



# **Policy and Procedure for Mitigating Circumstances for taught programmes**

Effective from September 2022 to Present

## Mitigating Circumstances for Taught Programmes

### 1. Introduction and Scope

During the course of their studies, students may suffer from some illness or misfortune that adversely affects their ability to complete an assessment. This Policy sets out the University's arrangements for considering requests for mitigation in such circumstances.

This Policy applies to Undergraduate and Postgraduate Taught students. It will only apply to Postgraduate Research students when they are studying the taught elements of a doctoral programme of study. The policy which deals with mitigating circumstances affecting Postgraduate Research students can be found under the 'Requesting a Change' page of the Student Hub:

<https://msuclanac.sharepoint.com/sites/StudentHub/SitePages/Requesting-a-change.aspx>.

This section covers both Interruption of Studies, as well as extension requests.

Where this policy refers to a Year Tutor / Personal Tutor, students studying at levels 3 and 4 will be referred to their Personal Tutor and students studying at levels 5, 6 and 7 will be referred to their Year Tutor.

### 2. The Policy

The University defines mitigating circumstances as 'unforeseeable or unpreventable circumstances that may have a significant adverse effect on the academic performance of a student'.

Students are responsible for submitting their own requests for consideration of mitigating circumstances. As such, students should make themselves aware of the definition of mitigating circumstances and of the procedures for submitting a request for mitigation.

The standard timeframe permitted for any extended coursework submission due to mitigating circumstances is 7 (calendar) days. Under exceptional circumstances (as agreed in the Mitigating Circumstances meeting), students may be allowed to submit beyond this deadline up to a maximum of 14 (calendar) days.

The duration and application of Mitigating Circumstances across modules will be considered by a Mitigating Circumstances panel within Academic Registry who will convene within 2 working days of the submission. The panel will grant extensions of up to 7 (calendar) days or decline the application, communicating the outcome to the student the same day. Where the panel considers a longer period of extension may be required (up to a maximum of 14 calendar days), they will refer the case to the Personal Tutor / Year Tutor via Starfish for Mitigating Circumstances meeting to be conducted between the Personal Tutor / Year Tutor and the student. The Mitigating Circumstances meeting will be held within 5 working days of the referral.

Students who submit work within 7 calendar days after the published submission date without an authorised extension granted through the Mitigating Circumstances process - will be awarded the maximum of the minimum pass mark for that element of assessment (including work graded pass/fail, where the minimum grade would be 'pass'). All work submitted later than 7 calendar days after the published submission date, without an authorised extension granted through the Mitigating Circumstances process, will be awarded a mark of 0% for that element of assessment (work graded pass/fail would receive a 'fail').

Requests for mitigation submitted after the assessment deadline or examination date will not be considered without a credible and compelling explanation as to why the circumstances were not known in advance or why the student was unable to submit an application prior to the published date. This is with the exception of those requests made as a result of circumstances that have arisen on the day of the deadline or examination. Where the request for mitigation relates to circumstances occurring on the assessment deadline or examination date, the student must submit their Mitigating Circumstances application through the process within 3 (calendar) days of the deadline. Where a student has attempted to sit an examination but been unable to

complete for reasons accepted as mitigating circumstances, they must submit a Mitigating Circumstances application within 3 (calendar) days of the examination.

A student cannot submit the same standalone, individual circumstance as a request for mitigation more than once, unless the student can show that the circumstance has exacerbated in some way, or the effects on the student have lasted longer than expected.

Procedures for handling mitigating circumstances need to be clear and easily understood by both staff and students. Requests for mitigation must be processed formally and judged impartially. The procedures will be applied consistently and in line with this Policy, with enough flexibility to apply equally to undergraduate and taught postgraduate students and to allow Schools to meet any discipline-specific or professional body requirements. Arrangements must also be proportionate, so that, where necessary, requests for mitigation can be dealt with quickly with a minimum of bureaucracy.

