

## MITIGATION CIRCUMSTANCES POLICY

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Approved by	<ul style="list-style-type: none"><li>Quality Assurance Committee</li></ul>
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Awarding Body Reference	<ul style="list-style-type: none"><li>Mitigation Circumstance Policy of Bath Spa University</li></ul>
Other reference Points	<ul style="list-style-type: none"><li>ESL Quality Assurance Manuals</li><li>ESL Complaints and Appeal Policies</li><li>Student Handbooks/ Course Handbooks</li><li>Assessment Policy</li></ul>

### What is an extension?

An extension request is a request made by a student to a tutor to ask for a short extension (usually one week, but can be longer than this at the tutor's discretion) of a set coursework submission deadline.

### **Requesting an extension to a coursework deadline**

ESL expects students to cope with normal / minor life events without requiring adjustments to assessment deadlines. Some examples of these events are colds and minor illness, dental treatment, ‘bunching’ of assessment deadlines or normal examination stresses. Students are expected to plan their work schedules sufficiently well so that minor illnesses or problems should not normally affect their abilities to meet an assessment deadline.

If students experience a short-term problem which impacts their ability to submit on time, the module leader can approve a short extension to a deadline, usually for one week (which can be extended by agreement from the module leader). Extensions may not be appropriate for certain types of assessment (e.g. group performances, exhibitions). Extensions will be agreed at the module leader’s discretion and further evidence may be requested before the extension is granted.

The following examples are likely to be considered acceptable grounds for an extension:

- Short-term illness / hospitalisation
- Court attendance
- Illness of close family member, dependant or friend.

The following examples are not considered acceptable grounds for an extension:

- Misreading assessment deadline
- Poor time-management
- Submitting the wrong piece of work for assessment, or draft version
- Books not available in Library
- Travel difficulties that cannot be verified (traffic delays)
- An existing long-term condition where support is already in place.

If a student wishes to submit an extension request, they should send a completed extension request form to their module tutor:

### **What are Mitigating Circumstances?**

Mitigating circumstances are defined as unexpected events outside of a student's control which are likely to have a negative impact on a student's ability to successfully complete an assessment. This policy applies to all students.

It is expected that, during a student's studies, they would normally be able to meet set assessment deadlines throughout the academic year. However, we recognise that this may not always be possible for a wide variety of reasons and students are therefore afforded the opportunity to submit a Mitigating Circumstances claim and to inform ESL of any circumstances that may affect their academic performance. It is ESL's responsibility to ensure that students are not unfairly disadvantaged by such circumstances and to treat all claims fairly and equitably.

If mitigating circumstances are approved, this would normally defer a student's coursework deadline to the next assessment deadline in the academic year.

An approved mitigating circumstances claim will not excuse students from completing their assessment(s), but will defer the coursework deadline for those modules or assessments approved on the claim. Students will still be required to demonstrate that they can achieve the required learning outcomes to successfully pass each of their modules and to meet the programme requirements for progression or award.

Students should also bear in mind the current ESL progression rules when working towards their modules and assessments and considering whether to submit a Mitigating Circumstances claim.

### **Fit to sit / submit principle**

ESL's Mitigating Circumstances Policy is based on the Fit to Sit / Submit principle. When students submit an assessment or sit an examination, students are declaring that they are fit to do so. Students should not then claim at a later date that their performance in an assessment or examination was affected by mitigating circumstances.

If a student is not fit to sit / submit, a short extension (usually one week, but this can be extended by agreement) can be requested from the module leader, or a mitigating circumstances claim can be submitted to request that the assessment is deferred. Deferred assessment will usually take place at the next assessment point in the academic year. Deferred assessment is treated as a first attempt, so the full range of marks is available.

Mitigating circumstances claims should be submitted as close as possible to the date of the affected assessment. Claims should not be submitted so far in advance that the impact of the mitigating circumstances cannot be assessed.

Retrospective or late claims for mitigating circumstances will only be considered in exceptional circumstances and students should fully explain why they were unable to submit a claim before the date of assessment.

Students may apply for mitigating circumstances for more than one module if the same circumstances have affected more than one assessment. The claim form should clearly explain the details of the circumstances, which assessments or modules have been affected, and how these circumstances have affected the student's ability to submit.

