

# NATIONAL EXAMINING BOARD FOR DENTAL NURSES

## EXCEPTIONAL MITIGATING CIRCUMSTANCES (EMC) POLICY

### Introduction

This policy applies to any candidate registered with NEBDN.

The intention of this policy is to give special consideration to candidates who may be disadvantaged in their examination due to circumstances beyond their control, but without affecting the integrity of the examination.

### Circumstances relating to Disability, Learning Difficulties, known Medical Conditions

Where a candidate requires reasonable adjustments to be made to their examination due to a disability or learning difficulty, or where a candidate wishes to inform us of a known medical condition, this policy does not apply. In these circumstances, the candidate is referred to the NEBDN Access Arrangements and Reasonable Adjustments Policy.

### Circumstances relating to Complaints against a Course Provider

Where a candidate believes they are disadvantaged due to an issue relating to their Course Provider, this policy does not apply. In these circumstances, the candidate should follow the Course Provider's Complaints Policy. If the complaint remains unresolved, the candidate is referred to the NEBDN Quality Assurance Complaints Policy.

### Circumstances relating to the Conduct of an Examination

Where a candidate believes they are disadvantaged due to an issue relating to the conduct of their examination, this policy may not apply. In these circumstances, the candidate is referred to the NEBDN Complaints Policy - in particular, the section on '*Complaints about the Conduct of an Examination*'.

### **What is an 'exceptional mitigating circumstance'?**

An 'exceptional mitigating circumstance' or 'EMC' is something which a candidate could not have been expected to know about or plan for in advance but that may, or has, put the candidate at a disadvantage in regard to their examination.

There are some circumstances which are not covered by this policy and these are explained under '*Introduction*'.

It is impossible to provide a definitive list of all exceptional circumstances in which a candidate may find themselves in the lead up to, or during, an examination. Each EMC application must therefore be considered on a case-by-case basis.

## Valid Circumstances

It is impossible to list all eventualities but these are some examples of events or circumstances which may be considered valid under this policy:

- Recent bereavement;
- Recent and unexpected temporary illness;
- Recent diagnosis of a chronic medical condition;
- Unexpected illness on the day of the examination;
- Being the recent victim of a crime;
- Accidents or emergencies.

## Invalid Circumstances

Circumstances which cannot be considered will generally relate to things which are not 'exceptional' or a candidate could have planned for, or situations which arise through their own negligence or carelessness. Examples of this are:

- Not having acceptable photographic ID on the day of their examination;
- Forgetting to take their candidate notice to the examination centre;
- Going to the wrong exam centre or turning up on the wrong day for an exam;
- Missing a train or bus;
- Being on holiday on the date of their examination;
- A wedding or other such event is scheduled for the date of their examination;
- Normal pregnancy;
- Childcare arrangements;
- House moves;
- Work commitments;
- Everyday illnesses such as colds and headaches, unless unusually severe;
- English is not the first language.

## What we can do

NEBDN aims to ensure that special consideration is given to candidates who are eligible to apply for EMC under this policy, without compromising the assessment of the skills, knowledge, understanding or competence being measured. We will seek to provide the most appropriate way for the candidate to recoup their position.

Every EMC application will be considered on a case-by-case basis.

Where an EMC application is approved, special consideration may result in, but is not limited to, one or more of the following:

- an extension granted (for example, to a closing date);
- an additional re-sit opportunity granted without penalty;
- financial recompense (for example, a fee reduction or a fee waiver).

It is important to note that **not all the outcomes listed will be reasonable, permissible or practical** in certain situations or for every NEBDN examination. In

particular, marks and/or examination results will not be changed on the basis of an EMC application.

There are two routes for EMC applications:

- in the lead up to an examination;
- after an examination.

#### EMC Applications in the lead up to an examination

For example:

Due to unplanned and exceptional circumstances beyond their control, a candidate is finding it difficult to fulfill the exam entry criteria in time for the NEBDN exam entry application closing date. They feel they would be disadvantaged because they will miss the closing date and the candidate asks for special consideration by submitting an EMC application before the closing date.

If the application is approved, an extension may be granted which permits the candidate's exam entry application to be submitted one week late.

#### EMC Applications **after** an examination

For example:

Due to unexpected and exceptional personal circumstances beyond their control on the day of their exam, a candidate was unable to attend for their exam. Candidates who do not attend for their exam face having to pay the full exam fee in order to enter next time and the candidate feels disadvantaged through no fault of their own. They ask for special consideration by submitting an EMC application within 5 working days of the examination date.