For a claim to be accepted, the student must be able to demonstrate that mitigating circumstances are **ALL** of the following:

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| Significant   | The event or circumstances must have had a serious impact on their studies.  |
| Unexpected    | The student must normally have had no prior knowledge that a particular event or circumstance would occur.                                 |
| Unpreventable | There must have been no reasonable steps that the student could have taken to prevent the event or circumstance from occurring.            |
| Relevant      | The student must be able to link the event or circumstance, and its impact, on the period for which the application is being made.         |
| Corroborated  | An application for mitigating circumstances must meet the normal requirements for independent documentary evidence (see Evidence section). |

Not all difficult or distressing events will constitute mitigating circumstances; there must be a demonstrable adverse effect on the student's academic performance, which may take several forms:

- The student was unable to submit work by a deadline or attend a scheduled test, examination, or practical activity.
- The event or circumstance may have caused the student to underperform in an assessment, either in the preparation for the assessment, or on the day (i.e., whilst completing a piece of coursework or undertaking revision and/or sitting an examination).

Requests for mitigation must be submitted as soon as possible in advance of the due date for any assessment which the student wishes to be considered for mitigating circumstances. If a request for mitigation is submitted after this point, it will not be considered.

**Students must submit the request up to 3 calendar days before the submission date. Mitigating circumstances cannot be granted retrospectively after this time.** Following submission of the Mitigating Circumstances request, a Mitigating Circumstances Panel will meet to consider the application. This panel will be able to grant extensions of up to 7 calendar days, communicating the outcome to the student the same working day. Where a case may require a longer extension, the student will be invited to attend a Mitigating Circumstances meeting with a Personal Tutor or Year Tutor. Following the meeting, students will be told whether the extension has been granted and advised of the new submission date.

There is no automatic right for an extension to be granted and students are advised to continue working to the original submission deadline until a decision regarding the extension is received.

### **3. Circumstances normally accepted**

Supported by evidence, these are examples of circumstances normally accepted as mitigating if they occur immediately prior to or during an assessment period: *This list is not exhaustive, and each application will be considered on its own merit.*

- The death of someone you are close to e.g., parent, grandparent, guardian, partner, sibling, child.
- Serious personal illness or personal injury, or a significant change or deterioration in a long-term condition.
- Victim of crime (usually with police crime number or supporting evidence from a university member of staff/professional person to whom the student has confided).
- Jury service.
- Involvement in a criminal case/witness.

### **4. Circumstances that may be considered**

Supported by evidence, these are examples of circumstances that may be considered as mitigating: *This list is not exhaustive, and each application will be considered on its own merit.*

- Personal problems/trauma/family crisis/domestic issues/unexpected issues with childcare provision.
- Illness of a close family member.
- Planned medical operation (if advance notice is provided).
- Planned hospital tests (if advance notice is provided).
- Unforeseen consequences of disability which have not been mitigated by agreed reasonable adjustments.
- Unforeseen accommodation issues, outside of the student's control (this would not include house moves caused due to the end of a lease).

Where adverse weather conditions prevent the handing in of work on the submission day, the assessment should be emailed to the appropriate tutor to prevent a penalty being applied. The formal submission should be made at the earliest opportunity.

## **5. What are not mitigating circumstances?**

### *5.1 Support needs that arise during a semester*

Whilst students should make every effort to manage their life and studies in conjunction with such events, it is also understood that sometimes they may need some support. Should such circumstances begin to affect their ability to participate in their studies, it is the student's responsibility to let their school know as soon as possible. There is a great deal of support available across the University, and their school will provide advice regarding who to contact and how.

The key services are:

- Counselling, Mental Health & Wellbeing Service
- Inclusive Support and Wellbeing
- Student Union
- Chaplaincy Team
- International Student Office
- Accommodation Office
- Security Services
- School Student Support teams
- WISER

### *5.2 Events which you are reasonably expected to manage*

Not every event which may disrupt a student's ability to take assessments will be considered as mitigating circumstances. An unexpected event or illness does not automatically lead to academic underperformance. Examples of situations which would not normally be considered mitigating circumstances include: *This list is not exhaustive, and each application will be considered on its own merit.*

- Late submission of coursework without good reason (or where the student could reasonably have been expected to apply for an extension).
- Pressures of academic work i.e., multiple deadlines, time mismanagement, non-availability of high demand books and other resources (except disability-related resource outside of their control).
- Lost or not backed-up coursework, or other computer failure.
- Financial problems, even if this is a change of circumstances (other than cases of extreme hardship).
- Domestic events such as house moves, family celebrations, holidays, weddings, or other such events where they have control over the date or can choose not to attend.
- Normal academic work commitments.

