



# **Deferral Policy**

## **PURPOSE**

This document sets out the policy for Yorkshire Leadership Community (YLC) to determine whether a participant has extenuating circumstances by which they may be granted an extension for submitting their final assessment at the end of a YLC programme.

## **SCOPE**

This policy can be used by anyone who is a current participant with YLC undertaking a course or programme with a final assessment. This policy does not cover appeals referred to below:

- Appeals related to review of final assessment judgements covered by YLC's Appeals Policy
- Appeals or complaints related to quality of provision by YLC or actions or lack of actions are covered by the YLC's Complaints Policy

## **DEFINITION**

Extenuating circumstances are exceptional, unforeseeable circumstances affecting a participant's ability to work and undertake/complete their project and submit for final assessment by their cohort cut-off date. These circumstances can be either personal or related to the educational setting.

## **STAGES IN THE PROCESS**

There are three potential stages within this policy as follows:

- 1 Informal Resolution
- 2 Formal Stage
- 3 Review Stage

Appendix A provides a flowchart to illustrate the stages of YLC's Deferral Process. This flowchart includes the timeframe for each stage of the process.

### **Stage 1: Informal Resolution**

Participants who wish to request an extension to their submission date due to extenuating circumstances should notify the YLC Admin team and explain the reasons they feel will prevent them submitting for final assessment by their cohort cut-off date.

Where at all possible YLC will endeavor to encourage the participant to continue on their current programme and submit within the cohort cut-off timeline. Every effort will be made to support the participant with additional support and guidance by their Lead Facilitator, Headteacher/Chair of Governors and Coach.

### **Stage 2: Formal Stage**

This stage should be used when:

- The participant is dissatisfied with the outcome of the early resolution
- The participant declines to engage with the early resolution
- Early resolution is not possible or suitable due to the complexity, character or seriousness of the situation

To trigger this stage, a participant should use the Extenuating Circumstances Form included as Appendix B. This should help the participant set out their case in a clear and succinct way, referring to evidence relevant to the situation.

On receipt of this form, YLC staff will:

- conduct an investigation, which will be proportionate to the complexity of the situation, liaising with the participant and other relevant parties where appropriate
- liaise with the DfE NPQ QA Agent for input if the deferral refers to an NPQ programme
- produce a report based on these investigations which outline:
  - the process followed
  - the information gathered
  - the conclusions drawn
  - any recommendations which will lead to improved provision and/or reduce the chance of similar circumstances occurring
- write to the participant setting out the outcome of the formal stage, outlining the reasons for the decision made. This communication will also include information about:
  - the participant's right to take the issue to the review stage and the grounds for such a referral
  - the time limit for escalating to the review stage
  - the appropriate procedure and support available.

### **Stage 3: Review Stage**

If the participant is dissatisfied with the outcome of the formal stage, they can request a review. A review may cover:

- a review of the procedures followed at the formal stage
- a consideration of whether the outcome was reasonable
- any new material evidence that the participant was unable, for valid reasons, to provide at Stage 2.

The review will not:

- re-hear the complaint afresh
- involve a further investigation.

The extenuating circumstances request must have been considered at the formal stage (Stage 2) before it can be escalated to the review stage.

If an extenuating circumstances request reaches this stage, a Review Panel drawn from YLC Steering Group will consider the way in which the request was investigated in Stage 2. The participant will be invited in writing to attend a hearing and given 10 days' notice of the hearing date.

- Participants will be offered the opportunity to be accompanied by a friend, family member, or representative from a Teaching or Professional Union.
- The participant will be provided with information about the composition of the panel, a copy of the evidence to be considered and information about the support that is available to them including contact details.
- The panel will consist of three members of the Steering Group. They will consider the evidence and there will be an opportunity for the participant and investigating officer to make a presentation.
- A record of the meeting will be taken recording the date, people in attendance, a brief summary of the meeting.

- The Panel will consider the following questions:
  - Were the relevant procedures followed during the formal stage?
  - Was the outcome reasonable in the circumstances?
  - Has the participant received clear reasons why the request was rejected at the earlier stage?
  - If new material evidence has been provided, has the participant given valid reasons for not supplying this earlier?