If the application is approved, the candidate may be granted a fee reduction.

### **Limitations**

Whilst NEBDN will endeavour to give special consideration to candidates who are disadvantaged under this policy, we will not make any consideration if it involves unreasonable costs to NEBDN, unreasonable timeframes or affects the security or integrity of the examination. This is because the consideration would not be reasonable.

Whilst NEBDN aims to ensure that special consideration is given to candidates who are eligible to apply for EMC under this policy, we cannot compromise the assessment of the skills, knowledge, understanding or competence being measured.

Irrespective of the circumstances, the candidate will be required to demonstrate that they have met the 'competence standard'. Neither marks nor results will be changed on the basis of an EMC application.

## Explanation of 'Competence Standard'

Where an assessment requires a competence, criterion or standard to be met fully, it may not be possible to apply special consideration.

A competence standard is defined as an academic, medical or other standard applied for the purpose of determining whether or not a person has a particular level of competence or ability.

Special considerations for qualifications that carry a 'licence to practise' need to be carefully considered so as not to invalidate 'the licence'.

NEBDN qualifications accredit competence against qualification specifications and assessment criteria, and/or National Standards and an approved assessment strategy. Any special consideration **must not** affect the integrity of examination. The assessment must reflect the normal learning or working practice of a candidate working within the occupational area.

## "Exemptions"

An exemption is where an agreement is reached for a candidate to miss a component or components of the examination.

NEBDN do not grant exemptions from any of their examinations.

## **Applying for an EMC**

Any candidate registered with NEBDN who meets the criteria outlined in this policy may submit an EMC application.

EMC applications must be submitted on the correct form with the required supporting evidence and within the published timescale.

For more information on supporting evidence, refer to '*Evidence*' in this policy.

Applications will automatically be rejected (not accepted for consideration) where:

- a) the application is not submitted on the correct form;
- b) the application does not have any supporting evidence;
- c) the supporting evidence does not meet NEBDN criteria;
- d) the application is not submitted within the published timescale.

Applications which are accepted for consideration may be:

- a) Approved
- b) Not approved

Outcomes of EMC applications will always be confirmed by NEBDN in writing. For more information on outcomes of applications, refer to '*What we can do*' and '*Limitations*' in this policy.

## Evidence

It is important that an EMC application is supported by evidence. The application form alone is not sufficient.

It is impossible to know all the exceptional circumstances in which a candidate may find themselves in the lead up to, or during, an examination. It is therefore difficult to provide a definitive list of acceptable evidence. However, examples of evidence which may be considered valid are:

- Medical certificate or letter from a qualified medical professional;
- Death certificate;
- Police report including crime reference number;
- Statement from NEBDN Presiding Examiner\*.

\*For this to be considered valid, the candidate must have reported their circumstances to the Presiding Examiner on examination day. The Presiding Examiner must have been fully informed and must be willing to support the candidate's application for EMC.

## Timescale

EMC applications should be submitted at the earliest opportunity in all cases.

### EMC Applications in the lead up to an examination

Where an EMC application relates to a closing date or deadline, the application should be submitted to NEBDN before, or on, the closing/deadline date.

### EMC Applications after an examination

EMC applications received after an examination must be submitted to NEBDN **within 5 working days** of the examination having taken place.

EMC applications are reported to the relevant Qualification Committee and are considered as part of the results ratification process so any EMC applications which are received outside of the timescale cannot be considered.

Candidates can expect a response to their EMC application with, or following, the issue of examination results.

## Complaints

If a candidate is not satisfied with the outcome of their application, they have the option to make a complaint under the NEBDN Complaints Policy.

## Appeals

Once examination results are published, the EMC Policy does not apply. EMC applications cannot be made retrospectively or outside of the specified timescale.

Under the NEBDN Appeals Policy, candidates are eligible to Appeal on the grounds that details of Exceptional Mitigating Circumstances were, **for justified reasons**, not available prior to the issue of examination results (in accordance with the Exceptional Mitigating Circumstances Policy).

In these circumstances, candidates are referred to the NEBDN Appeals policy.

### **CHECKLIST – Applying for an EMC**

If you are submitting an EMC application, check that you have:

1. Completed your application on the correct form.  
*Current application form available on our website at [www.nebdn.org](http://www.nebdn.org)*
2. Attached supporting evidence which meets NEBDN criteria.  
*Refer to information under 'Evidence' in this policy*
3. Applied within the specified timescale.  
*Refer to 'Timescale' in this policy*