- Appointments which could be rearranged (or advance notification given to the school).
- Mistaking a deadline, misreading the examination timetable, or submitting the wrong assignment in error.
- Transport difficulties (i.e., strikes, traffic jams, delayed trains).
- Illness for which no contemporaneous evidence is available (i.e., evidence which demonstrates they sought medical advice or intervention at the time of the illness or are under the care of a medical practitioner).
- Pregnancy. The student should determine whether they believe they will be fit to undertake assessment around their expected due date and discuss and agree in advance any risk assessment or adjustment to assessments appropriate. Applications related to unexpected difficulties, impact of unplanned pregnancy, or health issues may however be considered, if supported by appropriate evidence.
- Examination nerves, feeling generally anxious, suffering from low mood, stress, or panic attacks (where no diagnosis of a mental health condition has been made).
- Ignorance of the regulations or examination or assessment arrangements.

### *5.3 Ongoing circumstances and long-term health conditions*

Students are expected to manage ongoing circumstances in conjunction with their studies where feasible. Where this is not possible, students are advised to discuss with their school taking temporary leave from their studies. Where they choose to continue to study, they are encouraged to access support available to them. Students will not normally be awarded mitigating circumstances for known or ongoing circumstances unless there are events beyond their control that prevent them from accessing support. Students will need to provide evidence to support this. Where the Inclusive Support and Wellbeing Team have evidence of the impacts of a long-term health condition, which may fluctuate in nature, adjustments may be considered around the flexibility pertaining to deadlines.

## **6. Disability (including Specific Learning Difficulties (such as dyslexia and dyspraxia), mental health conditions and long-term medical conditions)**

If a student is disabled or has a long-term health condition (12 months or more) that impacts on their day-to-day activities, they should register with the Inclusive Support and Wellbeing Team who will advise further on support and reasonable adjustments to their study and assessment. Disability includes specific learning difficulties (such as dyslexia and dyspraxia), as well as diagnosed mental health conditions. You can find out more about Inclusive Support and Wellbeing and how to register here: [inclusivesupport@uclan.ac.uk](mailto:inclusivesupport@uclan.ac.uk)

- If they are a disabled student and they experience mitigating circumstances unrelated to their disability, they should apply through this procedure.
- If they have requested reasonable adjustments and find that there have been delays outside of the student's control in accessing support and adjustments (for example: DSA support being put in place, or delays in obtaining evidence of a disability) the student can also submit an application for mitigating circumstances where their assessments have been affected. The student will be required to provide evidence to support such claims and should contact the Inclusive Support and Wellbeing

Team for advice and further support.

## **7. Circumstances with an impact on all students, or groups of students**

Sometimes there will be unanticipated circumstances which have an impact on all students, or specific groups of students. Where this is the case, the University will take action to apply mitigation and will let students know what this will be. For example, where there is industrial action or public health requirements which impact on learning and teaching arrangements, action will be taken to adjust teaching and learning arrangements for students, and consideration will be given to mitigate the impact on assessment, for example by assessing content taught, or changing the method of assessment. If a student considers that the impact of circumstances with an impact on all students affects them severely and is not mitigated by the action taken by the University, they should apply for mitigation in the normal way.

Evidence will be expected of individual impact. Consideration of circumstances that may be considered will follow the guidance set out in sections 3 and 4 above.

## **8. Evidence in support of mitigating circumstances**

Applications for mitigating circumstances will not normally be considered unless they are supported by independent documentary evidence. Applications will not be considered until this evidence has been received.

Independent evidence would normally be letter-headed correspondence and signed by an appropriate third party, giving details of the circumstances, its dates and/or duration and, where possible, its impact. An appropriate third party would be one who knows you in a professional capacity, or one who can verify the circumstances and who is able to provide objective and impartial evidence. Evidence will only be accepted from verifiable addresses. All evidence must be provided in English.