The Review Panel, having considered the material submitted to them may:

1. overturn the outcome of the formal stage and recommend a remedy
2. uphold the outcome of the formal stage.

The Chair of the Review Panel will write to the participant with their decision and an outline of the reasons for their decision within three working days of the hearing.

### **EXTENUATING CIRCUMSTANCES THAT WILL BE CONSIDERED**

All applications for an extension due to extenuating circumstances will be considered on a case-by-case basis. For general guidance, the categories in the table below are considered reasonable exceptional circumstances - they impact on a participant's ability in the medium term to be at work to undertake and/or complete their project and submit for final assessment by their cohort cut-off date. Final discretion lies with the YLC.

| <b>Category &amp; Explanation</b>  | <b>Examples of Evidence Required</b>   |
|--|--|
| <p><b>An incapacitating illness/medical condition</b><br/>This includes breaks and serious sprains to the normal writing hand/arm.</p>   | <p>Medical certification/GP note or letter must be provided. Self-certification is not acceptable.</p>   |
| <p><b>Care responsibilities</b><br/>Serious illness of a close relative. 'Close' means parent or guardian; partner or spouse; child or sibling.</p>  | <p>Detailed medical evidence of participant's relative's illness is not required. Participant should provide confirmation that their relative is ill and medical evidence (eg a letter from their GP) setting out details of the impact their relative's illness has on their ability to work and undertake/complete their project and submit for final assessment by the cohort cut-off date.</p> |
| <p><b>Acute personal/emotional circumstances</b><br/>Stress/anxiety brought on by serious personal disruption or an incident affecting the participant's ability to work and undertake/complete their project and submit for final assessment, rather than the incident itself. Incidents that cause such circumstances include:</p> <p>a) Bereavement of a close relative. 'Close' means parent or guardian; partner or spouse; child or sibling.</p> <p>b) Relationship breakdown/divorce.</p> | <p>Participant should provide:</p> <p>a) Eg letter from GP or counsellor evidencing impact of the death on their ability to work and undertake/complete their project and submit for final assessment by the cohort cut-off date.</p> <p>b) Eg letter from GP or counsellor evidencing impact of the relationship breakdown/divorce on their ability to work and undertake/</p>                    |

| Category & Explanation  | Examples of Evidence Required   |
|---|---|
| <p>c) Victim of a serious/violent crime.</p> <p>d) Workplace harassment or bullying.</p>  | <p>complete their project and submit for final assessment by the cohort cut-off date.</p> <p>c) A written statement of events, which is supported by written evidence from the police and/or appropriate medical professional (or equivalent) will be required. A letter from the police stating the crime number is not, on its own, sufficient evidence that the participant has been the victim of a crime. It is the stress brought on by being a victim of a crime, which may be considered as exceptional circumstances, rather than the crime itself. The stress and its impact on their ability to work and undertake/complete their project must be evidenced, normally by a letter from their GP or another medical professional who has been treating them.</p> <p>d) Eg a letter from GP or counsellor evidencing impact of the situation on their ability to work and undertake/complete the project and submit for final assessment by the cohort cut-off date.</p> |
| <p><b>Parental leave</b><br/>Parental leave over 2 weeks and expected to last 2 terms or more</p>   | <p>Employer letter confirming maternity/paternity leave start and end date</p>  |
| <p><b>Prolonged jury service</b><br/>Absence caused by jury service +10 working days and expected to last a month and beyond which would impact on 2 terms requirement [10 days is the usual length of service as set out on GOV.UK].</p>   | <p>A letter from the court would need to be produced confirming start and end date for prolonged jury service</p>   |
| <p><b>Project requires longer/certain time period to be completed</b><br/>This is a common cause of request. Reasons include:</p> <p>e) Change of school – Participant has moved school during the programme – some are able to complete based on work already completed, but many have to start a new project in their new school, thus requiring additional time.</p> <p>f) Change of HT - Where participants have had a change of HT during the programme – this can lead to issues eg project no longer in new HT priorities, new HT does not support ppt in completion of programme etc.</p> <p>g) Change of role within school – Participant changes role e.g. SLT re-shuffle, internal promotion – this can affect the viability of the project they are undertaking.</p> <p>h) This could be because project/initiative no longer appropriate to the SIP.</p> <p>i) Ofsted judgement.</p> | <p>e – h) A letter from the sponsor and headteacher (if sponsor is not participant's headteacher) setting out the reasons for delay in submitting the project for final submission.</p>   |

