

## Mitigating circumstances policy

### What are Mitigating Circumstances?

- 1.1 Students are sometimes taken ill before or during an exam or assessment deadline, or their performance is affected by other unexpected events that are beyond their control. Students are generally able to ask us to take these circumstances into account. We call this ‘mitigating’ procedures.
- 1.2 It is reasonable to expect students in general to be able to cope with normal life events, to manage their workloads properly, and to expect a level of pressure around assessments.
- 1.3 The aim of a mitigating procedure is to give students a fair opportunity to show that they can reach our academic standards; it is not for us to lower them.
- 1.4 The guidance suggests that we should give examples of the sort of thing which would be accepted as mitigating, versus those that we would not.

Examples of circumstances likely to be accepted	Examples of circumstances unlikely to be accepted
Serious short term injury or illness	Holidays, house moves or other events that were planned or could have reasonably have been expected
Witnessing or experiencing a traumatic incident	Minor illness such as common colds or hay fever unless the symptoms are particularly severe
A crime which has had a substantial impact on the student	Assessments that are scheduled close together
Accommodation crisis such as eviction or the home becoming uninhabitable	Misreading the exam timetable
An emergency crisis that prevents the student from attending an exam or accessing an online assessment	Poor time management
A technical problem that prevents the student from accessing online teaching or assessment	Minor transport disruption
Safeguarding concerns	Computer or printer failure where the student should have backed up work
Worsening of an ongoing illness or disability including mental health conditions	Normal exam stress
Symptoms of an infectious disease that could be harmful if passed on to others.	Minor life events unless the circumstances have had a disproportionate impact
Death or significant illness of a close family relative or friend	Work commitments
Unexpected caring responsibilities for a family member or dependent	Undeclared <b>existing</b> conditions which otherwise would have been supported (excludes newly diagnosed conditions)

Significant personal or family crisis leading to acute stress	
Adjustments arising from a Learning Support agreement	
Jury service	

## 2.0 Requiring evidence

2.1 The School has a right to request evidence to support submissions. This will be done sensitively. Where the student's request relates to illness or other circumstances of someone close to them, we may consider asking for evidence which focuses on the impact on the student rather than evidence of the circumstances themselves.

## 2.2 Examples of acceptable evidence

2.2i Examples of the types of evidence that could be accepted are listed below. Please note that the list is non-exhaustive. The examples below provide some examples of the evidence that may be appropriate.

- Medical evidence of impact e.g. letter from a doctor or another medical professional.
- An obituary, a funeral order of service, or death certificate.
- Written evidence from a professional such as an undertaker, coroner or Registrar.
- Medical evidence of impact of bereavement e.g. letter from a doctor or another medical professional.
- Written evidence to support your claim or explain caring responsibilities and circumstances.
- Official correspondence from court or Tribunal Authority including the dates of the legal proceedings and confirming that you could not be excused.
- A solicitor's letter including the dates of the legal proceedings and the requirement for you to attend.
- Written corroboration of reported crime from police or investigating authority.
- Written evidence from official housing provider or local council, care or support worker.
- Home eviction notice.
- An insurance reference number (if you were involved in a road traffic accident).
- Transportation tickets and proof of delay such as compensation or claims receipt.
- In the case of private transport failure, evidence such as communication with car breakdown provider or receipt from professional vehicle mechanic.
- Medical evidence of impact e.g. letter from a doctor or another medical professional. This should with a specific diagnosis, with dates of period student was affected by their condition and an indication of the impact on their ability to work.