Personal information about third parties should not be submitted to the University unless necessary. If a student's circumstances relate to someone close to them, what we need to know is the impact on the student of their circumstances rather than their details. By disclosing data relating to a third party to evidence their mitigating circumstances application, they are confirming that they have the consent of the third party to do so.

The following list aims to provide guidance on the types of evidence that we would normally expect to be provided to support an application for mitigating circumstances. This list should not be considered definitive, and Schools should always consider other forms of documentary evidence provided. The school may request additional evidence to help to clarify a set of circumstances. It is the student's responsibility to obtain evidence in support of their application. We will not be able to obtain medical, or other, evidence on behalf of the student.

### *8.1 Guidance on Evidence*

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| Illness or accident of student requiring medical intervention (short-term) | Medical certificate or letter, signed by an appropriately qualified medical practitioner, giving dates affected by illness and containing a medical opinion on how the student would have been affected. |
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| <p>Illness of another person, usually a close family member (this can be either short-term or chronic illness)</p> | <p>Independent evidence to demonstrate the impact on the student (this will preferably come from an independent third party (e.g., a doctor or other qualified professional). The student will need to make clear why and how their ability to take assessments was affected. OR where third-party permissions exist and it is necessary to explain the severity of circumstances to evidence their impact upon them, medical evidence relating to the illness of the third party (clearly indicating dates of illness). The student may be required to provide evidence of their connection to the person who is ill (where that person is not a family member). By disclosing data relating to a third party to evidence their mitigating circumstances application, they are confirming that they have the consent of the third party to do so.</p> |
| <p>Bereavement</p>   | <p>Evidence of bereavement can take several forms, for example:</p> <ul style="list-style-type: none"> <li>▪ A letter from funeral director or minister conducting the service.</li> <li>▪ An Order of Service showing date, or other relevant documentation.</li> <li>▪ A statement from a doctor or other qualified professional, or member of university staff (e.g., Academic Personal Tutor / Year Tutor) confirming the student had disclosed a bereavement.</li> <li>▪ A corroborating statement from a family member.</li> <li>▪ A death certificate.</li> </ul>   |
| <p>Disability</p>  | <p>Disabled Students registered with the University's Inclusive Support and Wellbeing Team can use details of the reasonable adjustments via Starfish as evidence in support of an application for a coursework extension.</p>   |
| <p>Other domestic disruption (family issues, financial or accommodation difficulties)</p>                          | <p>Statement must provide clear details, including dates which link to the assessment(s) affected. The student must also provide evidence of how they were affected and why this prevented them from completing the assessment(s) on time. This could include a corroborating</p>  |



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|   | statement from professional person, e.g., counsellor, employer, landlord/agent, University staff member (i.e., Academic Personal Tutor / Year Tutor, module leader, exam invigilator).  |
| Absence arising from such things as jury service or maternity, paternity or adoption leave. | Official correspondence relating to these events.   |
| Victim of crime   | Crime number (these are usually issued by the police for all reported crimes). For crimes which are of a personal nature, where the student may find it difficult to report the matter to the police, appropriate evidence can be provided from a medical professional, counsellor, or other relevant person. |

### 9. Procedural Guidance

Students can apply for Mitigating Circumstances online via [myUCLan](#) following [these instructions](#). If students cannot access MyUCLan, they can contact Student Administration who will provide students with assistance.

## **Mitigating Circumstances Process**

Students are advised to seek advice from a Personal Tutor / Year Tutor, Module or Course Leader initially, if they have concerns about meeting deadlines. If a student's circumstances relate to a long-term condition or disability they have not previously declared, they should contact Inclusive Support.



Student completes and submits Mitigating Circumstances form (including evidence) prior to assessment deadline or within 3 calendar days of assessment deadline / examination date if incident requiring mitigating circumstances occurs on the assessment deadline / exam date

- Student applies via MYUClan
- Selects required Modules/Components
- The system auto-populates the assignment hand-in date
- Student selects amount of days up to 14 days or Defer to Next Semester
- Student uploads evidence
- If the student is a carer or has a disability, this will be flagged – as a flare up of the condition would not require further evidence.