Mitigating circumstances cannot be used to waive a late penalty when coursework is submitted after the hand-in date.

### **Support for your Mitigating Circumstances and your Studies**

ESL offers a range of student support services and opportunities to enable students to manage the challenges and demands of academic study. Students are encouraged to seek support from personal tutors, module and Programme Leader and Student Welfare or to use other mechanisms, such as a study break, as appropriate.

Further information, updates and how to apply can be found from Student Welfare of ESL.

### **Example of eligible mitigation circumstances:**

The following examples are likely to be considered valid mitigation circumstances:

- Serious personal accident or injury
- Hospitalisation (including operations)
- Serious illness or death of close family member, dependent or friend
- Sudden deterioration of long-term condition
- Serious personal disruption (e.g. relationship breakdown, separation or divorce, victim of crime)
- Major household problem (break-in, fire)
- Absence for public service (e.g. jury service, service with reserved forces)
- Participation in national / international sports or cultural events
- Recent diagnosis of disability / long-term condition (e.g. chronic fatigue syndrome), so that reasonable adjustments haven't yet been put in place
- Digital poverty - IT issues

### **Not normally considered valid mitigation circumstances**

- Short-term/minor illness (e.g. cough, cold, sore throat)

- Unspecified anxiety or mild depression
- Transport issues
- Misreading of assessment dates and times
- Personal events that could have been anticipated (e.g. holiday, sports event, field trip)
- Inadequate planning, organisation or time-management
- Pressure of academic workload, including multiple examinations in a short period of time
- Demands of paid employment
- Language of assessment not being your main language
- Claims submitted without supporting evidence.

Ongoing conditions are not normally considered as a basis for claiming mitigating circumstances. Students with a long-term illness or disability are encouraged to access the support services available, which can put in place reasonable adjustments for specific learning requirements (for example, extra time for examinations).

**Evidence to support mitigating circumstances claims:**

Students may be asked for further evidence to support their claim. Examples include:

- Medical certification (doctor's note, hospital appointment, hospital or counsellor's letter)
- Death certificate or order of service
- Letter from solicitor or court
- Written evidence from police (including crime reference number).

**Consideration of mitigating circumstances claims:**

All claims for mitigating circumstances are treated as confidential.

Claims for mitigating circumstances will initially be considered by Student Welfare Department. Incomplete claims (e.g. those without a completed claim form or appropriate supporting evidence) will not be considered.

Claims for mitigating circumstances will be considered on the following criteria:

- Severity of the problem
- Duration of the problem, which should be supported by the evidence
- Relevance (how close the affected period is to the point of assessment).

Where the claim is clearly supported with appropriate evidence, a provisional decision will be made to approve the claim. –Students will be notified of the outcome of this initial consideration by email to their ESL/University email address.

The Mitigating Circumstances Panel/Quality Assurance Team will meet regularly during the academic year to ratify provisional decisions and discuss more complex claims. Membership of the Mitigating Circumstances Panel will be appropriately representative, qualified and experienced, and gender balanced as far as possible.

The Panel may recommend that you are referred to Student Wellbeing Services. You may also be advised to consider a period of intercalation if a substantial amount of teaching and assessment has been or is likely to be missed.

Decisions of the Mitigating Circumstances Panel will be notified to you by email to your ESL/University email address.

Once your circumstances have been considered by the Panel, they should not apply any further mitigation (for example, if the overall degree result is near the borderline between classifications, or to change reassessment from referred to deferred).

#### **Duration of approved claims:**

Mitigating Circumstances claims are not approved indefinitely. If you continue to be affected by mitigating circumstances at the point of completing a deferred assessment, you're advised to submit another claim to request further deferral, usually to the next assessment point in the academic year.

#### **Retrospective Mitigating Circumstances:**

Retrospective or late claims for mitigating circumstances can be submitted up to 15 working days following the receipt of your official ESL results email. The claim should be submitted to the Student Welfare, should be accompanied by a clear explanation as to why it was not possible for you to submit the claim on time.

#### **Requests for review**

##### **Stage two: review**

If you wish to request a review of the decision of the Mitigating Circumstances Panel, please submit this request by email to [welfare@elizabethschool.com](mailto:welfare@elizabethschool.com) within ten working days from the date of written notification of the Panel outcome. Further details are available on the ESL's Appeal Policy and Procedure.