this paper was affected by the mitigating circumstances described.

52. When considering the impact of a disability upon a candidate's assessment, it is appropriate to bear in mind the relevant equality law. For candidates who submitted an MCE having already been granted alternative arrangements/major adjustments for disability, examiners should be aware of *Annex F: Major adjustments to course and assessment requirements* and *Annex I: Examination adjustments*. Universities are obliged under the Equality Act 2010 to provide reasonable adjustments for disabled

¹¹ Under the terms of the General Data Protection Regulation/Data Protection Act 2018, sensitive personal information must be kept securely and accessed only on a 'need-to-know' basis. Adequate security measures must be observed, e.g. the information must not be copied to laptops or memory sticks and taken off the premises (c.f. the University's Policy on Data Protection at <https://compliance.admin.ox.ac.uk/data-protection-policy>).

candidates. The only exception to this is in the application of a competence standard. However, there are limitations on what may fairly be judged to be a competence standard and in nearly all cases reasonable adjustments must be made to the way in which the standard is assessed (also see *Annex D: Competence standards* for further details).

53. If the candidate has missed any written examinations, the chair should ensure either that authorisation has been received from the Proctors to finalise results on the remainder of their work (if considered to be of sufficient merit, or examine the candidate at another place or time if not) or that notification has been received that no such authorisation will be given.

Consideration of MCEs in relation to late submission of exam response [ii(d)]

54. Candidates undertaking handwritten or mixed mode online open-book exams who experience technical difficulties and are unable to upload their exam response within their exam duration are instructed to submit an MCE for the exam board to consider in relation to whether to waive the late penalty (see section 9.6 of the *EAF*).
55. Candidates are expected to make contact with the Help Desk as soon as they experience difficulties. If their problem cannot be resolved, or if it past the end of the exam duration (including technical time) they will have been instructed to email their exam response so that it can be passed on for marking. Any responses submitted during the technical time or five minute grace period should not have any late penalty applied. The board only needs to consider those submitted after five minutes beyond the exam duration (including technical time) and for which no other explanation (e.g. approved exam adjustments) for the late submission are obvious.
56. In considering an MCE submitted in relation to late submission of an exam response the board may in particular wish to consider:
- whether the student contacted the Help Desk prior to the end of their exam duration to report their difficulties.
 - how long after the end of the exam duration was the exam response provided by email.
57. If there was a delay in contacting the Help Desk or in providing the exam response the exam board should consider if this delay is justified based on the information provided in the MCE.
58. Any late submission of an exam response for which no MCE is received should be recorded as a fail.

Consideration of the outcomes safeguard [ii(e)]

59. Once any adjustments have been made to paper level marks, and any adjustments made for individual candidates as a result of the MCE process, the examiners should review the overall profile of final outcomes in reference to the distribution of results in the previous pre-pandemic years (results from 2017, 2018 and 2019 and the three-year mean¹² of those years):

¹² The mean, or arithmetic mean, is calculated by adding all of the values together, then dividing by the number of values. For example, the sum of marks 55, 60, 65, and 70 is 250. Dividing this by 4 (the number of values) gives the mean of 62.5.

- For FPE examiners should in particular review the proportion of fails.
 - For undergraduate certificates and diplomas examiners should review the overall distribution of outcomes.
 - For FHS examiners should in particular review the proportion of 1st class degrees awarded
 - For PGT examiners should in particular review the proportion of distinctions awarded.
60. Where exam boards identify that the 2021 results are out of line with the three-year mean in relation to the thresholds in paragraph 14 below, they **may** adjust the overall distribution of results by adjusting classification boundaries. The exact method used will vary according to the classification rules in place in the subject.
61. For FHS and PGT University Examinations:
- the proportion of 1st class degrees/distinctions awarded should not be lower than the three-year mean. Exam boards should consider taking action to bring the proportion of 1sts as close as possible to the three-year mean.
 - the proportion of 1st class degrees/distinctions awarded should not be greater than 5 percentage points above the three-year mean. (e.g. if the three-year mean is to award 30% 1sts, the proportion this year should not be greater than 35%.) Exam boards should consider taking action to bring the mean as close as possible to within 5 percentage points above the three-year mean.
62. Exact thresholds are difficult to operate for small cohorts (approximately less than 30 for UG, less than 20 for PGT) or new programmes. Small programmes are more likely to experience greater year to year swings in the proportion of firsts/distinctions awarded and will be less able to calculate a meaningful average. Benchmarking results against the mean of previous years is therefore not a sufficiently robust approach, and these thresholds are intended as a guide. Exam boards must use their judgement as to whether the class distribution is acceptable. However, they should explicitly compare with the lowest proportion of Firsts in the previous three years as part of this assessment. Where possible within the constraints of the timetable, this judgement should be informed by comparison with the grade profiles of closely related subjects.
63. For undergraduate certificates and diplomas exam boards may wish to review a range of measures in assessing whether any adjustment should be made including the overall pattern of distribution of results over the three most recent sets of results (excluding any finalised in 2020) as well as the mean. Exam boards must use their judgement as to whether the outcome distribution is acceptable and may also have regard for the advice in paragraph 62 above in relation to small cohorts or new programmes.
64. For FPE and other formal progression points within FHS, undergraduate certificates and diplomas, and PGT University Examinations:
- Exam boards should consider potential fails/failure to reach the relevant progression threshold particularly carefully, and may exercise discretion to pass candidates whose marks are close to the borderline, particularly if the number of fails would otherwise be larger than in the three reference years. This should be applied consistently across the whole cohort i.e. lowering the pass mark for all candidates.
65. Education Committee has dispensed from the requirement¹³ that candidates who fail the FPE at the first attempt should have to resit all papers if they fail the majority (exact

¹³ [Examination Regulations, General Regulations for the First and Second Public Examination 3.16](#)

provisions vary according to special regulations). Candidates who fail FPE at the first attempt in 2020-21 will only have to resit papers they have failed.

Record-keeping

66. A formal record should be kept of the exam board's consideration of any cohort wide actions taken (paragraph 40). This should be captured in the minutes under a separate section. In addition to this the exam board's consideration of a candidate's MCE and any actions taken should be recorded.
67. For both the cohort-wide action and the individual circumstances actions exam board should confirm that (a) information about mitigating circumstances has been considered by the examiners, (b) how that information has been considered (i.e. the information that has been taken into account, and the conclusions that have been drawn from that information), and (c) the outcome of the consideration with the reasons for the decisions reached. This should be available as general minutes for the cohort-wide actions (although other formats can be used) and as a table for the self-assessment actions in the minutes of the examiners' proceedings. Exam boards should record this information either on the pro formas available at the end of this annex or in a spreadsheet.
68. The outcome should be entered onto eVision¹⁴ for publication to candidates with results via Candidate Self Service.
69. The mitigating circumstances notice to examiners (MCE) procedure should be part of the information published for candidates in the published examination conventions, and should be clearly communicated to them. It should allow appropriate involvement by the external examiner(s) who should be in a position to certify the fairness of the procedure followed.

¹⁴ Further guidance on recording the outcome on eVision is available at <https://examshandbook.admin.ox.ac.uk/home>