| Category & Explanation   | Examples of Evidence Required   |
|--|---|
| <p>j) School restructure/academisation.</p> <p>k) Absence of sponsor/headteacher – lack of in-school support at senior level for a term+</p>   | <p>i) Ofsted inspections – and the additional workload, esp for schools judged RI or in a category.</p> <p>j) Letter from headteacher or executive leader setting out the situation and impact of disruption on ability to proceed with project to submit for final assessment.</p> <p>k) Letter from most senior leader in school or Chair of Governors setting out impact of lack of support on ability to proceed with project and submit for final assessment</p> |
| <p><b>Not employed in a permanent teaching post for at least one term</b><br/>Lack of opportunity/support/position to undertake the school improvement project; and how long before participant expects to be in a new post and able to submit project. Reasons for not being in post include:</p> <p>l) Participant suspended.</p> <p>m) Temporary post with no performance management in place, and other options have been explored with no success.</p> <p>n) Supply teaching with no performance management in place, and other options have been explored with no success.</p> | <p>l) A letter from the sponsor and headteacher (if sponsor is not participant's headteacher).</p> <p>m) A letter setting out the situation and what options have already been explored and the outcome.</p> <p>n) A letter from supply agency to show period as a supply teacher, and a participant letter setting out the situation and what options have already been explored and the outcome.</p>  |

### EXTENUATING CIRCUMSTANCES THAT WILL NOT BE CONSIDERED

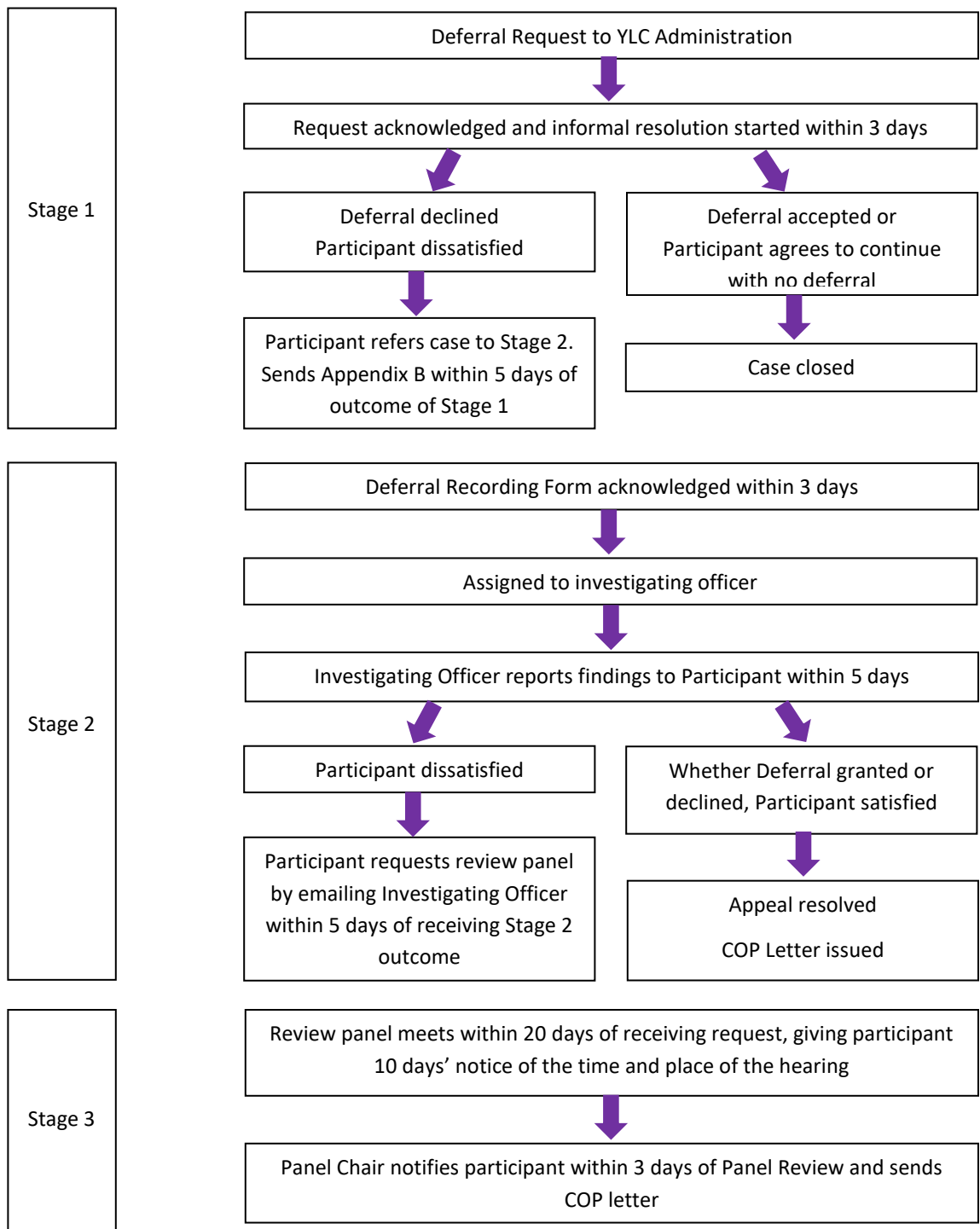
| Category   |
|--|
| Self-certified illness or medical condition, including mental health   |
| Minor ailments. Coughs, colds, sprains, minor fractures (unless in the writing hand/arm).  |
| Non-serious personal and domestic disruptions which could have been anticipated or planned, e.g. moving house, weddings.                     |
| Other work commitments. Additional paid work in the evenings and weekends.   |
| Voluntary commitments. Voluntary work in the evenings and weekends   |
| A late diagnosis of a physical illness or condition, the symptoms of which you were aware (even if you had not received a formal diagnosis). |
| Stress and panic attacks, which have not been diagnosed as an illness  |
| IT related problems including loss of work through hardware malfunctions   |