MC panel\* within Academic Registry convenes within 2 working days and grants approvals with an extension of up to 7 calendar days or declines the MC application. Decisions are made using a rubric and are audited to ensure consistency

- Banner is updated with Approved/Decline during the panel meeting
- Automated Email sent to the Student, Year Tutor and Module Leader



Where the MC panel considers a longer extension may be required (up to a max. of 14 calendar days), the decision will be referred to the Personal Tutor / Year Tutor via Starfish for a MC Meeting with the student. Students will be notified that their case is being considered for a longer extension (up to a max. of 14 days) and to expect a meeting with their Tutor within 5 working days

- Refer to Year Tutor to be added to Banner
- Automated email sent to the Year Tutor, Course Leader and Student



Personal Tutor / Year Tutor and student meet for MC meeting within 5 working days of the referral. An extension may be granted of up to 14 calendar days or an assessment must be deferred to the next assessment period. Other options, including: interruption to study, retaking the module and reassessment may be considered.



Personal Tutor/Year Tutor confirms the decision on Banner

- An approved decision will automatically apply to all Modules/Component. If not all modules/component have an extended deadline then these will need to be de-selected.
- If the amount of days needs to be changed, the Year Tutor to amend these. The system will then automatically update with the revised deadline
- Automated emails sent to the Year Tutor, Module Leader, Student and Course Leader.

*\* The Mitigating Circumstances Panel will be comprised of three members of the Academic Registry management team (from a pool of managers trained to undertake this process) and chaired by a senior member of Academic Registry staff (Head or Deputy Head). An audit will be undertaken quarterly to ensure consistent application of the policy and rubric.*

Outcomes from a Mitigating Circumstances application may include:

- A 7-day extension
- A 14-day extension
- Defer to next assessment opportunity/next semester with the same piece of work
- Defer to next assessment opportunity/next semester with an alternative piece of work (eg a reassessment brief but graded as a first sit)
- Interruption
- Retake module (this would take place in the following academic year. If several 'retake module' mitigations were present then an assessment board would consider a retake year with good cause)
- Reattempt assessment. This is slightly different to 'defer with the same work' in that the work may have already been submitted (thus not a deferral) and/or received a grade, but the student feels their grade has been compromised by the mitigating circumstances (e.g. uncapped resit where work was failed, or grade that they felt was far below their usual standard).

If the student's application is approved, they should not sit any examinations or hand in assessed work until they feel able to do so (or when any period of time away from study granted by the Mitigating Circumstances process expires).

If a student chooses to still hand in work or sit any exams, this will be considered as a first assessment attempt and their work will be marked. Although they may have passed, if they feel that they have not performed as well as normally because of the mitigating circumstances, the student has the right to submit an appeal within 2 weeks of receiving the result. Any re-attempt at an assessment granted upon appeal will be considered as a first sit, in that the mark will not be capped at a minimum, and the higher of the two grades achieved will be awarded. [Find out more about the Appeals process here.](#)

If the student's request is refused, the student must complete their assessments as normal.

The University is committed to ensuring confidentiality and only those staff who are part of the decision making and academic process will have access to a student's information.

## **10. Sources of Support and advice**

The following areas of the University can be contacted for support and advice relating to mitigating circumstances:

- i. The University Counselling Service - <https://msuclanac.sharepoint.com/sites/StudentHub/SitePages/Wellbeing.aspx>
- ii. Student Support and Advice - <https://msuclanac.sharepoint.com/sites/StudentHub/SitePages/Support.aspx>
- iii. Disability Advisory and Support Service - <https://msuclanac.sharepoint.com/sites/StudentHub/SitePages/Inclusive-support.aspx>

iv. Students' Union Advice Service -

<https://msuclanac.sharepoint.com/sites/StudentHub/SitePages/Your-Students%27-Union.aspx>

v. Students' own programme or School - please see the following for a list of School contacts - <https://www.uclan.ac.uk/schools>.