- Hospital or surgery appointment letter/email indicating that the appointment date cannot be re-scheduled.
  - A letter/note from a nurse, occupational therapist, pharmacist, physiotherapist or other relevant professionals.
  - Written evidence from registered clinical practitioner, police, fire service or university estates department.
  - Written evidence to support the claim/explain situation for example, letter of redundancy or supporting letter from line manager.
  - Relevant financial documentation, in the form of bills and/or confirmation of financial support and evidence of how the related circumstances impact submission. You may redact non-relevant information prior to submitting.
- 2.3 Where the student is affected by events involving other people and where the students' relationship to them is less clear, we will ask the student to provide more information or additional evidence.
- 2.4 Deadlines for making mitigating circumstances requests should allow enough time for students to obtain supporting evidence (where evidence is needed), including time for evidence to be translated if it is in a foreign language – or should allow students to make requests with evidence to follow.
- 2.5 We note that students may not be able to afford to use professional certified translation services so if evidence needs to be translated, we should be willing to explore alternatives to certified translations.
- 3.0 Self-certification and medical evidence.**
- 3.1 We acknowledge that it can be difficult for people to get a GP appointment quickly. Sudden but minor illnesses, such as a stomach bug or migraine, do not normally require medical attention and many GPs will not issue medical certificates for conditions that last fewer than seven days. The cost of obtaining a medical certificate, which varies considerably from one GP practice to another, can also be a barrier for some students.
- 3.2 We will allow for students who have had a short illness that has had a significant impact on their exams or assessments, but did not require medical intervention, to request additional consideration **without needing to obtain supporting medical evidence.** Therefore we will not usually expect students to see their GP or other healthcare provider unless they have (or suspect they might have) a health condition that requires medical treatment.
- 3.3 We will limit the number of assessments for which self- certification will normally be allowed, after which the student is required to provide supporting evidence. This will be two per academic year.
- 4.0 Disabled students**
- 4.1 We will of course continue to make reasonable adjustments for a student when we know, or could reasonably be expected to have known, that the student is disabled. Some examples include: Changes to the physical environment to improve access to facilities; Providing or allowing the student to use assistive tools or technology; Adjustments to teaching and

learning, including providing information in a variety of formats; Adjustments to exams and practical assessments such as extra time, rest breaks, sitting the exam in a separate room, use of a computer to type answers or the use of a scribe; Extensions to coursework submission deadlines; Alternative methods of assessment. These will usually be outlined in learning agreements.

- 4.2 We are likely to support further adjustments to those specified in a learning support agreement if a case can be made.
- 4.3 Where a student has decided not to declare a disability and then retrospectively requests an adjustment; this will not be automatically agreed. Students are advised when they register that we can make adjustments when disabilities are declared.

#### **5.0 Mitigating Circumstances Panel (MCP)**

At various times during the academic year we will convene the mitigating circumstances panel to review submissions to it.

#### **6.0 Mitigating circumstances procedures (fuller extract in Quality Assurance Framework)**

3.66 In exercising its discretion, the MCP must be satisfied that: (a) the illness or other good cause rendered the student unfit to enter the examination or to complete and submit the assessed work by the deadline; (b) that the illness or other good cause would either:

- (i) have had a significant and adverse impact on the student's performance in the examination or assessed work; or
- (ii) have prevented the student from sitting the examination.

3.67 Additionally, the MCP must be satisfied that the student was unable, or for valid reasons unwilling, to request to be withdrawn from the examination or to request an extension to a deadline in accordance with 3.49-52 above (deferral or withdrawal from examination).

3.68 A student must not re-submit evidence they have relied on in previous submissions as part of their mitigating circumstances submission.

3.69 Where the MCP is satisfied that the above conditions have been met, it will recommend to the Board of Examiners that the student either be retrospectively withdrawn from the examination or deferred, or, for other assessment, a new submission deadline will be set.

3.74 Where a student is deferred in an examination, the student will be required to enter a replacement examination, where they will be examined as if for the first time (or second time if the deferred examination was itself a second attempt), normally at the next occasion when the examination is offered and the mark for the original attempt will be annulled. Where a student is deferred in an examination and required to enter a replacement examination, the Board of Examiners on advice of the MCP shall determine whether the student is required to sit the examination with or without further attendance.

3.75 Examination marks cannot be raised due to illness or other good cause in relation to a student's performance in an examination. However, where a candidate

has submitted evidence of illness or other good cause, and the MCP is satisfied that the conditions for the exercise of its discretion have been met, the Board of Examiners on the advice of the MCP may, instead of retrospectively withdrawing the candidate, give the candidate special consideration under the provisions of a condoned fail.

## **7.0 Examples of possible outcomes**

7.1 If satisfied with the MC claim and supporting evidence, the MC Panel may select one or more of the following outcomes. This list is a guide and is not exhaustive:

- A student may be granted a replacement opportunity to be taken at a later date;
- A student may be granted an alternative assessment opportunity to be taken at a later date;
- A student may be granted an extension to submit at a later date;
- The late submission penalty may be suspended;
- The use of an assessment entry attempt may be removed;
- The cap of a re-entry / re-sit attempt may be removed;
- A student may be permitted to defer their examinations to the next assessment period;
- An element of assessment will be voided, and the module mark re-scaled so that the overall mark is based only on the elements of assessment the student has completed;

NB: Under no circumstances will mitigation be grounds for adjusting marks awarded.

## **8.0 Fees**

Students whose periods of study exceed the standard programme duration as a result of an MC claim will be transferred to writing up status. An administrative writing up fee will be charged.

EMW

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