## **GENERAL DATA PROTECTION REGULATIONS**

- YLC will retain data related to the deferral request for 15 months from the start of the request and after this time all data will be deleted. All data will be stored securely during this time.
- All deferral requests will be treated confidentially. YLC will only disclose information to those who need it to investigate the deferral or to respond to the issues raised.
- If a participant makes a deferral request they should only include any necessary information about third parties. Evidence provided must focus on the impact that a third party has had on the participant themselves. For example, if the mitigation is based on the health of a family member, YLC do not need to see the detailed medical information about that person.

# APPENDICES

## Appendix A Flowchart of Yorkshire Leadership Community Deferral Request Process





Appendix B:

# Yorkshire Leadership Community Deferral Request Form



To be used if Stage 1 informal resolution has failed to provide a satisfactory outcome.

Full Name .....

TRN Number ..... Contact Tel No .....

Email Address .....

YLC Course ..... Course Start Date.....

### Nature of Extenuating Circumstances

- |                           |                          |                                 |                          |                |                          |
|---------------------------|--------------------------|---------------------------------|--------------------------|----------------|--------------------------|
| Illness/medical condition | <input type="checkbox"/> | Personal/emotional circumstance | <input type="checkbox"/> | Parental leave | <input type="checkbox"/> |
| Prolonged jury service    | <input type="checkbox"/> | Sponsor/headteacher             | <input type="checkbox"/> | Project change | <input type="checkbox"/> |
| Changes within school     | <input type="checkbox"/> | Change in employment status     | <input type="checkbox"/> | Other          | <input type="checkbox"/> |

### Please give specific details of your deferral request

### Supporting Documentation

- |                               |                          |                           |                          |                 |                          |
|-------------------------------|--------------------------|---------------------------|--------------------------|-----------------|--------------------------|
| Doctor/Counsellor note/letter | <input type="checkbox"/> | Letter from court         | <input type="checkbox"/> | Employer letter | <input type="checkbox"/> |
| Sponsor/headteacher letter    | <input type="checkbox"/> | Letter from supply agency | <input type="checkbox"/> | Other           | <input type="checkbox"/> |

### Please list any evidence which supports your deferral request

Signature .....

Date .....

---

### Official use:

Date acknowledged .....

By whom .....

Request referred to .....

Date .....